

Joshua Basofin
California Representative
Defenders of Wildlife

DOCKET 07-AFC-8
DATE <u>JUN 11 2009</u>
RECD. <u>JUN 11 2009</u>

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:)
)
) Application for Certification) Docket No. 07-AFC-8
) for the Carrizo Energy Solar Farm)
))
))
))
))
))
))
_____)

Petitioner, Joshua Basofin, California Representative, Defenders of Wildlife, states:

1. Petitioner, Joshua Basofin, California Representative, Defenders of Wildlife, petitions to intervene in the above-entitled proceeding.
2. Petitioner's address, telephone number and email address are:
1303 J Street, Suite 270
Sacramento, California 95814
916-313-5800 x108
jbasofin@defenders.org
3. Petitioner's position and interest in the proceeding are:
See Attachment 1.
4. Petitioner does wish to reserve the right to present evidence and to cross-examine witnesses.
5. Petitioner will be represented by: Joshua Basofin, California Representative, Defenders of Wildlife
6. Petitioner prefers email for service of process

_____ Date _____ Signature

Check box if continuation pages are attached.
(Proof of Service Must be Attached)

Attachment 1

Defenders of Wildlife (“Defenders”) is dedicated to protecting all wild animals and plants in their natural communities. To this end, Defenders employs science, public education and participation, media, legislative advocacy, litigation, and proactive on-the-ground solutions in order to impede the accelerating rate of extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

Defenders strongly supports the emission reduction goals found in AB 32, including the development of renewable energy in California. However, we urge that in the quest for renewable power that project proponents design their projects in the most sustainable manner possible. This is essential to ensure that project approval moves forward expeditiously and in a manner that does not sacrifice sensitive landscapes and wildlife in the rush to meet our renewable energy goals.

The Carrizo Energy Solar Farm (“CESF”) would impact 1,020 acres of dry farmed land and disturbed areas that provide habitat for multiple protected wildlife species. The CESF would block wildlife corridors and cause a loss of habitat that would result in impacts to multiple species, including pronghorn and San Joaquin kit fox. Two photovoltaic projects also proposed to be located in the Carrizo Plain will cumulatively impact these integral wildlife corridors. A thorough and comprehensive analysis is required to prevent such cumulative impacts.

Based on a review of the Preliminary Staff Assessment of the CESF Application for Certification and associated documents, Defenders has several serious concerns about the potential impacts of this project on a number of rare, declining and listed species and on their continued ability to use migration corridors. Defenders is also concerned that the applicant has not given adequate consideration to alternative sites for the project. Defenders believes the applicant has not yet provided specific information concerning methods of compensation for affected habitat. The applicant’s proposal of 705 acres of agricultural lands or naturalized habitats as compensatory mitigation is simply inadequate and does not fulfill the California Department of Fish and Game’s full mitigation standard. Cal. Fish & Game Code § 2081(b)(2). In addition, the agricultural uses of the proposed mitigation lands could impair the habitat value of that land, resulting in a deficient compensation proposal. The applicant should develop a more robust compensation proposal that fully mitigates adverse affects on listed species.



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 CARRIZO ENERGY
SOLAR FARM PROJECT**

Docket No. 07-AFC-8

PROOF OF SERVICE

(Revised 6/5/2009)

APPLICANT

Sean Kiernan
Development Director
Ausra, Inc.
303 Ravendale Drive
Mountain View, CA 94043
sean.kiernan@ausra.com

San Luis Obispo County
John McKenzie
976 Osos Street, Rm 300
San Luis Obispo, CA 93408
jdmckenzie@co.slo.ca.us

Environmental Center of
San Luis Obispo (ECOSLO)
c/o Babak Naficy
P.O. Box 13728
San Luis Obispo, California 93406
babaknaficy@sbcglobal.net

APPLICANT CONSULTANT

Angela Leiba, GISP
Senior Project Manager
GIS Manager/Visual Resource
Specialist
URS Corporation
1615 Murray Canyon Road, #1000
San Diego, CA 92108
angela_leiba@urscorp.com

INTERVENORS

Mr. John A. Ruskovich
13084 Soda Lake Road
Santa Margarita, California 93453
agarnett@tcsn.com

ENERGY COMMISSION

JEFFREY D. BYRON
Commissioner and Presiding Member
jbyron@energy.state.ca.us

Kristen E. Walker, J.D.
URS Corporation
1615 Murray Canyon Road, #1000
San Diego, California 92108
kristen_e_walker@urscorp.com

Mr. Michael Strobridge
9450 Pronghorn Plains Road
Santa Margarita, California 93453
mike_76@live.com

JULIA LEVIN
Commissioner and Associate Member
jlevin@energy.state.ca.us

COUNSEL FOR APPLICANT

Jane E. Luckhardt
DOWNEY BRAND
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

California Unions for Reliable Energy
(CURE)
c/o Tanya Gulesserian
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
tgulesserian@adamsbroadwell.com

Gary Fay
Hearing Officer
Gfay@energy.state.ca.us

John Kessler
Project Manager
jkessler@energy.state.ca.us

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

John Burch
Traditional Council Lead
Salinan Tribe
8315 Morro Road, #202
Atascadero, California 93422
salinantribe@aol.com

Caryn Holmes
Staff Counsel
cholmes@energy.state.ca.us

Michael Doughton
Staff Counsel
mdoughto@energy.state.ca.us

*Robin Bell
Carrisa Alliance for
Responsible Energy
P.O. Box 4280
Paso Robles, California 93447
robin@midstateexpo.com

Elena Miller
Public Adviser
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Joshua Basofin, declare that on June 11, 2009, I served and filed copies of the Attached Petition for Intervention. 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/ivanpah]. 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:

X sent electronically to all email addresses on the Proof of Service list;

X 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

X 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. 07-AFC-8

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.


