

DOCKETED

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STATE OF CALIFORNIA
Energy Resources
Conservation and Development Commission

In the Matter of:) DOCKET NO. 09-AFC-7
)
Application for Certification for the) Basin and Range Watch's
PALEN SOLAR POWER PROJECT) Status Report 3
)
_____) _____

We would like to submit the following Status Report for the Palen Solar Energy Project certification.

Our issues have not yet been resolved and so our status report is brief.

We believe that the review of this project has not yet resolved outstanding issues with

Visual Resources – The two towers would create glare that is now being seen at the similar Ivanpah Solar Electric Generating System. It would be visible from Joshua Tree National Park and Wilderness Areas. The 16 flashing lights on each tower at night would have dark sky impacts.

Air Quality and Dust Emissions relating to public health. Valley Fever could be spread by the large construction footprint of the project

Cultural Resources - The project would forever change the visual landscape which would impair the cultural values of the area. There would be no way to mitigate the loss of artifacts.

Paleontological Resources – Destruction of these resources from the heliostat pylons cannot be mitigated.

Biological Resources – Habitat and sand transport would be lost for Mojave fringe-toed lizards. Habitat would be lost for desert kit foxes, American badgers, upland desert birds, raptors, desert tortoise, bats and a host of other species. Birds will be killed in the solar flux. Water birds most likely will be attracted to the “lake effect” from the reflective quality of the heliostats. An Endangered Yuma clapper rail was recently killed at the Desert Sunlight Project 22 miles away and a host of other water birds have also been killed. There is no known mitigation to prevent such kills. The schedule of the project is being moved along too quickly.

We request that off-site alternatives be selected for this project. There is just no way to mitigate the loss.

Please consider the following alternatives:

Alternatives:

Under the California Environmental Quality Act, an EIR or PSA is required to examine a “reasonable range” of alternatives to the project or its location. These must include the “no project” alternative. Alternatives must be feasible, meet most of the project objectives, and reduce one or more of the project’s significant effects.

California's Renewables Portfolio Standard of achieving 33 percent renewable energy by 2020 does not say that the proposed location of the Palen Solar Energy Project is required to achieve this goal. Because the project will have impacts to resources that can't be mitigated, the CEC will have no choice but to over-ride these impacts. Furthermore, the power tower technology BrightSource is using has some unanswered technology questions. The Ivanpah Solar Electric Generating System has already experienced two fires including a gas pipeline rupture.

While a No Action Alternative would be favorable to the project proposal, we feel that there are more environmentally friendly solar energy alternatives that should be considered.

Off -Site Brownfields Alternative: The renewable energy portfolio standards of California can be met using alternatives located on brownfields. The California Energy Commission should consider an alternative location for the Palen Project that would not result in so many resource conflicts. While this may not favor the applicant, it would provide renewable energy to California while preserving valuable resources located on the site of the proposed Palen Project. It would also help meet California’s 33 percent renewable goal.

As we have mentioned before, there are plenty of alternative locations for the Palen Project.

One alternative to consider would be the Westland Solar Park. The Westlands Solar Park (WSP) is a Competitive Renewable Energy Zone (CREZ) identified by the Renewable Energy Transmission Initiative (RETI) located in northwestern Kings County in central California. The WSP includes the phased development of utility-scale solar PV generating facilities with a total capacity of approximately 2,400 MW on about 24,000 acres of drainage-impaired agricultural lands in the southeastern portion of the Westlands Water District. The EIR will also evaluate three planned transmission corridors in the region, which are intended to facilitate the conveyance of renewable energy. More information on the project and its goals are included in the NOP.

More on the Westlands Solar Park can be seen here: www.westlandswater.org

Distributed Generation:

The CEC should also consider a Feed in Tarrif and Distributed Generation alternative. These alternatives would have the least environmental impacts and the most environmental benefits. There would be little need for new transmission and the cost of building distributed solar would be far less than a utility scale concentrated solar thermal project.

In Germany, over 22 GW of renewable energy are produced each year. About 80 percent of this is on rooftops. The idea of producing energy from rooftops involves the citizens of California. It would create an infrastructure that would produce far more jobs and have the least environmental impacts than the Palen Solar Energy Projects.

No Project Alternative: In the unlikely event that no off-site solar energy alternatives are feasible, a No Project Alternative would be the best option for protecting the resources at stake.