



**Energy Facilities Siting and
 Environmental Protection
 Division**

		FILE: 07-AFC-5	DOCKET
		PROJECT TITLE: Ivanpah SEGS	07-AFC-5
<input checked="" type="checkbox"/> Telephone	(760) -241-7365	<input type="checkbox"/> Meeting Location:	DATE NOV 04 2008
NAME:	Mary Dellavalle California RWQCB Lahontan Region	DATE: 11-4-08	RECD. NOV 05 2008
WITH:	Susan Sanders, Biologist, Aspen Environmental Group		
SUBJECT:	RWCQB Permits for Ivanpah SEGS		

I asked about the status of the Ivanpah ISEGS 401 certification application, and what could be done to expedite permitting on this project.

- Ms. Dellavalle said that they had not yet received an application for a 401 certification for the Ivanpah project. She sent some application material to Amy Hiss, the applicant's representatives, in July 2008. Ms. Dellavalle noted that whether or not the USACOE determines that the ephemeral drainages are jurisdictional waters of the US, the project will still need a permit for impacts to waters of the state.
- Regional Water Quality Control Board (RWQCB) has detailed instructions on their web page on how to apply for 401 certification/WDR permit, but it is relatively rare that they get a complete application that is not missing crucial information. The RWQCB has 30 days to review applications after they are submitted and determine if they are complete. Once the application is deemed complete, they have 60 days to process it.
- The application should identify lineal feet, acreage, and volume of impacts to both waters of the State and Waters of the US, as well as measures to avoid and minimize impacts to waters. If avoidance is infeasible, the application will need to include compensation/mitigation for impacts to waters. Ideally this mitigation would occur within the same watershed as the impact, and would provide some of the same functions.
- I noted that the applicant will also be mitigating for desert tortoise and other impacts, and Ms. Dellavalle said that if those compensation lands also included comparable waters, then the same compensation lands might work for both.
- Ms. Dellavalle noted that BLM had expressed concerns about the project resulting in higher erosion affecting the Ivanpah lakebed and detracting from the recreational uses that occur there. She said that the goal should be to have no change in outflow from the project compared to pre-project conditions, both in terms of sediment load, volume, and velocity of water flow.
- Water quality and leakage of hazardous materials (thermal transfer fluid) is also a concern, particularly if spills happen during a rainstorm. This issue came up on another SEGS project and was a problem. The applicant should have a plan in place to deal with potential leakage of hazardous materials.

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- She said that she has worked on other Energy Commission projects, and had a successful and smooth application process working with Misa Ward on the Victorville II project. She appreciates that cooperative spirit of the project proponents for Victorville II.

cc: Rick York, CEC Siting Division
Che McFarlin, CEC Siting PM

Prepared by: Susan Sanders