

January 14, 2009
2231 Kelton Ave
Los Angeles, CA 90064

Che McFarlin, Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

DOCKET	
07-AFC-5	
DATE	JAN 14 2009
RECD.	JAN 21 2009

RE: Ivanpah Solar Electric Generation System - PSA

Dear Mr. McFarlin:

I thank you for the opportunity to comment on the Preliminary Staff Assessment (PSA) of the Ivanpah Solar Electric Generating System (ISEGS). As your report has recognized, there are many factors involved in evaluating the proposal, and the impacts to be anticipated from the project are serious and may, or may not, be mitigable. I am a frequent traveller in the eastern Mojave Desert and place a high value on the natural resources of the area under consideration. This leads to several concerns which I have as a result of your assessment.

While I acknowledge the potential value, perhaps even the necessity, of providing energy from renewable resources in the Mojave Desert, this must be done only after considering the circumstance surrounding each proposal and each site. The projects must be pursued in an environmentally responsible way, and if this is not possible, then permits should not be granted.

The preliminary assessment acknowledges that it is not currently possible to determine if impacts to Air Quality, Biological Resources, Cultural Resources, Land Use, Soils and Water Resources, Traffic, and Transmission System Engineering can be satisfactorily mitigated. Of course it is difficult to obtain all the data that one would wish, but the suggestion that a project could be approved without knowing what the consequences might be seems unsupportable. **Every effort must be made to resolve these uncertainties.**

I am particularly concerned about impacts which the ISEGS would have upon habitat, plans, and wildlife. The site of the project is outstanding desert tortoise habitat, and as these are a threatened species they need special consideration. The plan suggests that a number of tortoise would be removed. The experience which the US Army has had in the translocation of tortoise to accommodate expansion of the Fort Irwin military complex has been disastrous. There must be assurances that there will be no similar result if the Ivanpah project were to go ahead.

PROOF OF SERVICE (REVISED 12/22/08) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 1/21/09
TKG

If ultimately it is determined that impacts to the biological resources at the site can not be suitably mitigated, and if permits for the project are nevertheless granted, **then the applicant, Bright Source, must be required to provide substantial compensation for the negative impacts that result.**

I trust that you will consider all the factors that are relevant to the proposal: legal, environmental, as well as economic. I urge you to particularly note the concerns and suggestions which I have made above.

Sincerely,

Craig Deutsche

Craig Deutsche



**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 *IVANPAH SOLAR ELECTRIC
GENERATING SYSTEM*

DOCKET No. 07-AFC-5

PROOF OF SERVICE
(Revised 12/22/08)

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-5
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Solar Partners, LLC
John Woolard, Chief Executive Officer
Alicia Torre, Project Manager
1999 Harrison Street, Suite #500
Oakland, CA 94612
ATorre@BrightSourceEnergy.com

Steve De Young
Ivanpah Solar Electric Generating System
Director, Environmental, Safety and Health
1999 Harrison Street, Ste. 2150
Oakland, CA 94612
sdeyoung@brightsourceenergy.com

APPLICANT'S CONSULTANTS

John L. Carrier, J. D.
2485 Natomas Park Dr. #600
Sacramento, CA 95833-2937
jcarrier@ch2m.com

COUNSEL FOR APPLICANT

*Jeffrey Harris
Ellison, Schneider & Harris L.L.P.
Attorneys at Law
2600 Capitol Avenue, Ste. 400
Sacramento, CA 95816-5905
jdh@eslawfirm.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Tom Hurshman, Project Manager
Bureau of Land Management
2465 South Townsend Ave.
Montrose, CO 81401
tom_hurshman@blm.gov

Sterling White, Field Manager
Bureau of Land Management
Needles Field Office
1303 South Highway 95
Needles, CA 92363
Sterling_White@blm.gov

Becky Jones
California Department of Fish & Game
36431 41st Street East
Palmdale, CA 93552
dfgpalm@adelphia.net

INTERVENORS

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

ENERGY COMMISSION

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

JAMES D. BOYD
Commissioner and Associate Member
jboyd@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Che McFarlin
Project Manager
Cmcfarli@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

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

DECLARATION OF SERVICE

I, Teraja Golston, declare that on January 21, 2009, I deposited copies of the attached PSA Comment Letter from Craig Deutsche (07-AFC-5) in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Original Signature in Docket
Teraja Golston

Attachments