



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
California State Office
2800 Cottage Way, Suite W-1623
Sacramento CA 95825
www.blm.gov

JUL 23 2009

In Reply Refer To:
2800 (CA930)P
(CACA-48668)

Mr. Kevin Hunting
California Department of Fish and Game
1416 Ninth Street
Sacramento, California 95814

DOCKET	
07-AFC-5	
DATE	<u>JUL 23 2009</u>
RECD.	<u>JUL 30 2009</u>

Subject: Coordination of Mitigation for BrightSource Solar Development

Dear Mr. Hunting:

This letter confirms agreement between the Bureau of Land Management (BLM) and the California Department of Fish and Game (DFG) regarding mitigation measures for the BrightSource Energy solar development project near Ivanpah, California (CACA-48668).

The current per acre mitigation fee established by the California State Director should be updated to reflect current land value and recent purchase prices. BLM will work with DFG and the applicant to establish the updated value.

The BLM mitigation ratio of 1 to 1 will be applied within the mitigation ratio that DFG has determined for the BrightSource project. The BLM acknowledges and accepts that BLM's mitigation requirement will primarily fund implementation of recovery actions jointly recommended by BLM, DFG and the United States Fish and Wildlife Service (FWS) biologists, while the remaining mitigation requirement will fund land acquisition.

Deed restriction language approved by the Department of Justice will be included in the deeds for lands acquired for project mitigation and donated to BLM for long-term management.

For any land enhancement actions or recovery actions implemented on existing BLM-owned lands as part of mitigation for this project, BLM will develop a Memorandum of Understanding with DFG containing provisions for notification of any proposed projects affecting those lands. The BLM agrees that future projects that may degrade or diminish the recovery value of this mitigation action will be compensated at a higher rate.

Thank you and your staff for your effort in working with the BLM and the FWS in determining a solution that meets all of our agencies' goals and missions. We look forward to continuing our collaborative efforts to promote renewable energy while protecting a healthy and functional desert ecosystem.

Sincerely,

James W. Abbott
Acting State Director

PROOF OF SERVICE (REVISED 7/20/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 8/4/09

MS



**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 7/20/09)

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DECLARATION OF SERVICE

I, Maria Santourdian, declare that on August 4, 2009, I served and filed copies of the attached BLM Letter to CDFG Regarding Desert Tortoise Mitigation Coordination, dated July 23, 2009. 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 documents have 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, California 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

FOR FILING WITH THE ENERGY COMMISSION:

 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-5
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.

Original Signature in Dockets
Maria Santourdjian