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DOCKET 07-AFC-5

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02 September 2010
California Energy Commission Docket Unit
1516 Ninth Street
MS-4
Sacramento, CA 95814

Via email: docket@energy.state.ca.us (hard copy via mail)

Dear Sir/Madam,

RE: Docket No. 07-AFC-5

We write in reference to the California Energy Commission's Presiding Member's Proposed Decision ('PMPD') on the BrightSource Energy application for the Ivanpah Solar Electric Generating System (ISEGS). While we are Canadian citizens, we have also been the owners of a property in Twentynine Palms, CA since 2007. Our family home away from home is not only a place we use regularly to enjoy the natural beauty of the Mojave National Preserve and Joshua Tree National Park, but also a place we engage in ensuring that we are consistent, positive contributors to the community -- financially, through our interaction with others and, as good stewards of the land, and its inhabitants we are privileged to enjoy time with.

First and foremost, we don't wish to share our home away from home with the blinding glare of 173,000+ heliostats, not to mention witness the potentially disastrous impacts to land, water, plant and animal species (some very rare) unique to the Mojave.

It is our opinion that all of the necessary study (and public availability of same under FOIA) that should precede ANY approval of a commercial undertaking such as BrightSource Energy's proposed Ivanpah SEGS has not yet been fully completed, and this causes us grave concern with respect to the financial and personal investments we have made in the State of California. Quite frankly, we would expect that full impact studies and mitigation plans in all areas would form a key part of supporting evidence to the PMPD. After reviewing it, we were surprised by the significant number of deferred plans not analyzed under the National Environmental Policy Act or the California Environmental Quality Act (some of which could potentially impact groundwater). It is our understanding you will be allowing BrightSource to complete these plans AFTER approval. Will there be additional public consultation / evidentiary review once NEPA/CEQA analysis completed? How will any unforeseen mitigation costs be handled should they arise? Borne by BrightSource Energy or lobbed at taxpayers?

It is our understanding that you must fulfill duties under the CEQA and California Endangered Species Act in order to obtain permission from the California Dept. of Fish and Game for the highly risk-inherent relocation or translocation of tortoises. We are not aware of a full copy of the final translocation plan for tortoises (see that only a portion of draft plan currently available). Is allowing for public review of the full and final plan not a part of those duties?

We also understand the Mojave National Preserve has not yet agreed to be the recipient site for tortoises translocated long distances. Have appropriate time and resources been allotted for the full separate NEPA review that should be undertaken for this in the event it is the path chosen? Who will handle costs of same?

How will the loss of ≈4,000 acres of recreational land next to the Mojave National Preserve be made up? We regularly hike and photograph the flora and fauna in this valley, and know we are not alone in that.

How will the limited San Bernardino County fire and emergency services be bolstered to fight an increased risk of wildfires resulting from this project? Given that numerous other large projects are proposed for Ivanpah valley, has sufficient study been undertaken to assess that increased risk and prepare necessary plans? Again, who will cover cost (or should we expect property taxes to be increasing...)?

We could go on, but the main purpose of this letter is to ensure you understand that as property owners (who pay property taxes in San Bernardino County), regular visitors and contributors to the economy in the immediate area of the Ivanpah Valley we are deeply concerned. As residents of Canada, we are also watching with keen interest to see how the State handles ensuring that the interests of citizens, their land, and the plant and wildlife it is tasked with protecting far outweigh the corporate financial interests of the BrightSource Energy's ISEGS.

We believe strongly that insufficient, fully transparent evidentiary review and consultation has not been undertaken on far too many fronts with respect to BrightSource Energy's application for the ISEGS, and we encourage you to ensure that is not the message you send to the citizens of California, the United States and the world.

Sincerely yours,

Michele Simmons

Michael Simmons

Joan Simmons

cc: file