

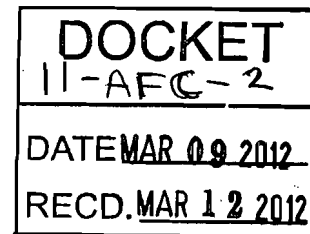


Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX: (760) 878-0382
E-Mail: inyoplanning@inyocounty.us

March 9, 2012

Clay Jensen, Senior Director, Project Development
BrightSource Energy Inc.
410 S. Rampart Blvd, Suite 390
Las Vegas, NV 89145



Re: Hidden Hills Solar Energy Generating System, Application for Certification (11-AFC-2)
Outstanding County Land Use and Planning Issues

Dear Mr. Jensen:

Thank you for your March 2, 2012 response to my February 23, 2012 correspondence regarding outstanding land use issues for the proposed Hidden Hills Solar Energy Generating System (HHSEGS). I am responding to clarify several topics that were raised by your correspondence.

First, your letter seeks direction as to which applications for a General Plan Amendment and Zoning Reclassification BrightSource should file. As indicated in my February 23 correspondence, I suggested that you submit an application to amend the General Plan land use designation for the site to General Industrial (GI) and the zoning for the site to General Industrial and Extractive (M-1). However, a number of alternatives are available to you, which were also presented in my February 23 correspondence. I apologize if the flexible approach that I conveyed in my correspondence caused confusion.

Second, you requested that the County indicate why the GI General Plan land use designation is appropriate for the proposed power plant. As indicated in your correspondence, the GI designation is for uses with a high or heavy intensity of use where there is a potential for nuisance on surrounding land. The proposed power plant, which includes two approximately 750-foot towers each surrounded by 85,000 mirrors, generators, electrical distribution systems, and appurtenant facilities, is consistent with this definition.

Finally, you indicated that the County previously requested that you submit an application for a Renewable Energy Determination. If I recall correctly, this statement is inaccurate; County staff requested that you submit an application for a Renewable Energy Development Agreement as required by Title 21 of the Inyo County Code. Instead, BrightSource submitted an application for a "Renewable Energy Development Application". Since it appears that BrightSource Energy has elected to not pursue a Renewable Energy Development Agreement, I recommend that BrightSource submit an application to amend the General Plan land use designation and to change the zoning for the project site. As noted in my correspondence, based on the offers of dedication and public use of the numerous roads crossing the project site, the Inyo County Board of Supervisors will need to abandon these public roads prior to construction. I further recommend that BrightSource include a request for road abandonment in the above referenced application. Lastly, the County will require, as it does of all applicants, that

BrightSource sign a defense and indemnification agreement as a condition of processing any land use application.

I thank you for your correspondence and trust that the above has answered your questions. I further want to thank BrightSource for its continued commitment to reimburse the County for a portion of the significant costs it is incurring to participate in the California Energy Commission's certification process for your project. I look forward to your submittal of a General Plan Amendment and Zoning Reclassification at your earliest convenience to commence the process necessary for conforming the project to the Inyo County General Plan and Zoning Ordinance. I also hope you will continue to work to resolve the County's other outstanding issues. I continue to believe that your project has the potential to be an outstanding example that renewable energy development can benefit local communities. If you have any questions, please call me at (760) 878-0268 or email me at jhart@inyocounty.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Hart", written in a cursive style.

Joshua Hart, AICP
Planning Director

cc: Board of Supervisors
CAO
County Counsel
California Energy Commission