



BrightSource

**DOCKET**

**11-AFC-4**

DATE FEB 09 2012

RECD. FEB 13 2012

February 9, 2012

Mr. Pierre Martinez, Project Manager for Rio Mesa Solar Project  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

Subject: BrightSource Energy, Inc. – Rio Mesa Solar Electric Generating Facility  
Preliminary Jurisdictional Determination Acceptance

Dear Mr. Martinez:

BrightSource Energy, Inc. hereby submits the 2011 Preliminary Jurisdictional  
Determination Acceptance for the Rio Mesa Solar Electric Generating Facility.

If you have any questions, or need further clarification, please do not hesitate to call me at  
(510) 550-8908.

Sincerely,

Todd Stewart  
Rio Mesa Solar Project Manager  
BrightSource Energy, Inc.



October 7, 2011

James E. Mace, Senior Project Manager  
U.S. Army Corps of Engineers, Riverside Regulatory Field Office  
1451 Research Park Drive, Suite 100  
Riverside, CA 92507-2154

Subject: BrightSource Energy Rio Mesa Solar Project: Methods for ACOE Proposed  
Jurisdictional Drainage Delineation  
URS Project No. 27651003

Dear Mr. Mace:

On behalf of BrightSource Energy Inc., URS Corporation Americas (URS) would like to provide these revised materials and documents necessary to make a jurisdictional determination regarding waters found on the Rio Mesa Solar Project site. The revisions are and along the eastern edge of the Project site where it was determined that some areas previously mapped as non-wetland are likely wetlands. The vast majority of these wetland areas are not impacted by the Project as currently planned. There were also some small changes to the mapping along the gen-tie line and Bradshaw Trail/34<sup>th</sup> Ave. access corridor. The following materials have been attached to this letter:

1. Methods for ACOE Jurisdictional Drainage Delineation Memo
2. Table 1 – Revised - Detailed Potential Jurisdictional Waters of the United States
3. Table 2 – Revised - Summary of Potential Waters of the United States
4. Figure 1 – ACOE Informally Agreed Waters of the U.S.- Project Site
5. Figure 2 – ACOE Informally Agreed Waters of the U.S.- Generator Tie-Line Corridor and Access Corridors
6. Revised - Preliminary Jurisdictional Determination Form

Please contact Derek Langsford at (858) 812-9292 or [derek.langsford@urs.com](mailto:derek.langsford@urs.com) (note new email address), if you have any questions.

Sincerely,

URS CORPORATION

Angela Leiba  
Vice President

Derek Langsford  
Biology Group Team Manager

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January 12, 2012

James E. Mace, Senior Project Manager  
U.S. Army Corps of Engineers, Riverside Regulatory Field Office  
1451 Research Park Drive, Suite 100  
Riverside, CA 92507-2154

Subject: BrightSource Energy Rio Mesa Solar Project, Blythe, CA  
Methods for ACOE Proposed Preliminary Jurisdictional Waters Delineation  
URS Project No. 27651003

Dear Mr Mace:

On behalf of BrightSource Energy Inc., URS Corporation Americas (URS) provides this letter to document the methods used to delineate the preliminary jurisdictional waters found within the Rio Mesa Solar Project Biological Survey Area (BSA).

Areas considered and assessed as potential jurisdictional Waters of the United States (WUS) were based on wetland delineation practices that are in compliance with Section 404 of the Clean Water Act (CWA), Sections 9 and 10 of the Rivers and Harbors Act of 1899 (RHA), and Regulatory Guidance Letter No. 08-02 dated 26 June 2008. For the purposes of this Preliminary Jurisdictional Determination (PJD) it is assumed that all waters and wetlands that would be affected in any way by the proposed activity on the site could be jurisdictional waters of the U.S. The methodology to determine what is proposed jurisdictional involved the following criterion:

**Ordinary High Water Mark (OHWM):** Areas with higher density vegetation, but lacking any of the OHWM characteristics, were eliminated as proposed jurisdictional waters, whereas proposed jurisdictional waters exhibited conditions indicative of OHWMs being present.

Features were considered proposed jurisdictional regardless of connectivity to the Colorado River, the nearest traditional navigable water (TNW).

The preliminary data review and site reconnaissance survey (January, 2011) identified numerous west to east trending ephemeral washes throughout the project site, including five large ephemeral washes trending west to east and west to south. Given the size of the study area and the myriad of potential features present, the characterization and mapping of these drainages was accomplished by a combination of field surveys and desktop mapping using high resolution aerial photographs. Eleven drainage systems were pre-chosen, using the high resolution aerial photographs, as representatives of typical ephemeral washes found throughout the site. These 11 drainage systems were chosen based on size, flow direction, connectivity, flow patterns, vegetation composition, topography, and USGS 'blue lines'.

James E. Mace  
USACE  
January 12, 2012  
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The reviewed areas are represented by Drainage Identification letters, labeled A through I, gen-tie line ROW corridor, and Bradshaw Trail and 34th Avenue Access, for simplicity, and presented in Figures 1 and 2, and summarized in Table 1. Potential WUS on the project site were identified by URS personnel through review of existing documentation and verified during the field investigation. During the field investigation, URS biologists gathered information on the physical parameters such as topographic demarcation, soil characteristics, vegetation cover, and connectivity of drainages to the Colorado River. Aerial photographs at a scale of one inch equals 200 feet (VTN 2011), USGS 7.5-Minute Quadrangle Maps including the Thumb Peak, Palo Verde, Ripley, and Roosevelt Mine, and the USFWS's Wetland Mapper (National Wetlands Inventory [NWI], 2011) were used to identify potential wetland and water resources in the project area. A data search for previously delineated and mapped wetland and non-wetland WUS was conducted using the NWI website. A total of 8.30 acres of Bush seepweed (*Suaeda moquinii*) scrub wetlands, mapped on the NWI, occur within the BSA (Figure 1& 2). Metadata for this wetland acreage were not found on the NWI website. An additional site visit was conducted to collect additional data, soil type, plant species, and hydrology on the quality of the 8.30 acres of wetlands. A wetland determination data form (Arid West Region) was completed during the field visit. Similarities in the vegetation and hydrology of the area around this NWI identified seepweed wetland point expanded the area of proposed jurisdiction to a total of 117.78 acres of wetland WUS. A summary of findings is currently being developed and will be presented in a separate memo.

A site reconnaissance survey and preliminary assessment of water features were conducted April 18 through April 22, 2011. The total area surveyed was approximately 11,381 acres. Pedestrian surveys were conducted along the 11 drainages and included points representing locations in the middle of the drainage channel, OHWMs, locations of low and high banks, and the outer extent of vegetation typically associated with each drainage. Data were recorded using a Trimble® Geo-XT GPS. General characteristics of the wash, including average channel width, evidence of flow, and general vegetation were noted. URS biologists reported no observable surface water in the BSA at the time of the investigation, but they documented evidence of past recent surface water flows, including visible shelves and edges in washes, OHWMs, litter and debris, and vegetation disturbance. Other evidence observed was the heavy braiding of washes throughout the project site. URS biologists determined that most surface waters flowed southeast to Hodges Drain, which connects to the Palo Verde Outfall. This outfall flows into the Colorado River, which is identified as a TNW.

Field data were incorporated into a GIS for subsequent analysis and mapping. Data points collected along transect lines were plotted on recent aerial photographs having one to two foot resolution, and drainage features within the survey area were manually digitized into the GIS using the nearest reference location data to aid in the mapping. The area extending one mile from the site boundaries was qualitatively evaluated for the presence of wetlands and other waters and for possible indirect effects to waters adjacent to the project site. When determining drainage acreages using desktop mapping, categories such as 1-3 feet wide, 3-6 feet wide, 6-9 feet wide, 9-12 feet wide, 12-15 feet wide, and greater than 15 feet wide, were used to quantify the acreage. Acreage calculations assumed that 1-3 feet was 3 feet and 3-6 feet was 6 feet, etc. Prior to field surveys, this proposed methodology was discussed with USACE regulatory staff from the Los Angeles District (Pers. Comm. Jim Mace, 2011).



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Based on the field data and aerial photograph interpretation, these drainage systems were delineated based on connectivity of the smaller delineated ephemeral washes to the five largest ephemeral drainages and/or connection to Hodges Drain to the east of the project site boundary (Figure 1). Features for each drainage system include single, large channels with well-defined bed and banks, as well as broad, but sometimes weakly expressed, assemblages of shallow braided ephemeral channels. A total of no more than 1,178.78 acres of potentially jurisdictional WUS were identified and mapped in the project area, with an additional 254.82 acres in the BSA. Table 1 shows the breakdown of each drainage system's total acreage. The majority of WUS on the Project site are non-wetland, the numbers in brackets [xx] in Table 1 are the wetland acreages included in the totals. Table 2 shows a summary of wetland and non-wetland proposed jurisdictional WUS.

Sincerely,

URS CORPORATION

Heather Rothbard  
Staff Botanist/Wetland Scientist

Derek H. Langsford, PhD  
Biological Resources Team Manager



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 USACE  
 January 12, 2012  
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**Table 1**  
**Potential Jurisdictional WUS**

Drainage Systems <sup>1</sup>	Drainage Size within the Project Site (acres)	500ft Buffer Area (acres)	Total Area (Project + Buffer) (acres)
A	17.31	7.01	24.32
B	127.84	17.26	145.10
C	9.88	1.17	11.05
D	6.52	0.98	7.50
E	191.62	44.86 [4.11] <sup>2</sup>	236.48 [4.11]
F	6.20	7.62 [6.09]	13.82 [6.09]
G	419.85 [58.85]	75.69 [48.72]	495.54 [107.57]
H	141.53	50.05	191.58
I	238.28	50.20	288.48
Gen-tie line and ROW	9.05	<sup>3</sup>	9.05
Bradshaw Trail & 34th Ave Access	10.7	<sup>3</sup>	10.7
<b>Totals</b>	<b>1,178.78 [58.85]</b>	<b>254.84 [58.93]</b>	<b>1433.62 [117.78]</b>

<sup>1</sup> Drainage Divisions A through I are shown on Figure 1

<sup>2</sup> Numbers in parentheses designates wetland acreage included in total WUS

<sup>3</sup> Acreage included in Project Site

Gen-tie line = Generator tie line

ROW=Right-of-Way

WUS = Waters of the United States under Section 404 and 401 of the Clean Water Act. Defined in the study area by Ordinary High Water Mark



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USACE  
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**Table 2**  
**Summary of Potential Jurisdictional Wetland and Non-Wetland WUS in the BSA**

Type	Existing within Project Site	Existing within Buffer Area	Existing Acres within BSA
Jurisdictional Waters of the United States (WUS)			
Wetland*	58.85	58.93	117.78
Non-wetland WUS	1,119.93	196.39	1,326.32
<b>TOTAL</b>			
<b>United States Army Corps of Engineers (USACE) Jurisdiction</b>	<b>1,178.78</b>	<b>254.84</b>	<b>1,433.62</b>

BSA = Biological Survey Area

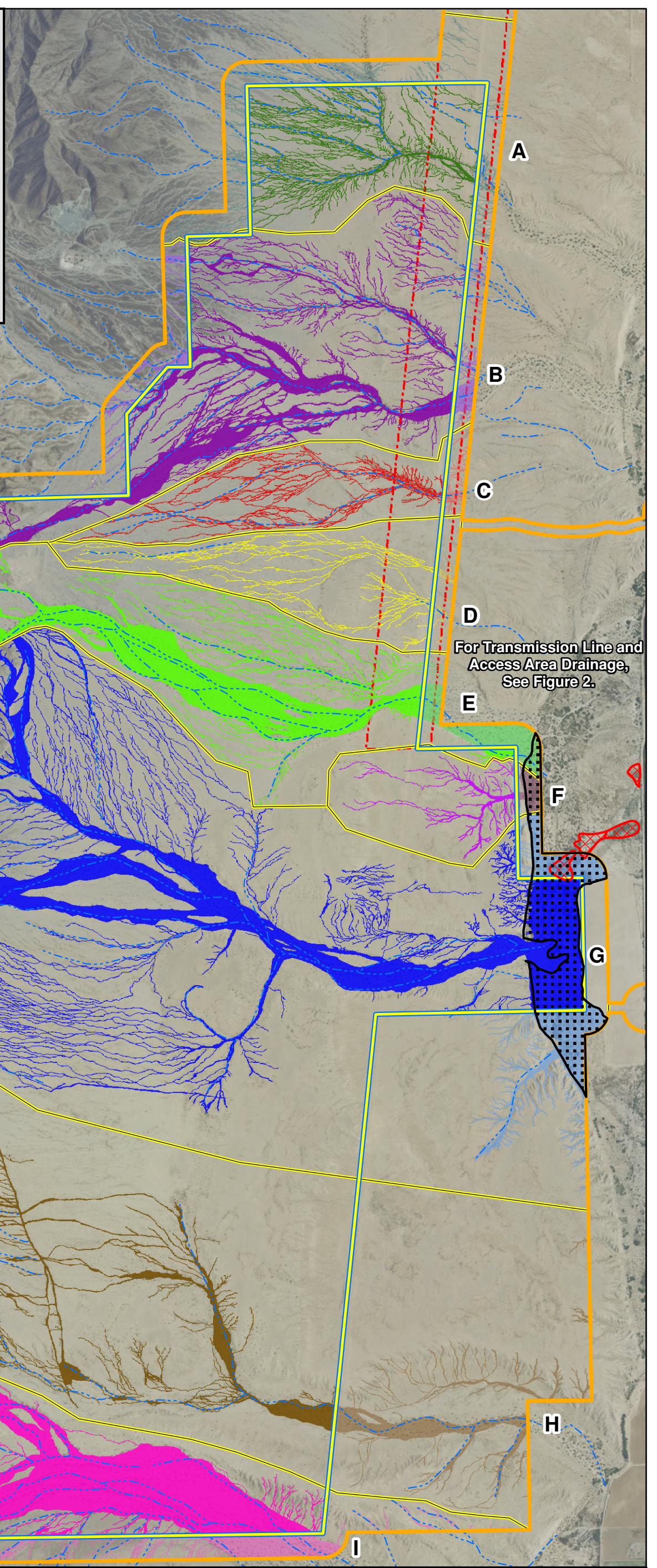
WUS = Waters of the United States

\* Wetland present included bush seepweed scrub and bush seepweed scrub/ mesquite bosque vegetation communities.



Biological Survey Area  
  Project Site Boundary  
  Transmission ROW Corridor  
  Drainage Systems Division  
 Wetland (58.93 ac. in Buffer, 58.85 ac. in Project)  
 NWJ Wetlands (8.03 ac. in Buffer, 0.27 ac. in Project)  
--- USGS Blue Line

Drainage System within Project Boundary	Drainage System within Survey Buffer
<span style="background-color: green; width: 10px; height: 10px; display: inline-block;"></span> A 17.31 ac.	<span style="background-color: lightblue; width: 10px; height: 10px; display: inline-block;"></span> A 7.01 ac.
<span style="background-color: purple; width: 10px; height: 10px; display: inline-block;"></span> B 127.84 ac.	<span style="background-color: lightpurple; width: 10px; height: 10px; display: inline-block;"></span> B 17.26 ac.
<span style="background-color: red; width: 10px; height: 10px; display: inline-block;"></span> C 9.88 ac.	<span style="background-color: pink; width: 10px; height: 10px; display: inline-block;"></span> C 1.17 ac.
<span style="background-color: yellow; width: 10px; height: 10px; display: inline-block;"></span> D 6.52 ac.	<span style="background-color: lightyellow; width: 10px; height: 10px; display: inline-block;"></span> D 0.98 ac.
<span style="background-color: lightgreen; width: 10px; height: 10px; display: inline-block;"></span> E 191.62 ac.	<span style="background-color: lightgreen; width: 10px; height: 10px; display: inline-block;"></span> E 44.86 ac.
<span style="background-color: magenta; width: 10px; height: 10px; display: inline-block;"></span> F 6.20 ac.	<span style="background-color: lightmagenta; width: 10px; height: 10px; display: inline-block;"></span> F 7.62 ac.
<span style="background-color: blue; width: 10px; height: 10px; display: inline-block;"></span> G 419.85 ac.	<span style="background-color: lightblue; width: 10px; height: 10px; display: inline-block;"></span> G 75.69 ac.
<span style="background-color: brown; width: 10px; height: 10px; display: inline-block;"></span> H 141.53 ac.	<span style="background-color: lightbrown; width: 10px; height: 10px; display: inline-block;"></span> H 50.05 ac.
<span style="background-color: pink; width: 10px; height: 10px; display: inline-block;"></span> I 238.28 ac.	<span style="background-color: lightpink; width: 10px; height: 10px; display: inline-block;"></span> I 50.20 ac.

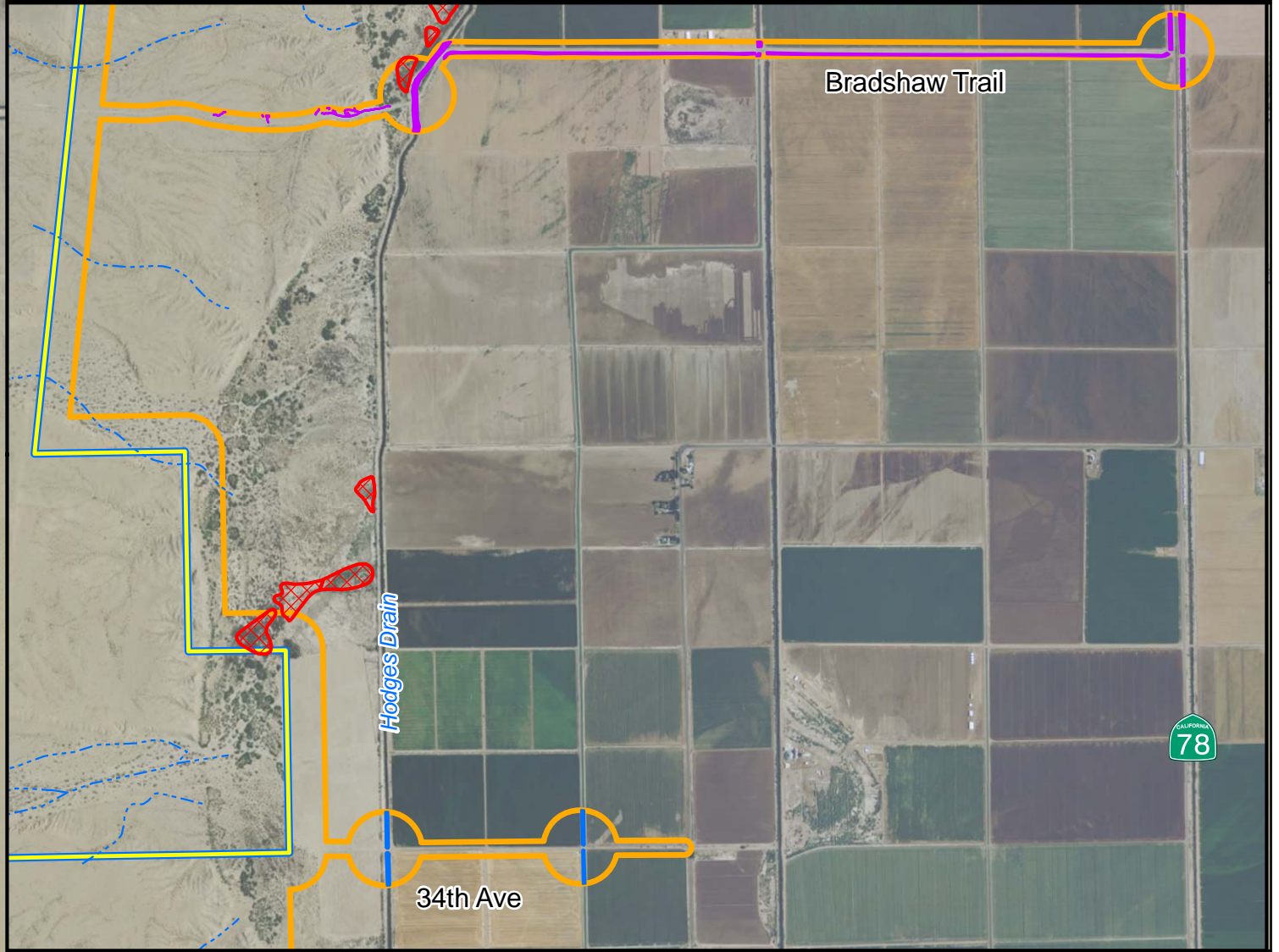


For Transmission Line and Access Area Drainage, See Figure 2.

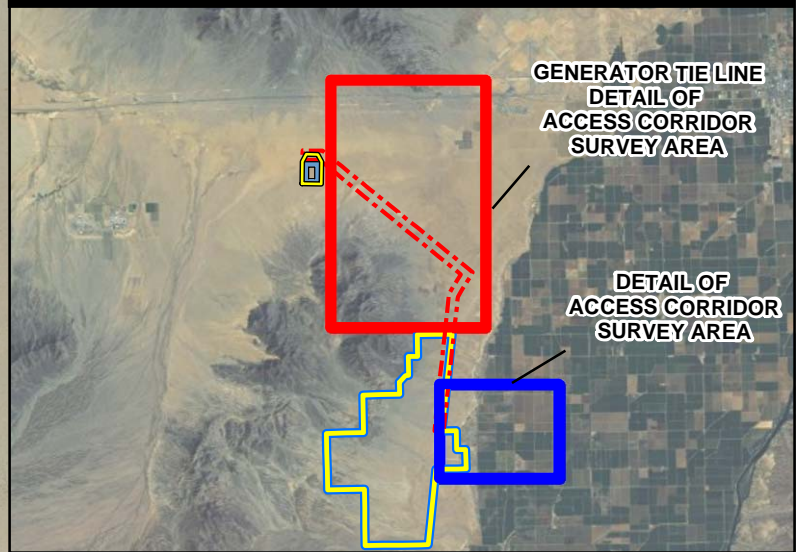
Path: \\082-GIS\GIS\gis\projects\157727651002\map\_docs\mtd\AF\UD\_Waters\AGENCY\_SUBMITTALS\ACOE\_Project\_Area.mxd, David\_Trecek, 10/7/2011, 2:21:19 PM

 	SOURCES: Draft Solar Field Layout & Fenceline (Bechtel, 8-03-2011). Project Site, Transmission Line Corridor (VTN, 3-15-2011) Aerial Imagery (NAIP, 5-25-2009) USGS Blue Lines (USGS, 2009) NWJ Wetlands (U.S. Fish & Wildlife Service, 2011) ACOE Informally Agreed Waters of the U.S., Drainage Systems Division, Biological Survey Area (URS, 2011).		<b>ACOE INFORMALLY AGREED WATERS OF THE U.S.</b> <b>PROJECT SITE</b> <b>RIO MESA SOLAR</b> <b>ELECTRIC GENERATING FACILITY</b>	
	1100    0    1100    2200 Feet  SCALE: 1" = 2,200' (1:26,400) SCALE CORRECT WHEN PRINTED AT 11X17	CREATED BY: DT	DATE: 10/7/2011	FIG. NO: 1
	PM: AL	PROJ. NO: 27651006.50506		

DETAIL OF ACCESS CORRIDOR SURVEY AREA



OVERVIEW OF PROJECT SITE



- Transmission Line Corridor Drainage (9.05 ac.)
- Bradshaw Trail Drainage (9.04 ac.)
- 34th Ave Access Drainage (1.66 ac.)
- NWI Wetlands (8.03 ac. in Buffer, 0.27 ac. in Project)
- Biological Survey Area
- Transmission ROW Corridor
- Project Site Boundary
- USGS Blue Line



SOURCES: Project Site, Transmission Line Corridor (VTN, 3-15-2011)  
 Aerial Imagery (NAIP, 5-25-2009)  
 USGS Blue Lines (USGS, 2009)  
 ACOE Informally Agreed Waters of the U.S.,  
 Drainage Systems Division, Biological Survey Area (URS, 2011).  
 NWI Wetlands (U.S. Fish & Wildlife Service, 2011).



1100 0 1100 2200 Feet  
 SCALE: 1" = 2,200' (1:26,400)  
 SCALE CORRECT WHEN PRINTED AT 11X17

ACOE INFORMALLY AGREED WATERS OF THE U.S.  
 GENERATOR TIE LINE CORRIDOR AND ACCESS CORRIDORS  
 RIO MESA SOLAR  
 ELECTRIC GENERATING FACILITY

CREATED BY: DT	DATE: 10/6/2011	FIG. NO:
PM: AL	PROJ. NO: 27651005.50506	2

Path: G:\gis\projects\157727651002\map\_docs\map\F01D\_Waters\AGENCY\_SUBMITTALS\ACOE\_Time\_Access\_Areas.mxd\_paul\_moreno\_10/6/2011\_ 8:03:03 AM

## PRELIMINARY JURISDICTIONAL DETERMINATION FORM

This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:


District Office	Los Angeles District	File/ORM #	SPL-2011-00972-SEM	PJD Date:	Oct 7, 2011
State	CA	City/County	Palo Verde Mesa, Riverside County		
Nearest Waterbody:	Colorado River				
Location: TRS, Lat/Long or UTM:	San Bernardino Meridian: T8S R21E S1-3, 9-11, 14-16, 20-23, 26-29, 33-35. T7S R21E S14-16, 23, 26, 35				
Name/Address of Person Requesting PJD	Derek H. Langsford, PhD, CSE Biological Resources Team Manager URS Corporation 4225 Executive Square, Suite 1600 La Jolla, CA 92037 Phone: (858) 812-9292, ext. 1563				


Identify (Estimate) Amount of Waters in the Review Area:	Name of Any Water Bodies on the Site Identified as
Non-Wetland Waters: 272530 linear ft <math>< 1/4</math> width 1315.85 acres Stream Flow: Ephemeral	Tidal: N/A Section 10 Waters: Non-Tidal: N/A
Wetlands: 117.78 acre(s) Cowardin Class: Palustrine, scrub-shrub	<input checked="" type="checkbox"/> Office (Desk) Determination <input checked="" type="checkbox"/> Field Determination: Date of Field Trip: Apr 20, 2011

**SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: URS Corporation
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - Office concurs with data sheets/delineation report.
  - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps
- Corps navigable waters' study: \_\_\_\_\_
- U.S. Geological Survey Hydrologic Atlas:
  - USGS NHD data.
  - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite quad name: Palo Verde
- USDA Natural Resources Conservation Service Soil Survey. Citation: websoilsurvey.nrcs.usda.gov Colorado Desert Area
- National wetlands inventory map(s). Cite name: fws.gov/wetlands/Data/Mapper.html
- State/Local wetland inventory map(s): californiawetlands.net/tracker/crb/map
- FEMA/FIRM maps: 06025C0275C
- 100-year Floodplain Elevation is: \_\_\_\_\_
- Photographs:
  - Aerial (Name & Date): VTN Consulting, 2011
  - Other (Name & Date): \_\_\_\_\_
- Previous determination(s). File no. and date of response letter: \_\_\_\_\_
- Other information (please specify): VTN Consulting, 2011. Draft Rio Mesa Overall EIR

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

  
 Signature and Date of Regulatory Project Manager  
 (REQUIRED)

  
 Signature and Date of Person Requesting Preliminary JD  
 (REQUIRED, unless obtaining the signature is impracticable)

**EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:**

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

**PRELIMINARY JURISDICTIONAL DETERMINATION FORM**

**This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:**

Appendix A - Sites

District Office	Los Angeles District	File/ORM #	SPL-2011-0972-JEM	PJD Date:	Oct 7, 2011
State	CA	City/County	Palo Verde/Riverside	Person Requesting PJD	Derek Langsford

Site Number	Latitude	Longitude	Cowardin Class	Est. Amount of Aquatic Resource in Review Area	Class of Aquatic Resource
Wetlands	*****	see Figure 1	Palustrine, scrub-shrub	117.78 acres	Non-Section 10 wetland
A	*****	see Figure 1	Riverine	24.32 acres	Non-Section 10 non-wetland
B	*****	see Figure 1	Riverine	145.10 acres	Non-Section 10 non-wetland
C	*****	see Figure 1	Riverine	11.05 acres	Non-Section 10 non-wetland
D	*****	see Figure 1	Riverine	7.48 acres	Non-Section 10 non-wetland
E	*****	see Figure 1	Riverine	232.35 acres	Non-Section 10 non-wetland

**Notes:**

\*\*\*\*\*Please see attached Figure number 11a and 11b, showing locations of Site Numbers labeled as Sections A thru I, Gen-tie and ROW corridors, and Bradshaw Trail and 34th Avenue Access.

Continued Sections from List above:

F: 7.73 acres, \*\*\*\*\* see Figure 1, Riverine, Non-Section 10 non-wetland

G: 388.02 acres, \*\*\*\*\* see Figure 1, Riverine, Non-Section 10 non-wetland

H: 191.58 acres, \*\*\*\*\* see Figure 1 Riverine, Non-Section 10 non-wetland

I: 288.48 acres, \*\*\*\*\* see Figure 1, Riverine, Non-Section 10 non-wetland

Gen-tie/ROW corridor: 9.05 acres, \*\*\*\*\* see Figure 2, Riverine, Non-Section 10 non-wetland

Bradshaw Trail/34th Ave Access: 10.70 acres, \*\*\*\*\* see Figure 2, Riverine, Non-Section 10 non-wetland



**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 *RIO MESA SOLAR*  
*ELECTRIC GENERATING FACILITY***

**DOCKET NO. 11-AFC-04  
PROOF OF SERVICE  
(Revised 1/23/12)**

**APPLICANTS' AGENTS**

BrightSource Energy, Inc.  
Todd Stewart, Senior Director  
Project Development  
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BrightSource Energy, Inc.  
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BrightSource Energy, Inc.  
Brad DeJean  
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**APPLICANTS' CONSULTANTS**

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URS Corporation  
Angela Leiba  
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**COUNSEL FOR APPLICANTS**

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Christopher T. Ellison  
Brian S. Biering  
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**INTERESTED AGENCIES**

Mojave Desert Air Quality Management  
District  
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14306 Park Avenue, CA 92392  
[canderson@mdaqmd.ca.gov](mailto:canderson@mdaqmd.ca.gov)

California ISO  
*e-mail service preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

\*Bureau of Land Management  
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Lynnette Elser  
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Moreno Valley, CA 92553  
[cperry@blm.gov](mailto:cperry@blm.gov)  
[lelser@blm.gov](mailto:lelser@blm.gov)

**INTERVENORS**

Center for Biological Diversity  
\*Lisa T. Belenky, Senior Attorney  
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Center for Biological Diversity  
\*Ileene Anderson  
Public Lands Desert Director  
PMB 447, 8033 Sunset Boulevard  
Los Angeles, CA 90046  
*e-mail service preferred*  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

**ENERGY COMMISSION –  
DECISIONMAKERS**

CARLA PETERMAN  
Commissioner and Presiding Member  
[CPeterma@energy.state.ca.us](mailto:CPeterma@energy.state.ca.us)

KAREN DOUGLAS  
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\*indicates change

DECLARATION OF SERVICE

I, Michelle L. Farley, declare that on, February 9, 2012 I served and filed copies of the attached Preliminary Jurisdictional Determination Acceptance for the Rio Mesa Solar Electric Generating Facility, dated February 8, 2012. These documents are accompanied by the most recent Proof of Service list, located on the web page for this project at:

[<http://www.energy.ca.gov/sitingcases/riomesa/index.html>].

These documents have been sent to the other parties in this proceeding (as shown on the attached Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

*(Check all that Apply)*

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "e-mail preferred."

**AND**

For filing with the Docket Unit at the Energy Commission:

- by sending electronic copies to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 11-AFC-4  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:**

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@energy.state.ca.us)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Michelle L. Farley  
BrightSource Energy, Inc.