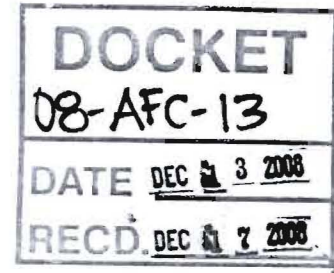


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December 13, 2008

Mr. Alan Stein
Bureau of Land Management
California Desert District Office
22835 Calle San Juan De Los Logos
Moreno Valley, California 92553



Mr. Christopher Meyer
Project Manager
Siting, Transmission and Environmental Protection Division
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, California 95814

Subject: Stirling Energy System Solar One Project and
Access to Public and Private Lands

Gentlemen:

People have been using Hector Road to access the public and private lands and mining claims in the Hector area for over fifty years. Recently, Burlington Northern Santa Fe Railway Company (BNSF) and Stirling Energy Systems (SES) Solar One, LLC, added gates and barricades at the BNSF/Hector Road crossing. This crossing is identified as D.O.T 919188X at Mile Post 712.68 of BNSF rail line and is in Section 10, Township 8 North, Range 5 East, San Bernardino Base & Meridian, which is under the jurisdiction of the Bureau of Land Management (BLM).

The locked gates and barricades prevent the public and private property owners from using Hector Road to access the land north of the BNSF railway tracks. I am one of these private property owners.

The gated crossing is a direct violation of the California Desert Conservation Area (CDCA) Plan, which designates Hector Road and associated roads as "open" roads under the West Mojave Route Designation Program. These roads are identified as AF0410, AF042, AF133 and AF052 on Map 55 – Hector, Sleeping Beauty under the Program.

The gated crossing is a direct violation of the Unlawful Inclosures Public Lands Act of 1885, which regulates the fencing off of public lands (including fences and gates on private lands) and prohibits the obstruction of "free passage or transit over or through the public lands." This Act prohibits the obstruction on any passage over or through federal lands. (43 U.S.C. §§ 1061, 1063 and *Camfield v. United States*, 167 U.S. 518 (1897))

Please have BNSF and SES remove the gates and barricades and take the necessary steps to ensure SES Solar One Project does not prohibit the free passage over public lands or access to private lands. Thank you.

Sincerely,

Patrick C. Jackson