Abengoa Mojave Solar
(AMS)
Application for Certification
Docket # 09-AFC-5

Informational Hearing & Site Visit
Craig Hoffman – Project Manager
December 9, 2009
Energy Commission’s Role

- Energy Commission (CEC) Permitting Authority
  - Thermal power plants “50 Megawatts or Greater”
  - Related facilities:
    - electric transmission lines to first point of interconnection
    - water supply pipelines
    - natural gas pipelines
    - access roads
- Lead state agency for California Environmental Quality Act (CEQA)
Overview of Licensing Process

1. Data Adequacy
   - Minimum requirements to accept application

2. Staff Discovery and Analyses
   - Issues Identification
   - Data requests
   - Public Workshops (1st was held yesterday 12/8)
   - Staff Assessments (SA)

3. Committee Evidentiary Hearing and Decision
   - Evidentiary Hearings on SA and other information
   - Presiding Member’s Proposed Decision (PMPD)
   - PMPD hearing and Commission decision
California Energy Commission

**Discovery & Analysis Process**

- Intervenors
- Public Adviser*
- Public
- Energy Commission Staff
  - Staff Assessment/Testimony
- Applicant
- Local, State, & Federal Agencies

* The Public Adviser provides assistance on how to participate in the CEC’s public process.
Discovery and Analysis Process

- Determine if proposal complies with Laws, Ordinances, Regulations, Standards (LORS)
- Conduct engineering and environmental analysis
  - Identify issues
  - Evaluate alternatives
  - Identify mitigation measures
  - Recommend Conditions of Certification
- Facilitate public and agency participation
- Staff products: Staff Assessment (SA) and Supplement to the Staff Assessment (SA)
- Make recommendations to the Committee
Evidentiary Hearing & Decision Process

Intervenor testimony

Public Adviser

Committee
Proposed Decision

Full Commission
Final Decision

Staff testimony

Public comment

Applicant testimony

Local, state, & federal agencies comment
Evidentiary Hearing & Decision Process

- Committee conducts evidentiary hearings
  - Issues Presiding Member’s Proposed Decision (PMPD)
  - PMPD contains:
    - Findings regarding environmental impacts, public health, engineering
    - Findings regarding project’s compliance with LORS
    - Conditions of certification
    - Discussion regarding agency/public comments
    - Recommends whether or not to approve the project
- Full Commission makes decision
- Energy Commission monitors compliance with all conditions of certification, for the life of the project and closure
Local, State and Federal Agencies

- Staff works closely with local, state and federal agencies, for example:
  - Local/Regional
    - City of Barstow, San Bernardino County: Planning, Health, Public Works, Water Resources
    - Mojave Desert Air Quality Management District
    - Mojave Valley Groundwater Basin
  - State
    - California Department of Fish & Game
    - Central Valley Regional Water Quality Control Board
  - Federal
    - U.S. Fish & Wildlife Service
    - U.S. Army Corps of Engineers
Public Participation Information

- Open Public Process
  - Workshops and Hearings noticed at least 10 days in advance
  - Mailing lists: Energy Commission
    1516 9th Street, MS - 4
    Sacramento, CA 95814-5512
  - List Server: [www.energy.ca.gov/listservers](http://www.energy.ca.gov/listservers)
  - Energy Commission Web site:
    [www.energy.ca.gov/sitingcases/abengoa/index.html](http://www.energy.ca.gov/sitingcases/abengoa/index.html)
Public Participation Information

- Documents are available for public review at:
  - Barstow Branch Library, Victorville City Library, Apple Valley Newton T. Bass Branch Library, Adelanto Branch Library, Kern County Library - Mojave Branch, Barstow Community College Library and Victor Valley College
  - Energy Commission Library in Sacramento
  - Dockets Unit at the Energy Commission 1516 9th Street, MS - 4 Sacramento, CA 95814-5512 (916) 654-5076
Abengoa Project Contacts

California Energy Commission’s Committee
Commissioner - Julia Levin - Presiding Member
Commissioner – James Boyd - Associate Member
Paul Kramer – Energy Commission’s Hearing Officer

California Energy Commission Staff
Craig Hoffman - Project Manager
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April Albright – Project Assistant
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Abengoa Mojave Solar Project
Scott Friar- Chief Operating Officer – Abengoa Solar
Fred Redell - Project Manager – Abengoa Solar
Staff’s Issues Identification Report

Purpose
- Inform participants of potential issues
- Early focus on important topics

Criteria
- Significant impacts that may be difficult to mitigate
- Potential non-compliance with LORS
- Potential conflicts between parties that could delay schedule

Potential Issues
- Water Resources
Water Resources Concern

- Staff wants to ensure that the project will not result in significant impacts to other users.

- Staff has concerns about groundwater pumping in the Mojave River Basin.

- Staff has concerns that project pumping in this portion of the basin could change hydraulic gradients and cause migration of impaired groundwater.

- The Energy Commission staff will be working with the Mojave Water Agency and the Mojave Water Agency watermaster to fully evaluate potential impacts and feasible mitigation.
Meeting this schedule will depend on:

- Applicant’s timely response to staff’s data requests.
- Required actions by other local, state, and federal agencies.
- Resolution of the identified issues.
- The proposed AMS project, qualifies for the 12-month licensing process.
### California Energy Commission

#### Staff’s Proposed Schedule

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>DATE</th>
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<tbody>
<tr>
<td>Applicant files Application for Certification (AFC)</td>
<td>8/10/09</td>
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<tr>
<td>Commission's determination that AFC is complete</td>
<td>10/21/09</td>
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<tr>
<td>Staff files Issues Identification Report</td>
<td>10/22/09</td>
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<tr>
<td>Staff files Data Requests Sets 1A and 1B</td>
<td>10/22 &amp; 26/09</td>
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<tr>
<td>Applicant provides Data Responses</td>
<td>11/24 &amp; 25/09</td>
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<td>Data Response and Issue Resolution workshop</td>
<td>12/8/09</td>
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<tr>
<td>Informational Hearing and Site Visit</td>
<td>12/9/09</td>
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<tr>
<td>Applicant provides additional data responses</td>
<td>12/21 – 24/09</td>
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<tr>
<td>Local, state and federal agency draft determinations AQMD files PDOC</td>
<td>1/21/10</td>
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<tr>
<td>Staff Assessment (SA) published</td>
<td>3/4/10</td>
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<tr>
<td>Staff Assessment Workshop</td>
<td>3/23/10</td>
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<tr>
<td>Local, state and federal agency final determinations AQMD files FDOC</td>
<td>3/22/10</td>
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<tr>
<td>Addendum to Staff Assessment prepared</td>
<td>5/5/10</td>
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<tr>
<td>Prehearing Conference*</td>
<td>TBD</td>
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<tr>
<td>Evidentiary hearings*</td>
<td>TBD</td>
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<tr>
<td>Presiding Members Proposed Decision (PMPD)*</td>
<td>TBD</td>
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<tr>
<td>Committee Hearing on PMPD*</td>
<td>TBD</td>
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<tr>
<td>Addendum/Revised PMPD</td>
<td>TBD</td>
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<tr>
<td>Energy Commission Decision*</td>
<td>TBD</td>
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Post-Licensing Project Compliance Oversight

- If the project is approved:
  - The Compliance phase would apply during construction, operation & decommissioning
  - Purpose: To assure compliance with all Conditions of Certification and applicable LORS
  - Compliance Project Manager (CPM) – provides oversight of construction and operation.