

DOCKET	
09-AFC-7	
DATE	<u>DEC 22 2009</u>
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December 22, 2009

California Energy Commission
Docket Unit
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: **SELECTION OF CULTURAL RESOURCES EVALUATION
APPROACH SOLAR MILLENNIUM FOR PALEN SOLAR POWER
PROJECT
DOCKET NO. (09-AFC-7)**

Enclosed for filing with the California Energy Commission is the original copy of the **SELECTION OF CULTURAL RESOURCES EVALUATION APPROACH SOLAR MILLENNIUM FOR PALEN SOLAR POWER PROJECT**, for the Palen Solar Power Project (09-AFC-7).

Sincerely,



Ashley Y. Garner

December 21, 2009

Alan Solomon
Siting Project Manager
Siting, Transmission and Environmental
Protection Division
1516 9th Street MS-15
Sacramento, CA 95814-5512

**Subject: *Selection of Cultural Resources Evaluation Approach
Solar Millennium Palen Solar Power Project (09-AFC-7)***

Dear Ms. Allen,

Solar Millennium has reviewed your letter dated December 1, 2009 in which you outlined three methods the BLM and the CEC Staff have developed to evaluate and assess the potential effects of projects on possible cultural resources. In your letter you outlined three approaches but concede that it may be very difficult for the BLM and CEC Staff to implement the first two options in time for the Palen Solar Power Project (PSPP) to obtain authorization in time to receive stimulus funds under the American Recovery and Reinvestment Act (ARRA) funds. The third approach is new and will allow the BLM and CEC Staff to complete assessment of the project in time for ARRA funds.

As outlined in your letter, although the third approach allows the assessment to be completed in time, there is considerable risk that selection of this option may cause delays during construction and mitigation and monitoring costs to be significantly greater than the first two approaches. Solar Millennium elects BLM and CEC Staff's new approach outlined in the third option in order to facilitate preparation of the assessment in time for ARRA funds. In order to mitigate the potential for delays during construction, Solar Millennium will work with Staff to develop the terms of the Memorandum of Agreement (MOA) and appropriate treatment plans prior to construction. Solar Millennium understands that Staff will assist in developing such plans prior to a Decision on the project.

Thank you for developing an approach that will facilitate a schedule that would allow the PSPP to obtain ARRA funds. If you have any questions, please do not hesitate to contact me at (510) 809-4652.

Sincerely,



Alice L. Harron
Senior Director, Project Development

CC:

Eileen Allen, Manager, Siting Office, California Energy Commission
Bob Worl, Supervisor, Siting Office, California Energy Commission
Eric Knight, Manager Environmental Protection Office, California Energy Commission
Rick York, Supervisor, Biological and Cultural Resources Unit, California Energy Commission
Beverly Bastian, Planner II, California Energy Commission
Docket (08-AFC-5)
POS



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 PALEN SOLAR POWER
PLANT PROJECT**

Docket No. 09-AFC-7

**PROOF OF SERVICE
(Revised 12/15/09)**

APPLICANT

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DECLARATION OF SERVICE

I, Ashley Y. Garner declare that on December 22, 2009, I served and filed copies of the attached **SELECTION OF CULTURAL RESOURCES EVALUATION APPROACH SOLAR MILLENNIUM FOR PALEN SOLAR POWER PROJECT** dated **December 21, 2009**. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [http://www.energy.ca.gov/sitingcases/solar_millennium_palen]

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission’s Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked “email preferred.”

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. **09-AFC-7**
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.



Ashley Y. Garner