

**DOCKET**

**09-AFC-8**

DATE DEC 08 2009

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December 8, 2009

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

Subject: **Nextera Genesis Solar Energy Project (09-AFC-8)  
Selection of Cultural Resources Evaluation Approach  
Docket No. (09-AFC-8)**

Enclosed for filing with the California Energy Commission is the original of **NEXTERA GENESIS SOLAR ENERGY PROJECT (09-AFC-8) SELECTION OF CULTURAL RESOURCES EVALUATION APPROACH**, for the Genesis Solar Energy Project Docket No. (09-AFC-8).

Sincerely,

  
Ashley Y. Garner



December 8, 2009

Mr. Mike Monasmith, Project Manager  
Siting Office  
California Energy Commission  
1516 Ninth Street  
Sacramento, California 95814

**Re: Nextera Genesis Solar Energy Project (09-AFC-8)  
Selection of Cultural Resources Evaluation Approach**

Dear Mr. Monasmith,

On December 3, 2009 Nextera Energy Resources, LLC (Nextera) received a letter 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. The letter requests that Nextera select one of the options for use during the processing of the Genesis Solar Energy Project (GSEP). In your letter you outlined three approaches. The first approach is currently used for projects but is lengthy and will likely not result in completion of the cultural resources analysis in time to support a schedule for receipt of stimulus funds pursuant to the American Recovery and Reinvestment Act (ARRA). The second approach is partially streamlined in that it evaluates a percentage of the known cultural resources, but as described in the letter and at our workshops on November 24 and December 4, 2009, the second approach would also not likely be completed in time for 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.

Although the third approach allows the assessment to be completed in time, the letter outlines selection of this approach could result in delays during construction and mitigation and monitoring costs to be significantly greater than the first two approaches. Nextera has weighed the options carefully and based on Staff representations at the workshops that it would work with Nextera by reviewing compliance submittals prior to a Decision on the project, elects this new approach outlined in the third option in order to facilitate preparation of the assessment in time for ARRA funds. Nextera plans to work closely with Staff to develop the terms of the Memorandum of Agreement (MOA) and appropriate treatment plans as soon as feasible.



Thank you for developing an approach that will facilitate a schedule that would allow the GSEP to obtain ARRA funds. If you have any questions, please do not hesitate to contact me at (561) 691-2889.

Sincerely,

A handwritten signature in blue ink that reads "Scott Busa".

Scott Busa  
Director  
Nextera Energy Resources, LLC



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](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION FOR THE  
GENESIS SOLAR ENERGY PROJECT**

**Docket No. 09-AFC-8**

**PROOF OF SERVICE  
(Est. 11/30/09)**

**APPLICANT**

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**INTERESTED AGENCIES**

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**DECLARATION OF SERVICE**

I, Ashley Y. Garner, declare that on December 8, 2009, I served and filed copies of the attached **NEXTERA GENESIS SOLAR ENERGY PROJECT (09-AFC-8) SELECTION OF CULTURAL RESOURCES EVALUATION APPROACH**, dated **December 8, 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/genesis\\_solar](http://www.energy.ca.gov/sitingcases/genesis_solar)].**

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 Sacramento, California 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-8  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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



\_\_\_\_\_  
Ashley Y. Garner