March 15, 2010

California Energy Commission
Docket No. 09-AFC-8
1516 9th St.
Sacramento, CA 95814

Genesis Solar Energy Project - Docket Number 09-AFC-8

Docket Clerk:

Included with this letter is one hard copy and one electronic copy of the Revisions to the Jurisdictional Waters at the Genesis Solar Energy Project.

Sincerely,

Emily Festger (for Tricia Bernhardt)
Project Manager/Tetra Tech EC

cc: Mike Monasmith / CEC Project Manager
March 13, 2010

Ms. Magdalena Rodriquez  
California Department of Fish and Game  
Inland Deserts Region  
3602 Inland Empire Blvd. Suite C220  
Ontario, CA  91764

SUBJECT: Revisions to Jurisdictional Waters for the Genesis Solar Energy Project

Dear Ms. Rodriquez,

On February 17, 2010, you attended a field visit to the Genesis Solar Energy Project, primarily to evaluate tortoise habitat. During that site visit, you walked a portion of the Plant Site (project footprint) and took the opportunity to look at any water features (e.g., drainages, washes) you encountered. You evaluated a few of the delineated drainages in the Jurisdictional Waters and Wetlands Report for the Genesis Solar Energy Project (submitted in January 2010) to see if you agreed with the assessment. Additionally, you took note of water features that were not included in the report, but felt met the criteria for state waters, and should thus be included in the delineation report and impact calculations.

Genesis Solar, LLC (Genesis Solar) understands that your assessment is based only on the areas that you walked and that it is not a complete verification of the delineated drainages within the Project area. However, based on your field visit, you have determined that most of the western portion of the Plant Site is flat with low channels that exhibit a sheet flow pattern, as well as short narrow channels that come in and out of existence.

Per your request, Genesis Solar has revised the appropriate table and figures to depict the drainages you delineated in the field on February 17, 2010. Specifically, updates have been made to Appendix C. Washes and Microphyllous Vegetation Directly Impacted by Project Facilities and Map Sheets 2, 4, 5, 11, and 12 of the Jurisdictional Waters and Wetlands Report submitted in January 2010. The added drainages result in an additional 7.80 acres of permanent impact, 0.00 acres of temporary impact, 2 additional impacted trees (ironwood trees), and 0.00 acres of microphyll vegetation areas. The area permanently impacted by the Project is now 72.64 acres.

Genesis Solar understands that by incorporating the additional drainages that you delineated in the field, and by adjusting the impact calculations, that CDFG will find the waters delineation for the Genesis Solar Energy Project satisfactory and complete.
Revisions to Jurisdictional Waters
Genesis Solar Energy Project
March 13, 2010

Should you have any questions, please do not hesitate to contact me at me at 303.980.9509 (office) or 714.478.7171 (cell), or Tricia Bernhardt at 303.980.3727 (office) or 720.320.8382 (cell).

Sincerely,

Emily Festger
Tetra Tech EC, Inc.

Cc:  Mike Monosmith (CEC)
     Susan Sanders (CEC)
     Carolyn Chainey-Davis (CEC)
     Kim Nicol (CDFG)
     Scott Busa (Genesis Solar, LLC)
     Meg Russell (Genesis Solar, LLC)
     Kenneth Stein (Genesis Solar, LLC)
     Tricia Bernhardt (Tetra Tech EC, Inc.)

Attachment
## Appendix C. Washes and Microphyll Vegetation Directly Impacted by Project Facilities

<table>
<thead>
<tr>
<th>Map ID</th>
<th>Location*</th>
<th>Average Bed Width (ft)</th>
<th>Average Bank Height (in.)</th>
<th>Delineated Length (ft)</th>
<th>Temporary Impact (acres)</th>
<th>Permanent Impact (acres)</th>
<th>Impact Area (acres)**</th>
<th>No. of Trees &gt; 4&quot; in Diameter Associated with Washes</th>
<th>No. of Directly Impacted Trees</th>
<th>Directly Impacted Microphyll Vegetation Areas (acres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Plant Site</td>
<td>10</td>
<td>6</td>
<td>909</td>
<td>n/a</td>
<td>0.21</td>
<td>0.21</td>
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<td>0</td>
<td>0.07</td>
<td>Verified by field survey; Acreages of microphyll vegetation areas calculated using GIS</td>
</tr>
<tr>
<td>2</td>
<td>Plant Site</td>
<td>5</td>
<td>6</td>
<td>3886</td>
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<td>0.45</td>
<td>0.45</td>
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<td>0</td>
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<td>Verified by field survey</td>
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<td>Verified by field survey</td>
</tr>
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<td>4</td>
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<td>5388</td>
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<td>0.00</td>
<td>Verified by field survey; Old road</td>
</tr>
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<td>5</td>
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<td>7</td>
<td>6</td>
<td>214</td>
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<td>0</td>
<td>0</td>
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<td>Verified by field survey</td>
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<td>6</td>
<td>Plant Site</td>
<td>8</td>
<td>6</td>
<td>451</td>
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<td>0.08</td>
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<td>0.00</td>
<td>Verified by field survey</td>
</tr>
<tr>
<td>7-10</td>
<td>Plant Site</td>
<td>8.5 (average for washes 7-10)</td>
<td>6</td>
<td>1400</td>
<td>n/a</td>
<td>20.91</td>
<td>20.91</td>
<td>IW(1), PV (1)</td>
<td>IW(1), PV (1)</td>
<td>0.04</td>
<td>Based on aerial; Acreages calculated using GIS; Contains field verified washes 7-10</td>
</tr>
<tr>
<td>11</td>
<td>Plant Site</td>
<td>3</td>
<td>6</td>
<td>1238</td>
<td>n/a</td>
<td>0.09</td>
<td>0.09</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>Verified by field survey</td>
</tr>
<tr>
<td>12</td>
<td>No Longer in Project Area</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>13</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>14-19</td>
<td>T-line</td>
<td>7 (average for washes 14-19)</td>
<td>11</td>
<td>1474</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td>IW (1)</td>
<td>0</td>
<td>0.00</td>
<td>Based on aerial; Acreages calculated using GIS; Contains field verified washes 14-19</td>
</tr>
<tr>
<td>14-19</td>
<td>Gas Line</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>20</td>
<td>No Longer in Project Area</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>21</td>
<td>No Longer in Project Area</td>
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<td>n/a</td>
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<td>n/a</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>22</td>
<td>No Longer in Project Area</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>23</td>
<td>No Longer in Project Area</td>
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<td>n/a</td>
<td>n/a</td>
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<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
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<tr>
<td>24-26</td>
<td>T-line</td>
<td>52 (average for washes 24-26)</td>
<td>13</td>
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<td>0.00</td>
<td>0.47</td>
<td>PV (832)</td>
<td>22</td>
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<td>Based on aerial; Acreages calculated using GIS; Contains field verified washes 24-26; Tree count based on aerial</td>
</tr>
<tr>
<td>24-26</td>
<td>Gas Line</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
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<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>27</td>
<td>No Longer in Project Area</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>No Longer in Project Area; Verified by field survey</td>
</tr>
<tr>
<td>28</td>
<td>No Longer in Project Area</td>
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<td>n/a</td>
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<td>No Longer in Project Area; Verified by field survey</td>
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<td>No Longer in Project Area; Verified by field survey</td>
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<tr>
<td>30</td>
<td>T-line</td>
<td>5 (average of several washes)</td>
<td>--</td>
<td>1507</td>
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<td>36.26</td>
<td>36.32</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>Based on aerial, no field verification; Acreages calculated using GIS; Man-made borrow pit</td>
</tr>
</tbody>
</table>
## Appendix C. Washes and Microphyll Vegetation Directly Impacted by Project Facilities

<table>
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<tr>
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<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>31</td>
<td>Transmission Line</td>
<td>297</td>
<td>--</td>
<td>862</td>
<td>0.06</td>
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<td>0.06</td>
<td>HM (50)</td>
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<td>0.06</td>
<td>Based on aerial, no field verification; Acreages calculated using GIS; tree count based on aerial - species determination based on data from biological resource survey data</td>
</tr>
<tr>
<td></td>
<td>Access Road</td>
<td></td>
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<td>0.13</td>
<td>0.59</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Gas Line</td>
<td></td>
<td></td>
<td></td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
<td></td>
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<td></td>
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<tr>
<td>61-63</td>
<td>Plant Site</td>
<td>1.5 - 2.5</td>
<td>--</td>
<td>1,902</td>
<td>0.00</td>
<td>3.500</td>
<td>3.50</td>
<td>IW (2)</td>
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<td>0.00</td>
<td>Washes 61-63 are treated as one area of connected small drainages; acreages calculated using GIS; based on February 2010 CDFG field survey</td>
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<td>64-66</td>
<td>Plant Site</td>
<td>1.5 - 2.5</td>
<td>--</td>
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<td>0.00</td>
<td>4.200</td>
<td>4.200</td>
<td>IW (1)</td>
<td>1</td>
<td>0.00</td>
<td>Washes 64-66 are treated as one area of connected small drainages; acreages calculated using GIS; based on February 2010 CDFG field survey</td>
</tr>
<tr>
<td>67</td>
<td>Plant Site</td>
<td>1.50</td>
<td>--</td>
<td>1,082</td>
<td>0.00</td>
<td>0.040</td>
<td>0.040</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>Based on February 2010 CDFG field survey</td>
</tr>
<tr>
<td>68</td>
<td>Plant Site</td>
<td>1.50</td>
<td>--</td>
<td>478</td>
<td>0.00</td>
<td>0.020</td>
<td>0.020</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>Based on February 2010 CDFG field survey</td>
</tr>
<tr>
<td>69</td>
<td>Plant Site</td>
<td>2 - 2.5</td>
<td>--</td>
<td>458</td>
<td>0.00</td>
<td>0.030</td>
<td>0.030</td>
<td>0</td>
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<td>0.00</td>
<td>Based on February 2010 CDFG field survey</td>
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<tr>
<td>70</td>
<td>Plant Site</td>
<td>2</td>
<td>--</td>
<td>141</td>
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<td>0.006</td>
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<tr>
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<td>--</td>
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<td>0.004</td>
<td>0</td>
<td>0</td>
<td>0.00</td>
<td>Based on February 2010 CDFG field survey</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>** Total 17.86 72.64 90.49 888 298 16.03</td>
</tr>
</tbody>
</table>

* Includes washes within 500 ft. survey buffer area
** Transmission line impact calculations include stub roads
IW - Ironwood
PV - Palo Verde
HM - Honey Mesquite
Notes:
(a) UTM Zone 11, NAD 1983 Projection.
(b) Source data: ESRI, BLM, eGIS, TTEC
APPLICATION FOR CERTIFICATION FOR THE

GENESIS SOLAR ENERGY PROJECT

Docket No. 09-AFC-8

PROOF OF SERVICE
(Revised 2/22/10)

APPLICANT
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Robin Mayer
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Jennifer Jennings
Public Adviser’s Office
publicadviser@energy.state.ca.us

*indicates change
I, Emily Festger, declare that on March 15, 2010, I served and filed copies of the attached Revisions to the Jurisdictional Waters for the Genesis Solar Energy Project dated March 13, 2010. 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://ww.energy.ca.gov/sitingcases/genesis_solar].

The documents have 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:

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

x 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:

x 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

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

Original Signed By: