

DOCKETED

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Memorandum

Date: August 1, 2013
Telephone: (916) 654-4745
File: 09-AFC-7C

To: **Commissioner Karen Douglas**, Palen Amendment Presiding Member
Commissioner David Hochschild, Palen Amendment Associate Member
Kenneth Celli, Hearing Officer

From: **California Energy Commission -** **Christine Stora**, Compliance Project Manager
1516 Ninth Street Siting, Transmission and Environmental Protection Division
Sacramento, CA 95814-5512

Subject: **Palen Solar Electric Generating System Amendment (09-AFC-7C)**
STATUS UPDATE No. 4 (August 2013)

Data Requests/Responses

On July 10, 2013, Data Request Set 4 No. was docketed by staff. The project owner has responded to approximately 50 percent of those requests and staff anticipates the remainder to be filed before the August 9th deadline.

Staff has received a large amount of information from the project owner since mid-July. Some of the information is new, some is supplemental, and some are final reports covering topics that had been previously provided in summary. Staff is currently reviewing the information, identifying any outstanding information, and incorporating information responses into the Final Staff Assessment (FSA). Staff will be in a better position to accurately inform the Committee of any outstanding data needs at the August 5 status conference.

Staff Workshops

Staff held four workshops during the month of July.

- **July 17.** The July 17th workshop agenda included Hazardous Materials Management, Soil and Water Resources, Transmission Line Safety and Nuisance, Waste Management, Worker Safety and Fire Protection, Geology and Paleontology, and General Conditions.

Staff and the project owner reviewed initial comments submitted by the project owner on the Preliminary Staff Assessment (PSA) (docketed on July 11, 2013). Minor edits and clarifications were agreed to on a number of conditions in the areas of Hazardous Materials and Soil and Water Resources. Conditions for Worker Safety were discussed and clarifications were made to the definitions in the General Conditions. Staff and the project owner were also able to discuss issues regarding paleontological resources. There were no comments on Transmission Line Safety and Nuisance or Waste Management.

The project owner's final comments on the PSA include additional suggested changes to conditions of certification. These were submitted to staff on July 29th and staff is currently reviewing these proposed changes.

- **July 22.** The cultural resources workshop covering Archaeology, Ethnography, and Historic-Period Built Environment was held in Palm Desert at the University of California at Riverside, Palm Desert Campus.

The project owner's initial comments on the PSA, including proposed condition of certification changes, were discussed. Staff gave a general summary of site visits recently performed near the Palen Solar Project. A detailed discussion of outstanding data needs also occurred.

BLM's Palen project manager provided a comment requesting that Condition of Certification CUL-16 remain in its entirety. Staff had removed the condition in the PSA.

Several tribal representatives talked at length about their concerns regarding Energy Commission Cultural staff-determined significant impacts to sacred sites and also shared concerns about how staff generally approaches mitigation. Tribes did note that they were pleased with staff's efforts with tribal outreach. Alfredo Acosta Figueroa from Californians for Renewable Energy made a presentation regarding the need to preserve cultural and tribal sites.

- **July 25.** The July 25th workshop agenda included Facility Design, Power Plant Efficiency and Reliability, Noise and Vibration, Land Use, Socioeconomics, Traffic and Transportation (including glint and glare), Visual Resources, and Biology. Transmission System Engineering, Air Quality and Public Health were moved to the workshop of July 26th due to staff and applicant availability.

Similar to the July 17th workshop, staff and the project owner reviewed initial comments submitted by the project owner on the PSA and minor edits and clarifications were agreed to on a number of conditions for Traffic and Transportation and Biology. Socioeconomic data needs were discussed and staff has since received the requested information from the project owner. Riverside County provided helpful feedback on the section. Since the workshop, staff has continued to reach out to county representatives to address the County's concerns. Staff and the project owner had no questions or comments for Facility Design, Power Plant Efficiency and Reliability, Noise and Vibration, and Land Use.

- **July 26.** The July 26th workshop agenda covered Transmission System Engineering, Air Quality, and Public Health and the discussion on Traffic and Transportation from July 25th was continued. Soil and Water staff also returned to accommodate representatives from the Center for Biological Diversity who could not attend the workshop on July 17th, but had questions relating to the technical area.

At the start of the workshop, staff and the project owner discussed the two sand transport studies that were respectively submitted by staff and the applicant and agreed upon a frame work for developing a mitigation approach.

Staff from the South Coast Air Quality Management District (SCAQMD) indicated that a Preliminary Determination of Compliance (PDOC) permit would not be available until late August. Thus, staff will not have the draft permit in time to write the FSA. Please see **Staff Issues/Comments** below for additional information.

California Department of Transportation representatives were invited to participate in the Traffic and Transportation glint and glare discussion, but were not available to participate in the meeting. Staff is continuing to reach out to them for input on this issue.

Staff Issues/Comments

Air Quality

On July 26, 2013, staff docketed the South Coast Air Quality Management District (SCAQMD) letter deeming the application package for the Palen Solar Project complete. Durring the July 26th workshop, staff from SCAQMD indicated that a Preliminary Determination of Compliance (PDOC) permit would not be available until late August. As stated in the May 2013 Status Report, staff will need this document to prepare the FSA. Staff will be unable to file the FSA until 30 days after the PDOC is received.

Biology

Staff is reviewing multiple reports that were recently submitted and will be able to determine if any necessary information is outstanding by the August 5th Status Conference.

Cultural Resources

Staff has reviewed reports and mapping data submitted by the project owner and has identified a number of data needs that remain unsatisfied. Although staff continues to work with the project owner regarding these needs, substantial information is still missing for cultural resources. Staff will be able to determine if the information needs are resolved by the August 5th Status Conference.

cc: Docket (09-AFC-7C)
Proof of Service List
Mail list # 7373

DECLARATION OF SERVICE

I, Alicia Campos, declare that on August 1, 2013, I served and filed copies of the Palen Solar Electric Generating System Status Report No. 4 dated August 1, 2013. The most recent Proof of Service List, which I copied from the web page for this project at: <http://www.energy.ca.gov>, is attached to this Declaration.

(Check one)

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: August 1, 2013



Alicia Campos, Project Assistant
Siting, Transmission and Environmental Protection Division