

DOCKETED

Docket Number:	09-AFC-07C
Project Title:	Palen Solar Power Project - Compliance
TN #:	201367
Document Title:	Letter re Conflicting Power Tower Dimensions Between the CEC-FSA
Description:	N/A
Filer:	Eileen Allen
Organization:	Morongo Basin Conservation Association
Submitter Role:	Public
Submission Date:	12/4/2013 8:17:35 AM
Docketed Date:	12/4/2013

MBCA

morongo basin conservation association

P.O. Box 24, Joshua Tree, California 92252
www.mbconservation.org

December 3, 2013

Karen Douglas, Commissioner
California Energy Commission
Karen.douglas@energy.ca.gov

David Hochschild, Commissioner
California Energy Commission
David.hochschild@energy.ca.gov

Frank McMenimen, Project Manager
BLM Palm Springs Field Office
fmcmenimen@blm.gov

Subject: Palen Solar Energy Generating System: Conflicting power tower dimensions between the CEC-FSA (Docket # 09-AFC-07C) and the BLM-DEIS (CACA #048810)

Dear Commissioners Douglas and Hochschild and Manager McMenimen:

The Morongo Basin Conservation Association takes this opportunity to request action addressing the major inconsistency between the CEC-FSA and the BLM-DEIS power tower height dimensions.

The Problem

The BLM-DEIS, released July 2013, describes each power block as a solar power tower supporting a Solar Receiver Steam Generator (SRSG). The structure will be 750 feet above ground level topped by a lightening rod of approximately 10 feet. The total height for each structure will be 760 feet. The power tower includes a 68-foot tall by 100-foot wide solar receiver. All analyses, visual descriptions, mitigations, and consultations are based on these dimensions.

The CEC-FSA, released September 2013, provides, in the Amended Project Visual Description (A.12-4, attached), new dimensions: each 750-foot-tall tower will be topped by a 130-foot-tall SRSG. The total height of each tower will be 880 feet. There is no mention of a 10 foot tall lightening rod. In the FSA, the glowing solar receiver is twice as tall as in the BLM-DEIS. The amended dimensions are not typographical errors. For reference we learn the two towers will be the fifth tallest structures in California. Analyzing the report I could find no indication that the analyses, visual descriptions, mitigations, and consultations used the amended dimensions.

The Inconsistency

- BLM-DEIS: (2) 750-foot-tall Power Towers including a 68-foot tall x 100-foot wide solar receiver, topped by a 10-foot tall lightening rod TOTAL HEIGHT: 760 feet
- CEC-FSA: (2) 750-foot tall Power Towers topped by a 130-foot tall solar receiver, no lightening rod TOTAL HEIGHT 880-foot-tall

Approval Process Problems

If the California Energy Commission approves the amended project it will be approving 2-880-foot-tall power towers with 130-foot high solar receivers, as described. It will not have re-analyzed the project using the amended dimensions for other resource areas that could be affected by a taller tower including larger flux zone for avian impacts, additional impacts with Riverside County's public services, military training zones, cultural resources, and others.

If the BLM approves the project it will be approving 2-750-foot-tall power towers that *include* a 68-foot high by 100-foot wide solar receiver, as described in the EIS, but which is now inconsistent with the amended FSA.

Process Correction

Given this discrepancy, it is violation of CEQA/NEPA to approve either project as described. If the amended 880-foot dimension is correct than the CEQA/NEPA process must be suspended for both CEC and BLM to allow for required new impact analyses, visual descriptions, mitigations, consultations, and public comment. If the 880-foot tall dimension is incorrect, than the process must be suspended and explain how the amended visual description was officially included in the FSA. This requires an amended FSA.

MBCA eagerly looks forward to how you will resolve this inconsistency and get the information out into the public for comment.

Please acknowledge receipt of this letter. My personal email and phone are below. Thank you.

Sincerely,



Pat Flanagan, Board Member
Morongo Basin Conservation Association
Patflanagan29@gmail.com
760-362-4156

Copies to:

James G. Kenna, State Director, jkenna@blm.gov
Jim May, Argonne National Laboratories, jmay@anl.gov
Christine Stora, Compliance Project Manager, Christine.stora@energy.ca.gov
Eileen Allen, Special Advisor, Eileen.allen@energy.ca.gov
Laraine Turk, MBCA, Board President, laraine518@earthlink.net
Tiffani North, County of Riverside, tnorth@co.riverside.ca.us
Andrea Compton, Chief of Resources, Joshua Tree National Park, andrea_compton@nps.gov
James Ricker, james.ricker1@usmc.mil
Mark Butler, Superintendent, Joshua Tree National Park, mark_butler@nps.gov
Kennon A. Corey, Assistant Field Supervisor, USFWS, Kennon_Corey@fws.gov
Paul Smith, Tourism Economics Commission, pfslaw29@gmail.com
Ileene Anderson, Public Lands Desert Director, Center for Biological Diversity ianderson@biologicaldiversity.org
Lisa Belenky, Senior Attorney, Center for Biological Diversity, lbelenky@biologicaldiversity.org
Terry Weiner, Conservation Coordinator, Desert Protective Council, terryweiner@sbcglobal.net
David Lamfrom, National Park Conservation Association (NPCA) dlamfrom@npca.org
Seth Shteir, NPCA, sshteir@npca.org
Kim Delfino, California Program Director, Defenders of Wildlife, kdelfino@defenders.org
Stephanie Dashiell, SDASHIELL@defenders.org
Greg Suba, Conservation Program Director, CNPS, gsuba@cnps.org
Sarah Friedman, Senior Campaign Representative, Sierra Club, sarah.friedman@sierraclub.org
Joan Taylor, Sierra Club, palmcanyon@mac.com

Kevin Emmerich, Basin and Range Watch, atomictoadranch@netzero.net
Laura Cunningham, Basin and Range Watch, bluerockiguana@hughes.net
Frazier Haney, Conservation Director, Mojave Desert Land Trust, frazier@mojavedesertlandtrust.org
Frazier Haney, Save Our Desert, frazier26@gmail.com
Arlene Kingery, quechanhpo@gmail.com
Manfred Scott KWATSAN scottmanfred@yahoo.com
Preston Arrowweed, ahmut@earthlink.net
Thane Somerville, t.somerville@msaj.com
K. Kaufmann, The Desert Sun, k.kaufmann@thedesertsun.com

Attachment: CEC-FSA Amended Project Description page A.12-4

Based on these findings the Energy Commission concluded that proposed conditions of certification would not reduce the project's visual impacts to a less-than-significant level. The Commission also concluded that the PSPP would contribute to significant cumulative visual impacts in the I-10 corridor. The Commission approved the PSPP with a Statement of Overriding Considerations.

AMENDED PROJECT VISUAL DESCRIPTION

As the prior approved project, the proposed amended project would convert a vast area of naturally appearing desert plain to an industrial facility characterized by complex, geometric forms and lines and industrial surfaces that are dissimilar to the surrounding natural landscape character. The overall area of the amended project would be 572 acres smaller than the approved PSPP. Much of the developed area would be covered with the arrays of heliostats (elevated mirrors) that would be used to collect heat energy from the sun. Like the PSPP, these mirror-fields would be relatively low in height

(assumed to be under 20 feet maximum height). The amended project would however include two 750-foot-tall solar towers topped by 130-foot-tall solar receivers (SRSGs) that would concentrate the sunlight reflected by the field of heliostats to create steam, as well as reflect sunlight outward. For context, the towers would be the fifth tallest structures in California. The super-heated SRSGs would act as extremely bright sources of light. Similar to the PSPP, the amended project would also include various power-generation structures and a power transmission line from the project site extending westward to the Red Bluff substation, under construction south of I-10 between the project site and Desert Center. The greatest potential for public views of the transmission line would be from I-10 immediately to the south and State Highway 177 roughly 9 miles to the west. The project's transmission line route traverses Colorado Desert Creosote Bush Scrub community shrubs and grasses. **Attachments 1A through 1D** in the **VISUAL RESOURCES APPENDIX VR-1** present typical heliostat (1A), solar tower/power block elevation (1B), project layout (1C), and transmission line route (1D). **Visual Resources Table 1** provides a list of the major project features that would contribute to the apparent visual change of the landscape. A more detailed discussion of the proposed project is presented in the **PROJECT DESCRIPTION** section of this document. In addition to the features listed in Table 1 below, the proposed project would also include the installation of chain link fencing and desert tortoise fencing around the perimeter of the site for security and protection of sensitive biological resources.