

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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CEC-57 (Revised 1/19)



STATEMENT OF STAFF APPROVAL OF PROPOSED CHANGE MOJAVE SOLAR PROJECT (09-AFC-05C)

On October 24, 2019, Mojave Solar LLC (project owner), filed a post certification petition for a project change for the Mojave Solar Project (MSP). The 250-megawatt solar thermal generation facility was certified by the California Energy Commission (CEC) in August 2006 and began commercial operation in December 2014. The MSP is located between Barstow and Kramer Junction, approximately nine miles northwest of Hinkley, San Bernardino County.

DESCRIPTION OF PROPOSED CHANGE

The project owner is requesting to construct a new warehouse area to facilitate the operation and maintenance of the facility. This new area would allow the facility to store essential spare parts, new and used 55-gallon barrels of properly labeled and stored hazardous materials, and gas cylinders needed for facility reliability. The petition is available on the [CEC's MSP](https://ww2.energy.ca.gov/sitingcases/abengoa/index.html) webpage at <https://ww2.energy.ca.gov/sitingcases/abengoa/index.html>.

ENERGY COMMISSION STAFF REVIEW AND CONCLUSIONS

Title 20, California Code of Regulations, section 1769 states that a project owner shall petition the commission for approval of any change it proposes to the project design, operation, or performance requirements.

CEC technical staff reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards (LORS). Staff has determined that the technical or environmental areas of Air Quality, Cultural Resources, Facility Design, Geological and Paleontological Resources, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water Resources, Transmission Line Safety and Nuisance, Transmission System Engineering, and Waste Management, are not affected by the proposed changes.

For the technical areas of Biological Resources, Hazardous Materials Management, Visual Resources, Traffic and Transportation, and Worker Safety and Fire Protection staff has determined the facility would continue to comply with applicable LORS and the proposed project change would not result in any significant adverse environmental impacts, or require a change to any conditions of certification.

Staff notes the following for the technical areas affected by the project change:

BIOLOGICAL RESOURCES

Construction of the proposed project change would be within the existing MSP property. The new non-occupancy building/staging area would be located at the most southeastern lot of the Alpha Power Block. Construction would take up to 12 weeks and would include development of a 6,480 square foot open bolted metal structure building on a concrete floor. Construction activities would not occur near any biologically sensitive areas and would be entirely within the existing desert tortoise fencing. However, potential impacts to wildlife could occur if excavations are left open overnight without being backfilled or provided with escape ramps. Implementation of Conditions of Certification BIO-1 through BIO-7 would ensure impacts to biological resources would be less than significant.

HAZARDOUS MATERIALS MANAGEMENT

During the installation of the proposed storage building, several hazardous materials would be used onsite. Similar to equipment maintenance activities, these materials would include solvents, gasoline, lubricants, and welding gases, which are already included in the annual compliance report under the existing Conditions of Certification HAZ-1. Therefore, with the project owner continued compliance with existing Conditions of Certification, HAZ-1 specifically, the proposed change would not have a significant effect on the environment and would continue to comply with all applicable LORS.

TRAFFIC AND TRANSPORTATION

The construction of the proposed staging area warehouse would generate a peak of 125 truck trips per day during the three-day concrete foundation and interior wall pour. This number of trips would account for 5.4 percent of the total trips analyzed for the certified project. Condition of Certification TRANS-2 (Traffic Control Plan) is applicable to the project change. Impacts to the transportation system from installation of a new warehouse would be less than significant.

VISUAL RESOURCES

The proposed warehouse dimensions would be 162 feet long by 40 feet wide and 14 feet tall. Visibility of the structure would be obscured from offsite locations and would not impact the visual character or quality of the site or its surroundings. The structure would not create a new source of substantial light or glare. Impacts to visual resources from the installation of the proposed storage warehouse would be less than significant. Conditions of Certification VIS-1 (Surface Treatment) and VIS-3 (Temporary and Permanent Lighting) would apply to the proposed project change.

WORKER SAFETY AND FIRE PROTECTION

By continuing to comply with the existing conditions of certification, the proposed installation of a new outdoor storage building would not have a significant effect on the environment, and the facility would continue to comply with all applicable LORS. Activities to be performed during construction of the storage building would include the excavation and pouring of a new foundation and the installation of three metal walls and a roof. The installation of the proposed storage building would comply with worker safety and fire safety requirements already contained in health and safety plans utilized for construction of the main facility per Condition of Certification WORKER SAFETY-1.

ENVIRONMENTAL JUSTICE

Environmental Justice – Figure 1 shows 2010 census blocks in the six-mile radius of the Mojave Solar Project with a minority population greater than or equal to 50 percent. The population in these census blocks represents an environmental justice (EJ) population based on race and ethnicity as defined in the United States Environmental Protection Agency's *Guidance on Considering Environmental Justice during the Development of Regulatory Actions*. Staff obtains demographic data within a six-mile radius around a project site based conservatively on the parameters for dispersion modeling used in staff's air quality analysis. Air quality impacts are generally the type of project impacts that extend the furthest from a project site. Beyond a six-mile radius, air emissions have either settled out of the air column or mixed with surrounding air to the extent the potential impacts are less than significant. The area of potential impacts would not extend this far from the project site for most other technical areas included in staff's EJ analysis.

Based on California Department of Education data in the **Environmental Justice – Table 1**, staff concluded that the percentage of those living in the Barstow Unified School District (in a six-mile radius of the project site) and enrolled in the free or reduced price meal program is larger than those in the reference geography, and thus are considered an EJ population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*.

Environmental Justice – Figure 2 shows where the boundaries of the school district are in relation to the six-mile radius around the Mojave Solar Project site.

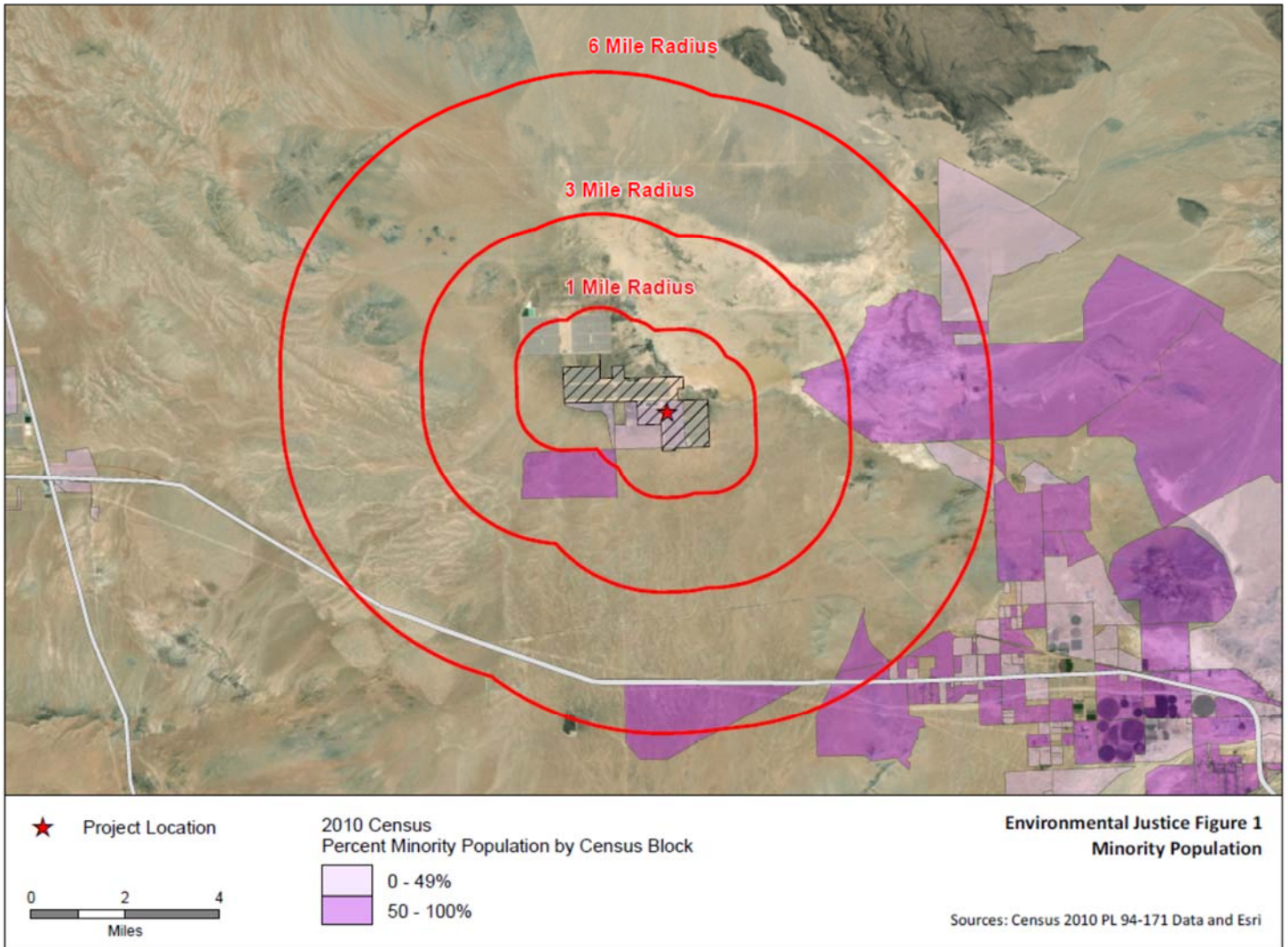
**Environmental Justice – Table 1
Low Income Data within the Project Area**

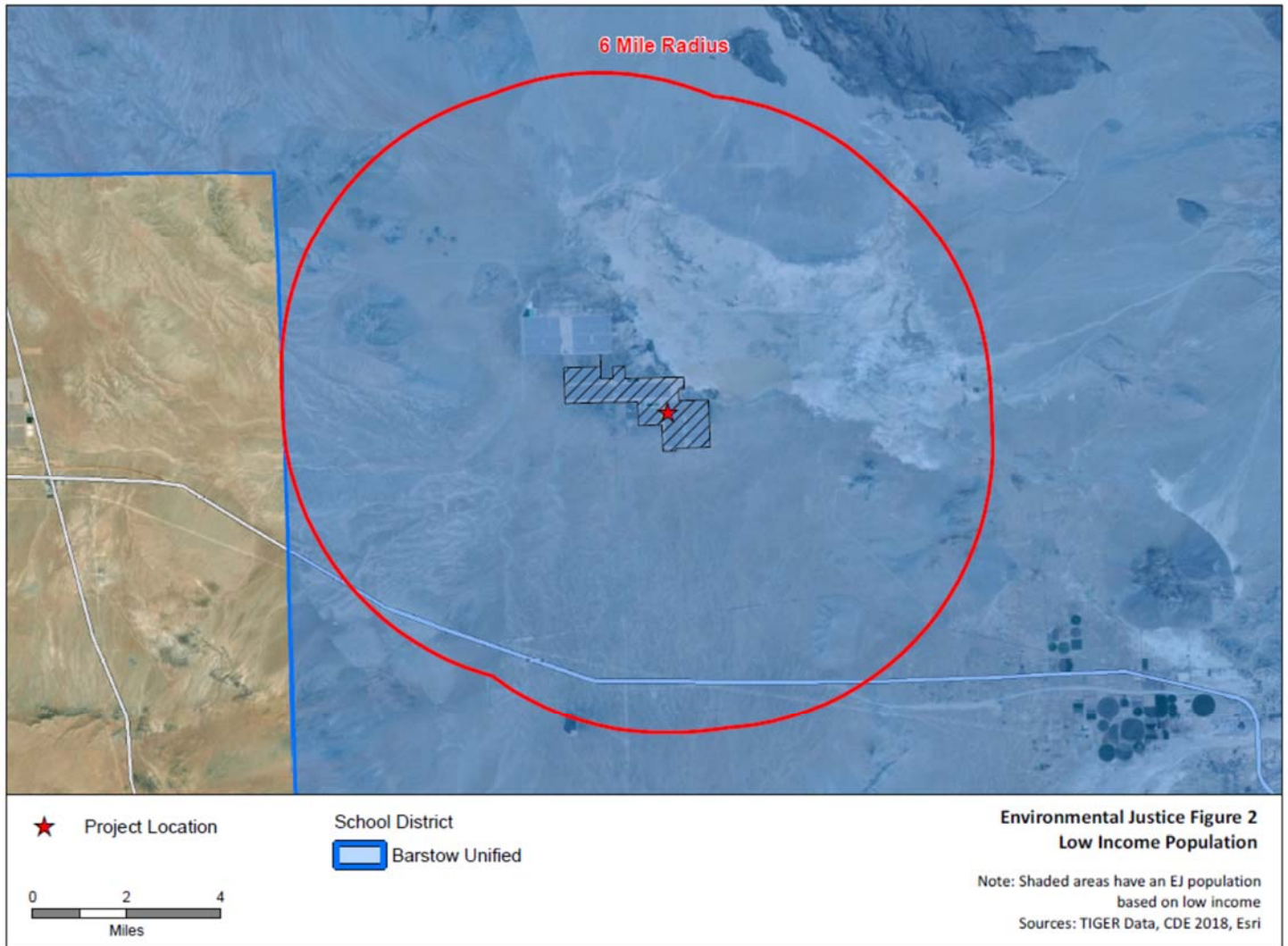
SCHOOL DISTRICT IN SIX-MILE RADIUS	Enrollment Used for Meals	Free or Reduced Price Meals	
Barstow Unified	6,226	4,937	79.3%
REFERENCE GEOGRAPHY			
San Bernardino County	403,196	288,979	71.7%
<small>Source: CDE 2018. California Department of Education, DataQuest, Free or Reduced Price Meals, District level data for the year 2017-2018, <http://dq.cde.ca.gov/dataquest/>.</small>			

The following technical areas (if affected) consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, and Waste Management.

ENVIRONMENTAL JUSTICE CONCLUSIONS

For the technical areas affected by the project modifications – Hazardous Materials Management, Traffic and Transportation, and Visual Resources – staff concludes that impacts would be less than significant, and thus would be less than significant on the EJ population represented in **Environmental Justice – Figure 1, Figure 2, and Table 1.**





ENERGY COMMISSION STAFF DETERMINATION

Pursuant to Title 20, California Code of Regulations, section 1769(a)(3)(A), CEC staff has determined for this petition that approval by the Commission at a noticed business meeting or hearing is not required and the proposed changes meet the criteria for approval by staff because:

- i. there is no possibility that the change may have a significant impact on the environment;
- ii. the change would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and
- iii. the change will not require a change to, or deletion of a condition of certification adopted by the commission in the final decision or subsequent amendments.

Staff also concludes that the proposed changes do not meet the criteria requiring production of subsequent or supplemental review as specified in Title 14, California Code of Regulations, section 15162(a).

WRITTEN COMMENTS

This Statement of Staff Approval of the proposed project changes has been filed in the docket for this project. Pursuant to section 1769(a)(3)(C), any person may file an objection to staff's determination within 14 days of the filing of this statement on the grounds that the project change does not meet the criteria set forth in section 1769(a)(3)(A)). Absent any objections as specified in 1769(a)(3)(C), this petition will be approved 14 days after this statement is filed.

Written comments or objections to staff's determination may be submitted using the CEC's e-Commenting feature, as follows: Go to the CEC's project webpage and click on either the "Comment on this Proceeding," or "Submit e-Comment" link. When your comments are filed, you will receive an email with a link to them.

Written comments or objections may also be mailed or hand-delivered to:

California Energy Commission
Docket Unit, MS-4
Docket No. 09-AFC-05C
1516 Ninth Street
Sacramento, CA 95814-5512

All comments and materials filed with the Docket Unit will be added to the facility Docket Log and be publically accessible on the CEC's webpage for the facility.

If you have questions about this notice, please contact Chris Davis, Compliance Office Manager, at (916) 654-4842, or via e-mail at Chris.Davis@energy.ca.gov.

For information on public participation, please contact the Public Advisor, at (916) 654-4489 (800) 822-6228 (toll-free in California) or send your e-mail to publicadvisor@energy.ca.gov.

News media inquiries should be directed to the CEC Media Office at (916) 654-4989, or by e-mail at mediaoffice@energy.ca.gov.

Listserv: Mojave Solar Project
List Number: 722