

DOCKETED

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Project Title:	Rice Solar Energy - Compliance
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**RICE SOLAR ENERGY PROJECT
APPLICATION FOR CERTIFICATION**

DOCKET 09-AFC-10C

**ORDER TERMINATING COMMISSION
CERTIFICATION OF THE RICE SOLAR
ENERGY PROJECT**

I. INTRODUCTION

On May 31, 2019, Rice Solar Energy, LLC, (RSE), a wholly owned subsidiary of SolarReserve, LLC (project owner), filed a Facility Closure Plan (TN 228427) and a petition (TN 228433) requesting termination of the certification for the Rice Solar Energy Project (RSEP).

The California Energy Commission (CEC) certified the RSEP on December 15, 2010. RSEP proposed to construct, own, and operate the RSEP on a privately owned site in unincorporated eastern Riverside County, California. The project would have been capable of producing approximately 450,000 megawatt hours (MWh) of renewable energy annually, with a nominal net generating capacity of 150 MW.

CEC staff issued a limited notice to proceed with pre-construction activities, including the installation of desert tortoise exclusion fencing. A full notice to proceed was never issued and construction of the facility never commenced. The project owner was unable to secure funding to support any further work and the exclusion fence was removed from the property in June 2014.

With the request to terminate the certification, RSE submitted a Revegetation Plan and Compensation for Impacts to Native Vegetation Communities (Plan) as required by Condition of Certification BIO-10 in the CEC Decision. RSE did not follow the Plan or complete any revegetation of the site. The site is privately owned, and the landowner does not want to restore the land that was disturbed during the installation and removal of the site perimeter fence.

The RSEP's certification required a letter of credit (BIO-16) be provided to the CEC if the project owner failed to fulfill its obligation to mitigate for the project's effects on habitat. CEC exercised its right to the funds on October 1, 2019. At the September 8, 2021, CEC Business Meeting, the United States Fish and Wildlife Service was awarded the revegetation funds for desert tortoise habitat restoration at an alternative location.

II. STAFF RECOMMENDATION

Staff has reviewed the petition and with the removal of the site fencing and funding of habitat restoration, recommends termination of the CEC's certification.

III. ENERGY COMMISSION FINDINGS AND ORDER

The CEC finds there is no reason to maintain the certification for a facility that was originally certified in 2010, never built, is on private property, and where the land was restored to the extent feasible by removal of the site fencing. The CEC hereby adopts staff's recommendation and grants the petition to terminate the CEC certification, effective February 16, 2022.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an Order duly and regularly adopted at a meeting of the CEC held on February 16, 2022.

AYE: Hochschild, Gunda, McAllister, Monahan
NAY: NONE
ABSENT: Douglas
ABSTAIN: NONE



Liza Lopez
Secretariat