

INFORMATIONAL HEARING
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:)

)
Application for Certification)
for The Hidden Hills Solar)
Electric Generating System)
Hidden Hills Solar Holdings, LLC,)
_____)

Docket No.
11-AFC-2

DOCKET 11-AFC-2
DATE <u>NOV 03 2011</u>
RECD. <u>NOV 29 2011</u>

TECOPA COMMUNITY CENTER
405 TECOPA HOT SPRINGS ROAD
TECOPA, CALIFORNIA
THURSDAY, NOVEMBER 3, 2011
1:30 P.M.

Reported and transcribed by:
Martha L. Nelson, CERT

ORIGINAL

APPEARANCES

COMMITTEE MEMBERS

Karen Douglas, Commissioner and Presiding Member

HEARING OFFICER AND ADVISORS

Kenneth Celli, Hearing Officer

Galen Lemei, Advisor to Commissioner Douglas

Jim Bartridge, Advisor to Commissioner Peterman

STAFF, CONSULTANTS AND STAFF WITNESSES

Richard Ratliff, Staff Counsel IV

Mike Monasmith, Project Manager

APPLICANT

Jeffrey D. Harris, Ellison, Schneider and Harris

Clay Jensen, BrightSource

Susan Strachan

ALSO PRESENT

PUBLIC SPEAKERS

Richard Cervantes

Vickie Parker

APPEARANCES (Continued)

PUBLIC SPEAKERS (CONT.)

Susan Cash, Inyo County 2nd District

Gary Hollis, Nye County

Amy Noel, Southern Inyo Fire Protection District

John Zellhoefer, Southern Inyo Fire Protection District

Jon Becknell, Great Basin Air Pollution Control District

Butch Borasky, Nye County Commission

Eddie Jim, Pahrump Paiute Tribe

Curt Ledford, Valley Electric

Jeff Leosch, California Energy Commission

Kelly Williams

Greg Suba, California Native Plant Society

Phil Lyle

Larry Levy, Southern Inyo Fire Protection District

Kevin Emerick

Brian Brown, Amargosa Conservancy

Dorothy Crowe

Len Warren

Richard Cantino

Jon Becknell, Great Basin Unified Air Pollution Control

John Hiatt, Red Rock Audubon Society

Laura Crane, The Nature Conservancy

APPEARANCES (Continued)

PUBLIC SPEAKERS (CONT.)

Steven R. Scow, Attorney, Mary Wiley Trust

Ileene Anderson, Center for Biological Diversity

Al Balloqui

John Dibella

Jack Pritchett, Old Spanish Trail Association

Robert Fielden

Kelly Bradley

Gary Barkley, Firefighter

Ann Harrell

Molly Hansen

Steve McNeal

PROCEEDINGS

1:30 P.M.

HEARING OFFICER CELLI: It's 1:30 and we are going to commence with the hearing.

Commissioner?

COMMISSIONER DOUGLAS: Good afternoon, everybody. Welcome to the Informational Hearing, Environment Scoping, the Issues Identification and Scheduling Conference for the Hidden Hills Solar Electric Generating System Project application before the California Energy Commission.

Let me start by just asking -- I see a very full room. We're really pleased to see the turnout and the public interest in this project. Is there anybody from the community who does not have a seat who would like one? There are some seats up front, and there are some seats, potentially, in the middle. But certainly we'd like to make sure that you've -- you've come in here to watch the proceedings, so we'd like to make sure you're comfortable as long as you want to be. Okay. So let's see.

So the Energy Commission, just to tell you a little bit about us before we get into -- into the proceeding, the Energy Commission is a state agency. The Energy Commission is governed by five commissioners who take action by majority vote in regularly scheduled business meetings. And one of the areas where the Energy Commission

1 has jurisdiction is over thermal power plants 50 megawatts
2 and over, and so that's why we're here today.

3 When there is a power plant application that is
4 within the Energy Commission's jurisdiction we will go to
5 the communities where the plants are proposed. We'll hold
6 an informational hearing. We can potentially hold
7 additional evidentiary workshops in the communities. And we
8 have a fairly robust, extensive and iterative process for
9 being engaged with the project and seeing how it potentially
10 changes, seeing how the environmental analysis takes place,
11 and so on.

12 So -- so soon we'll introduce you to the public
13 adviser. She's a great resource and she'll help you. She's
14 in the back of the -- she's in the corner waving in a green
15 suit, Lynn Sadler. And she'll speak shortly. But she'll be
16 a great resource for community members who are interested in
17 following this project application closely.

18 My name is Karen Douglas. I am a commissioner
19 with the Energy Commission, and I'm the presiding member of
20 this siting committee. When we got the application in to
21 the Energy Commission the commission designated a committee
22 of two commissioners to oversee this proceeding. So it's
23 myself and Commissioner Carla Peterman, who wasn't able to
24 be here today. But her Adviser Jim Bartridge is here. To
25 my immediate left is Ken Celli, the hearing officer. To my

1 right, Galen Lemei, my adviser. So we're certainly pleased
2 to be here today and looking forward to hearing from you.

3 At this point I'd like to ask the parties to
4 introduce themselves, starting with the applicant.

5 MR. HARRIS: (Off mike.) I'm Jeff Harris, here on
6 behalf of the applicant.

7 MR. JENSEN: Here you go.

8 MR. HARRIS: I'm still -- is that working now?

9 HEARING OFFICER CELLI: Pull it closer.

10 MR. HARRIS: Closer. Hi, I'm Jeff Harris. I'm
11 here on behalf of the applicant, with Ellison, Schneider and
12 Harris.

13 MR. JENSEN: I'm Clay Jensen with BrightSource
14 Energy, project manager and the director of project
15 development.

16 MS. STRACHAN: I'm Susan Strachan with Strachan
17 Consulting, environmental project manager.

18 COMMISSIONER DOUGLAS: Staff?

19 MR. RATLIFF: I'm Dick Ratliff, the counsel for
20 the Energy Commission staff.

21 MR. MONASMITH: And I'm Mike Monasmith, the
22 project manager for the Energy Commission staff.

23 COMMISSIONER DOUGLAS: Thank you. At this point I
24 would like to ask if there are any elected officials in this
25 room from -- I certainly know we have a supervisor from the

1 Inyo County. So if you could please, elected officials,
2 representatives from state or local government, if you could
3 please introduce yourselves at the podium.

4 HEARING OFFICER CELLI: One second.

5 COMMISSIONER DOUGLAS: Oh.

6 HEARING OFFICER CELLI: They need -- they need to
7 be on the mike because everything -- we have a court
8 reporter --

9 COMMISSIONER DOUGLAS: Right. All right.

10 HEARING OFFICER CELLI: -- and everything is
11 being --

12 COMMISSIONER DOUGLAS: All right. So -- so if you
13 could please introduce yourselves that would be great.
14 We'll -- we'll ask you to do so on the microphone because we
15 have a court reporter, and everything that's said in this
16 hearing will be transcribed and will go on the official
17 record for this proceeding.

18 MR. CERVANTES: Yeah. I'm Richard Cervantes,
19 Supervisor of the 5th District of Inyo County. And the 5th
20 District encompasses the area in which we find ourselves
21 right now. Thank you.

22 COMMISSIONER DOUGLAS: Thank you.

23 MS. PARKER: I'm Vickie Parker, Vice Chair of the
24 Pahrump Town Board.

25 MS. CASH: Susan Cash, Inyo County 2nd District

1 Supervisor and chair of the board.

2 MR. HOLLIS: Gary Hollis, Nye County Commission
3 and Chair, Pahrump.

4 MS. NOEL: I'm Amy Noel, Southern Inyo Fire
5 Protection District, board member.

6 MR. ZELLHOEFER: John Zellhoefer, Southern Inyo
7 Fire Protection District, board member.

8 MR. BECKNELL: Jon Becknell, Air Quality
9 Specialist with the Great Basin Air Pollution Control
10 District. I'll be the lead permit reviewer for this.

11 COMMISSIONER DOUGLAS: Thank you.

12 MR. BORASKY: Good afternoon. Butch Borasky, Nye
13 County Commission.

14 COMMISSIONER DOUGLAS: Thank you. It's -- it's
15 great to see so many local representatives here and elected
16 representatives. It definitely underscores to us the
17 importance that the county is placing in this process. And
18 so we'll -- you know, we have a practice of working very
19 closely with the local governments. We'll look forward to
20 working very closely with Inyo County.

21 Are there any representatives from the State of
22 Nevada present today, or local jurisdictions within Nevada?

23 Oh, all right. So he's already come up. Thank you. All
24 right.

25 And what about Native American tribes. Are there

1 any representatives from the tribes here today? If you
2 could please come introduce yourself for the record.

3 MR. JIM: Hello, I'm Eddie Jim of the Pahrump
4 Paiute Tribe.

5 COMMISSIONER DOUGLAS: Thank you. Thanks for
6 being here.

7 Is anyone here from the Inyo County Water
8 Department? Any other towns and cities that haven't already
9 spoken of -- let's see here. The Kern River Gas and
10 Transmission Company? All right. Well, we don't actually
11 make people come forward and introduce themselves, but
12 they're very welcome to.

13 What about the Valley Electric Association?

14 MR. LEDFORD: Good afternoon. Curt Ledford,
15 General Counsel for Valley Electric.

16 COMMISSIONER DOUGLAS: Thank you. I've gone
17 through a pretty long list. I might not have hit everybody.

18 If anyone else is here representing a government agency
19 that I didn't mention, we'd invite you to introduce
20 yourselves at this point. All right.

21 So -- so with that I'll turn over the conduct of
22 the hearing to the hearing officer.

23 HEARING OFFICER CELLI: Thank you, Commissioner.

24 Can you all hear me? Okay. Very good. I'll
25 be -- I know that some of you can't see this very well, but

1 I have -- we have a PowerPoint over here.

2 On August 5th, 2011 Hidden Hills Solar I, LLC and
3 Hidden Hills Solar II, LLC, which are both wholly owned
4 subsidiaries of the BrightSource Energy, Inc. submitted an
5 application for certification to the California Energy
6 Commission to construct and operate two electric co-
7 generating plants in eastern Inyo County, California. The
8 proposed Hidden Hills Solar Electric Generating System,
9 which I refer to as HHSEGS, would be two separate solar
10 facilities with a join generating capacity of 500 megawatts.

11 The project would be located on approximately
12 3,277 acres of privately owned land leased in Inyo County,
13 California immediately adjacent to the Nevada border. The
14 project site is approximately 8 miles south of Pahrump,
15 Nevada and approximately 45 miles west of Las Vegas, Nevada.

16 Just prior to this informational hearing the
17 HHSEGS AFC Committee, which would be this body before you
18 right now, conducted a public site visit at the proposed
19 location of the power plant. Hopefully most or all of you
20 got a chance to -- to go there today.

21 The purposes of today's hearing are: one, to
22 provide information to you about the proposed power plant;
23 two, to describe the commission's process in reviewing the
24 application; three, to provide information on opportunities
25 for the public to participate in the -- in this process;

1 four, to inform the committee, the parties and the community
2 about the project, its progress to date in the application
3 process, and perceived issues that need resolution; and
4 finally, to meet and confer about the project schedule.
5 We'll talk about these things today.

6 Later in the hearing the Public Adviser who is
7 Lynn Sadler, again in the back of the room holding up her
8 hand, will explain how the public can obtain information
9 about the project, participate in the process, and offer
10 comments during the review process. The public adviser will
11 explain how to intervene as a formal party should anyone
12 wish to present evidence and cross-examine witnesses when we
13 get to that point.

14 The California Energy Commission is a state agency
15 that has exclusive jurisdiction to license or certify new
16 power plants that generate 50 megawatts of electricity or
17 more. On October 5th -- no, I'm sorry, on October 12th the
18 Energy Commission accepted as complete the application for
19 certification for the HHSEGS, a 500 megawatt solar
20 generating plant in the eastern border of Inyo County.

21 Notice of today's hearing was mailed to all of the
22 parties, adjoining land owners, interested governmental
23 agencies, and other individuals. It was also posted on the
24 Energy Commission's website. The Public Advisers Office
25 will explain in a moment what the public adviser does, what

1 their role is, and -- and also their additional efforts to
2 notify the public about today's hearing.

3 Today's hearing is the first in a series of formal
4 committee events that will extend over the next year. The
5 commissioners conducting this proceeding will eventually
6 issue a proposed decision. You will hear us describing or
7 talking about a thing called a PMPD. The PMPD is the
8 proposed -- it's rather the Presiding Members' Proposed
9 Decision. That's the decision that this will end up
10 being -- culminating in. So it will contain recommendations
11 to the proposed -- of the -- on the proposed project to the
12 full five commissioners of the California Energy Commission.

13 To be clear, the HHSEGS AFC Committee is made up
14 of the two commissioners, which is Commissioner Douglas who
15 is here today, and Commissioner Peterman who will
16 participate throughout, their advisers, and the hearing
17 adviser, which is me.

18 It is important to emphasize that the law requires
19 that the committee's proposed decision be based solely on
20 the evidence contained in the public record. To ensure that
21 this happens and to preserve the integrity and impartiality
22 of the commission's licensing process the commission's
23 regulations and the California Administrative Procedures Act
24 expressly prohibit private, off-the-record contacts
25 concerning substantive matters between the participants in

1 this proceeding, interested parties and commissioners, this
2 committee, their advisers, and hearing adviser.

3 This prohibition against the off -- off-the-record
4 communications between the parties and the committee is
5 known as the ex parte rule. This means that all contacts
6 between interested parties and the committee regarding any
7 substantive matter must occur in the context of a public
8 discussion, such as today's event, or in the form of a
9 written communication that is distributed to all parties.
10 The purpose of the ex parte rule is to provide full
11 disclosure to all participants of any information that may
12 be used as a basis for the committee's future decision on
13 this project.

14 The Energy Commission staff is a party to these
15 proceedings. And when I'm referring to the staff I'm really
16 talking about the people who are sitting over here, and
17 we'll introduce again. So even though the staff and the
18 committee members are both part of or employed by the Energy
19 Commission, we are completely separate entities for purposes
20 of these proceedings. So the ex parte rule is binding on
21 the Energy Commission staff in the same way that it binds
22 the applicant or any interveners.

23 Additional opportunities for the parties and
24 governmental agencies to discuss substantive issues with the
25 public will occur in public workshops to be held by the

1 commission staff. They will have these at locations here,
2 and sometimes in Sacramento. Information regarding other
3 communications between the parties and governmental agencies
4 is contained in written reports or letters that summarize
5 such communications. These reports and letters are
6 distributed to the parties and are made available to the
7 public. Information regarding hearing dates and other
8 events in this proceeding will also be posted on the
9 commission's website.

10 The application for certification process, which
11 we refer to as AFC, application for certification, is a
12 public proceeding in which members of the public and
13 interested organizations are encouraged to actively
14 participate and express their views on matters relevant to
15 the proposed project. The committee is interested in
16 hearing from the community on any aspect of this project.
17 Members of the public are also eligible to intervene in this
18 proceeding. And if there are potential interveners among
19 you, we encourage you to file your petitions to intervene as
20 soon as possible to enable you to have the fullest
21 participation.

22 Today's agenda is as follows. The public adviser
23 will speak next and she will describe the services available
24 from the Public Advisers Office. Following this we will
25 then ask the applicant and the staff to make their

1 respective presentations. These will, in turn, be followed
2 by general comments from the public or other agencies
3 present. So that's the flow of the day.

4 With that, Ms. Sadler, if you wouldn't mind?

5 Oh, can I -- before you go on, I just want to make
6 one more point, Lynn, to the -- to people on the telephone.

7 Folks on the phone, you can hear us because we
8 can't hear you because I put you on what's called mute on
9 entry. But when we're finished and we go to the public
10 comment portion of our hearing today I will unmute everybody
11 and then we will hear from you. So we can't hear you now if
12 you're speaking, if you are trying to speak to us. You
13 could send a chat if you wanted to. All right.

14 Go ahead, Lynn.

15 MS. SADLER: So I am the assistant public adviser.

16 The Public Adviser proper is Jennifer Jennings. She is
17 required to be -- the public adviser must be an attorney,
18 and they are appointed separately. That means that means
19 that she is relatively independent. She serves a three-year
20 term. And the idea of that office being very independent is
21 to allow us to help you in whatever -- in -- in whichever
22 ways that you need assistance and participating.

23 And I going to explain one thing that's a little
24 confusing so it will make one thing more clear in the
25 future. The Energy Commission is broken up into two

1 entities. One is the commissioners, and they make up the
2 committee right here, and the other is the staff. And
3 that's a little bit confusing because the commission makes
4 up the decision makers, but the staff is going to be
5 analyzing this project and making recommendations, and they
6 are called a party to this proceeding. And this is the
7 applicant, and they are a party to this proceeding.

8 And then the third parties to this proceeding
9 might be you if you choose to intervene and engage in this
10 process in a formal way. If you want to do that the public
11 advisers job is to assist you in doing that. I wanted to
12 make that clear because a lot of people weren't clear that
13 the commissioners operate in a separate capacity from the
14 staff. All right. So covered that.

15 So one of the things that we do is reach out to as
16 many people as we can find that might be interested in this
17 proceeding to make sure that every voice has an opportunity
18 to be heard. We don't require that you participate but we
19 want to give you the opportunity to. So we reach out to
20 city and county officials, Native American tribes, nonprofit
21 groups, hospitals, libraries, schools, any place that we
22 know that there are leaders who might have -- be affected by
23 this project that might want to speak out.

24 We also contact the media, as does the Energy
25 Commission staff, to make certain that announcements are --

1 make it into the paper, which I understand they did. And we
2 also buy advertisements which ran in the Pahrump Times to
3 make certain that as many people as possible can know about
4 this.

5 So going back over what I said about
6 participation, there's two ways to participate. The easiest
7 is public comment. And all of you that filled out the blue
8 card saying that you want to speak, that's for public
9 comment. It's an informal way to participate. I know that
10 some of you said how do I know if I'm going to want to speak
11 until I hear what's said. That's a very fair question. So
12 if during this proceeding you determine, no, I really do
13 have something I want to say, just let me know and I'll get
14 you a card, and we'll take it up and we'll add you to the
15 list.

16 And you may also write your comments and send them
17 to dockets@energy.state.ca.us. And the one thing I will
18 tell you is when you send something to dockets it is going
19 to be posted on the web, and it is searchable. So include
20 information that is useful to say what you need to say, but
21 you probably wouldn't, for example, want to put your bank
22 account number on it. So just be aware that that's a public
23 document.

24 So when you do public comment that is considered
25 by the commissioners in their deliberations. It is part of

1 the record, but it is not considered evidence. And so
2 something that you present in public comment can't be a
3 deciding factor for the commission. So that's important to
4 know when you're deciding whether you want to engage more
5 formally.

6 So the second level of participation is called
7 intervening. And you file a petition to intervene if you
8 want to, and the Public Adviser Jennifer Jennings will help
9 you with that if you want to do that. And the petition is
10 considered by the committee, which is seated behind me. And
11 if -- if you're approved then you become a formal party to
12 the proceeding. Then all of those rules that we talked
13 about, the ex parte rules and all, they -- they now would
14 apply to you because you would be a formal party in -- in
15 this process. You would have the same rights and
16 responsibilities as the other parties, the applicant and the
17 staff. You do not have to be an attorney to intervene, but
18 it's helpful to get some assistance. And that's one of the
19 things that Ms. Jennings and I can help you with.

20 Oh, and we would encourage you to intervene as
21 early as possible if you are planning to intervene so that
22 we kind of know how this is going to shape up. I will say
23 that if you don't know if you're going to intervene and you
24 want to participate informally and decide later, that's all
25 right. There will be a deadline and we'll let you know

1 about it. But you do have that option. And I believe that
2 everyone here is signed up on the sign-up sheet and given us
3 your email so we can communicate with you, or your phone
4 number if that's how we communicate with you. If you
5 haven't, I would encourage you to find me and make sure that
6 you sign up so that we can let you know about things that
7 are happening.

8 And if you signed up for the list serve, which is
9 on the main page, and it looks like that, that's
10 energy.ca.gov, if you go to the bottom of the page there's
11 something called Power Plant Licensing Under Review, and you
12 go down to Hidden Hills. And everything you ever wanted to
13 know that's public is there, including the AFC which is in
14 two binders. And I measured them, the binders are that
15 thick, from the end of my thumb to the end of my finger.
16 They're huge documents. So you might want to think about
17 downloading them when you have a little time, maybe start
18 before dinner and finish after.

19 And -- so you go to this site and you click on
20 Hidden Hills, and it will look like that, and there's
21 something over on the right that says List Server. And you
22 just enter your first name, your last name, and your email
23 and we will automatically send you notices of documents that
24 have come out. For example, it might say the -- well, he
25 talked about the PMPD is now available, and you can look

1 that up, or when your comments are posted it will say
2 there's a comment from so and so that people can look at.

3 So the other thing I will tell you is on the left
4 where it says Public Participation, there are a lot of
5 documents. I know we're throwing a lot of information at
6 you today. It's a little bit confusing. I know it took me
7 awhile to figure it all out. But if you go there,
8 there's -- you can get a guidebook that's this thick if you
9 want, or you can see the thing that's a single page that
10 kind of outlines how this all works. And that may assist
11 you, as well.

12 So I will be probably over there in that corner
13 most of the day. You can come ask me questions at any time
14 during this proceeding and I will try to help you. If you
15 don't understand something that's going on and you want to
16 ask, that's my job. Just come find me and we'll make that
17 work. So thank you.

18 HEARING OFFICER CELLI: Thank you, Ms. Sadler.

19 So Ladies and Gentlemen, at this point please take
20 advantage -- I just want you to know that the public adviser
21 is here for you. So it's a great place to get help and
22 assistance in understanding what we're doing.

23 In order to further explain what's going on we're
24 going to ask the applicant, Hidden Hills Solar, LLC, to
25 describe the proposed project and explain its plans for

1 developing the project site.

2 So with that, Clay, who's -- who's -- or is it --
3 go ahead.

4 MR. JENSEN: I apologize. I'm going to try to get
5 in a position to speak to both the crowd and the -- and the
6 commissioners. I'm going to stand next to you, Mike. Is
7 that better?

8 HEARING OFFICER CELLI: You know, actually, you're
9 welcome to speak right from your seat if that helps, because
10 you could --

11 MR. JENSEN: That's a good idea. I like that
12 idea.

13 HEARING OFFICER CELLI: And then your mouse will
14 work from there, since we can see it.

15 MR. JENSEN: All right. Can everybody hear me?
16 Okay. I'll speak loud.

17 Most -- I've met most of you before. Again, Clay
18 Jensen with BrightSource Energy, the project manager,
19 director of project development. We're -- we're the
20 applicant for the proposed project. I'll run through really
21 quickly a bit of the background and how the technology
22 works.

23 So we are a concentrating solar technology. You
24 can see from -- from the slide that what we do, we put a
25 power tower in the center of a field of heliostats. So that

1 sun comes down, reflects off the heliostats to the top of
2 the tower. And then we send water to the top of the tower
3 and convert it to steam. The steam comes back down the
4 tower and runs through a traditional power plant. We're
5 able to achieve temperatures and pressures of -- of steam
6 that are very equivalent to traditional fossil fuel plants.

7 So when the steam comes back down to the base of
8 the tower it essentially looks and functions like a plant
9 that -- that if you're in the power business you've seen for
10 50, 60 years. Not a whole lot of difference when it gets
11 to -- gets to the base of the tower. So from a technology
12 standpoint really the trick is getting that -- that water
13 turned to steam, and that we use the solar application to --
14 to turn that to steam.

15 A little bit about BrightSource Energy's
16 background. I'll run through this very quickly. We've
17 developed an energy center. It's actually in the Negev
18 Desert in Israel. It's been in operation for nearly three
19 years now. With that facility we're producing steam. As I
20 described before, the -- the key is producing the steam,
21 because everything on the other end of that is pretty
22 traditional. We have met or exceeded all expectations that
23 we had for the technology. And that really became the
24 springboard for us advancing projects in the -- in the U.S.

25 Our next plant that we began construction on was

1 in Coalinga, California. It's actually an oil extraction
2 commercial operation where we're using steam injection to
3 remove crude oil from -- from -- from the ground. And
4 again, so it's not a full power-producing plant, but we're
5 using that steam for an alternate -- an alternate method.

6 We also have our Ivanpah facility, which many of
7 you in the room may have heard of or been involved with the
8 process that also went through the California Energy
9 Commission, as well as the BLM process. It's been under
10 construction for a little over a year now. We've advanced
11 the initial tower upwards over 100 feet. And we've had --
12 we've had thousands of pylons for the heliostats in the
13 ground. That project continues to advance through the
14 construction process. That will be our first full-scale
15 commercial power-producing facility in the U.S. That plant
16 will be operational in 2012.

17 A little project overview. We're talking about
18 the Hidden Hills SEGS, as described before. We're in Inyo
19 County. The site is approximately 3,200 acres. It is on
20 privately owned land. Previously the land was planned
21 for -- for residential uses. There were even some master
22 plan communities proposed at one point on this property. We
23 do plan to use the traditional BrightSource CSP tower
24 technology, as I described before. The plant, as we've
25 described, is a 500 megawatt net which is made up of two 250

1 megawatt plants. We -- the solar field design will have
2 roughly 85,000 heliostats surrounding the tower, and that's
3 per plant, for a 170,000 heliostats.

4 We've -- we've integrated some -- some new design
5 features that I'll describe in more detail after -- after
6 Jeff speaks to the project for a few minutes. But we have
7 introduced a wireless technology that we're -- we're hoping
8 to advance that -- that would allow for better
9 communications between the systems on site.

10 And then also we're -- we're proposing a 750-foot
11 tower to help compress the footprint of the project and make
12 the plant more -- more efficient. The -- the tower as
13 proposed at Hidden Hills is actually proposed to be
14 concrete. The -- the towers at Ivanpah and our previous two
15 facilities were steel lattice. So I just wanted to point
16 out that that's another significant difference between
17 Ivanpah.

18 So the -- the site, most of you were just out
19 there with us. So we wanted to point out, you can see on
20 the map that we are, in fact, eight miles south of Pahrump
21 and 45 miles west of the City of Las Vegas. You can see
22 from the map on the PowerPoint, we've got a tower to the
23 north and a tower to the south with the two separate plants.

24 You can see from the map on the PowerPoint, we've got a
25 tower to the north and a tower to the south, with the two

1 separate plants. You can see kind of in the center of the
2 exhibit on the right-hand side in the triangular piece,
3 that's a common area that would be -- that would house an
4 administration office, a switchyard substation. That's sort
5 of common facilities to both plants.

6 And at this point I'm going to hand the -- the
7 mike over to Jeff who's going to describe -- this project is
8 actually -- because it's on the California-Nevada border and
9 a lot of the transmission improvements will -- will overlap
10 with improvements planned by Valley Electric Association,
11 and there will be a separate BLM process, we thought because
12 of the proximity and the relation between the two states it
13 would make some sense to have Jeff describe structurally how
14 this is going to operate between the two states.

15 MR. HARRIS: One of the things that makes this
16 project is unique -- kind of go back, slide that -- is you
17 look at this slide you'll actually see the -- the purple
18 line kind of cutting vaguely through the side. This is the
19 California-Nevada border. It's a very unique thing.

20 When we first learned about this project as a law
21 firm we decided that this would make a great law school
22 exam. It's immensely complex from a legal perspective. And
23 what I want to do in the next couple of minutes is -- is
24 sort of lay out the framework for how the regulatory
25 structure works here. It is complex. These slides

1 will eventually go up on the Energy Commission's website, so
2 you don't have to scratch furiously the statutory
3 provisions, or even remember them. You'll be able to get
4 those off the website. But I want to run through some of
5 the basic things. And it all really relates to the fact
6 that the -- the project, the power plant itself is -- is
7 located on that California-Nevada border.

8 As I said the power plant, the 500 megawatt power
9 plant is on privately owned land, previously disturbed, in
10 Inyo County. And the eastern boundary, again, is the
11 California border. We use a lot of jargon in this -- in
12 this profession, and one of them you'll hear is linears.

13 And what we mean by linears is those are the lines that
14 literally leave the project site and go out. They're lines.

15 And in this case they're transmission lines and natural gas
16 lines. And so they are not the power plant proper but they
17 are certainly facilities that are integral to the power
18 plant. And so the linear facilities for this project are
19 located in the Nevada on BLM, Bureau of Land Management,
20 land and some private lands.

21 This is a larger map showing the overview of -- of
22 where those linear facilities are. And I don't think I have
23 -- can show you with the mouse but -- go ahead, if you can
24 show them there. But the small yellow is the actual project
25 site, the small yellow thing there. And then the red line

1 coming out, going down, following basically 160 and then
2 over the mountains, all the way into the El Dorado
3 Substation south of Las Vegas. The green line is a gas line
4 that will parallel the transmission line, again, all in
5 Nevada. So the really unique thing about this project is
6 the fact that you have the power plant site literally having
7 the border as its eastern border and the linear facilities
8 located in the State of Nevada.

9 So that does create a complicated legal process.
10 And what we end up with is both a state and a federal
11 process. And those processes will be coordinated, but they
12 will be separate. They will not be a single process. And
13 that's, I think, something that people are going to have to
14 kind of get used to that idea and wrap their -- wrap their
15 brain around.

16 There are federal laws and state laws that deal
17 with environmental issues. In California it's the
18 California Environmental Quality Act as implemented by the
19 Energy Commission. And on the federal side of the BLM lands
20 it's NEPA, the National Environmental Policy Act. The power
21 plant will be evaluated in that NEPA process in the legal
22 term as a connected action.

23 So a little bit more on that NEPA process, the
24 separate process we've been talking about. Valley Electric
25 Association, or VEA as you're more common to hear them, has

1 applied for the -- the right-of-way grant, and that's the
2 ROW, from the BLM for those linear facilities that will be
3 located in Nevada. I guess I would point out that -- that
4 the -- the Hidden Hills project is not the applicant for
5 that federal action. It's actually Valley Electric. And
6 Hidden Hills will not own or operate the transmission line
7 or the natural gas line. And again, I'll put the citation
8 in there. Pursuant to NEPA the power plant is what they
9 call a connected action, meaning something -- they're --
10 they're integrally tied together. And so the two will be
11 looked together as one.

12 The scope and NEPA review, again, is a connected
13 action. The BLM is going to examine both the linear
14 facilities and the power plant together so they're looking
15 at the whole of everything. That's what the connected
16 action means. And the BLM's review as a connected action
17 provides what's called a federal nexus, meaning it is a
18 federal permit that's required on the transmission side of
19 things. And that connected action on the federal side
20 allows for all the federal permitting work to go forward for
21 the project.

22 So for example, the Federal Endangered Species Act
23 review, there were two Desert Tortoise found on site, and
24 those are a threatened species, threatened and endangered
25 species under the Federal Endangered Species Act. The U.S.

1 Army Corps of Engineers has to do an analysis of the washes
2 out there. And that's also a federal entitlement. Section
3 106 is a historic -- historic analysis, as well. And that's
4 also an important one that will -- that will take place.

5 So all those federal approvals that are related,
6 primarily through the linears in Nevada, will be dealt with
7 in that NEPA review moving forward.

8 In California, CEQA is the California
9 Environmental Quality Act. That is something you're all
10 used to in your permitting in California, typically
11 implemented by a city or a county. But in this case,
12 because it's a thermal power plant the State of California
13 permits those through the California Energy Commission. And
14 I think I'm just going to fly by the rest of that, since Ken
15 already covered a lot of those.

16 This is a language you shouldn't try to write down
17 real quick, but it's the Public Resources Code section that
18 actually sets forth the proposition that CEQA applies to the
19 project and the project features in California. And
20 essentially what it says is that CEQA, being legal language
21 it's written in a negative, of course, "CEQA does not apply
22 to a project or a portion thereof located in another state,"
23 so it's in Nevada in this case, "which will be subject to
24 environmental review pursuant to NEPA," and as I mentioned,
25 the BLM is going to be running their NEPA process, "or

1 similar state laws." So, yeah, Nevada's equivalent of -- of
2 CEQA. And that's -- that's the basic law. And again, this
3 PowerPoint will be available to you on the website.

4 That is the parallel regulation. And it says
5 essentially the same thing, so I'm not going to -- I'm not
6 going to go through that again. But the -- the key thing is
7 that for those portions of the project located outside of
8 California they'll be dealt with in that NEPA process.

9 So again, the coordinated but separate process
10 with the NEPA action, the power plant as a connected action,
11 and for CEQA, for the power plant and those portions of the
12 linears that are located in California. So -- and I know I
13 went through that really fast. And again, those PowerPoints
14 will be available. We'll stick around as long as you want
15 to ask questions later if you have questions on those legal
16 issues, as well.

17 HEARING OFFICER CELLI: Thank you, Mr. Harris.
18 And --

19 MR. JENSEN: Ken, I've just got a few more.

20 HEARING OFFICER CELLI: Oh. Okay.

21 MR. JENSEN: I apologize.

22 HEARING OFFICER CELLI: Keep going.

23 MR. JENSEN: Just one last note. On the -- the
24 BLM NEPA process, just as update, we have -- the BLM has
25 issued a notice of intent. They will have public scoping

1 meetings that are available on their website. We -- our
2 staff that -- that -- and afterwards I can give you more
3 details, but there will be public information meetings on
4 November 8th, 9th and 10th. And we can provide additional
5 details. Those will be in -- one in Pahrump, one in Jean,
6 and one in Boulder City. And those will be related to the
7 application filed by Valley Electric and our project as a
8 connected action.

9 So I wanted to move into a few of the key issues
10 that I know a lot of the -- those in the audience and -- and
11 the commissioner are going to be concerned with as we move
12 forward, and so we wanted to address some of them up front.

13 One of them is -- is water use. We are an entirely dry-
14 cooled technology. Other technologies in solar and other
15 fields are -- have used wet cooling. We are, to be clear, a
16 dry-cooled close-loop system and have been from -- from the
17 beginning of our technology development. And again, that
18 uses air instead of water to condense the steam. It
19 represents 90 -- 90 percent less water when compared to a
20 traditional wet-cooling plant.

21 For the Hidden Hills project we're -- we're --
22 we're limiting our water use to 140 acre feet per year for
23 operations, and 280 acre feet per year during construction
24 for two years. And you can see on the chart some
25 comparative water use for different types of technologies.

1 We'd also like to address the tower height. As I
2 described prior, we're proposing a 750-foot tower. And
3 this -- this slide attempts to -- to demonstrate why that is
4 the case. You can see with the exhibit on the left that has
5 the shorter tower, when the sun reflects off the -- the
6 surface of the heliostats those mirrors have to be placed
7 farther apart or far apart so that you don't get what we
8 call blocking. So the blocking is when one mirror blocks
9 the other from reflecting the surface onto the top of the
10 tower. So that forces the mirrors to -- to separate.

11 The exhibit on the right shows a tower taller.
12 And so it shows with that better angle of the sun's
13 reflection to the top of the tower you can actually bring
14 the heliostats closer together. So the advantage of this,
15 as I provided input, I believe on the bus, I'll repeat some
16 of the statistics, as compared to our previous technology at
17 Ivanpah, Ivanpah was -- is roughly 3,800 acres and produces
18 roughly 370 megawatts of power, or will produce 370
19 megawatts of power. This project as proposed is roughly
20 3,200 acres and planned at 500 megawatts. So the megawatts
21 produced per acre is -- is significantly higher. And
22 that -- that is mainly attributed to the -- to the
23 additional tower height. And the tower height at Ivanpah is
24 just under 500 feet. So with the addition of 250 feet
25 you're getting significantly less footprint.

1 You'll see from the -- from the documentation
2 that's provided on the CEC's website that we have completed
3 several of the -- the environmental reviews or the -- the
4 surveys, and I wanted to walk through a couple of those real
5 quickly.

6 As Jeff described, we have done Desert Tortoise
7 surveys. We -- we only found two Desert Tortoise on --
8 within the project boundary. There are no other federal or
9 state threatened or endangered species onsite that we -- we
10 found. We area conducting Golden Eagle surveys, which
11 are -- which are helicopter surveys, and we'll follow up
12 with pedestrian surveys in 2012. We've completed Burrowing
13 Owl surveys, and those results are in the reports. Bats,
14 we've done some initial monitoring and will be doing
15 additional bat monitoring.

16 Botany, t are no federal-state threatened or
17 endangered plant species found onsite. There are special
18 status plants that were identified, and also can be found in
19 the documentation on the AFC.

20 We have done -- we've completed a federal-state
21 waters analysis. We're into the process with the Army Corps
22 or Engineers. We expect a determination from them shortly.

23 We've been at it since January 2011 and -- and are getting
24 some preliminary indication, but expect full feedback from
25 them shortly. And we're entering the state consultation

1 for -- for the -- the state waters immediately following the
2 Army Corps.

3 I wanted to hit the socioeconomics a little bit.
4 We -- I won't read through all the slides. I'll hit -- I'll
5 hit the key ones. During construction we expect at a peak
6 to employ over 1,000 workers. During full operations we
7 expect to employ from 100 to 120 full-time operations
8 positions. I won't read through the employee wages, but it
9 is a \$2.7 billion investment. And so we expect the -- the
10 impacts to be felt on both sides of the border in a very
11 significant way.

12 This picture, I want to point out this picture. I
13 didn't have a chance earlier. When we do our -- our
14 heliostats placements we do our best to install them with
15 the native environment intact. So this is a representation
16 of what we hope the plant, if approved and we move forward,
17 would look like in a native environment. So this is a
18 representation of the intent of trying to keep as much of
19 the native vegetation intact as we can.

20 And that's it.

21 HEARING OFFICER CELLI: Thank you, Mr. Jensen.

22 Next, Ladies and Gentlemen, we would ask
23 California Energy Commission staff to provide an overview of
24 the commission's licensing process and its role in reviewing
25 the proposed Hidden Hills SEGS.

1 So with that, Mr. Monasmith, please.

2 MR. MONASMITH: All right. That's the wrong way.

3 Yeah. Hello, everybody. While John's getting that up I'll
4 introduce myself. My name is Mike Monasmith. I've been
5 with the Energy Commission eight years next week, and I must
6 say that this is one of the largest crowds that I've seen at
7 one of these hearings. I've been -- I was the -- I had
8 Lynn's job for four years. I was the associate public
9 adviser before I went to the siting office to become a
10 project manager, so I've been to a number of these events
11 over the years. And this is by far the largest, considering
12 the rural nature of this community. So it's very impressive
13 and a testament to the interest demonstrated here in Inyo
14 County. And it's just very heartening to see everybody
15 here.

16 If you want to do it, John, I'll just go through.

17 Mike Monasmith, Project Manager. I'm part of a
18 team of about 45 scientists, engineers, planners, analysts,
19 support staff who will be reviewing this project for the
20 state on behalf of you. We received it, as Hearing Officer
21 Celli mentioned earlier, on August 5th. We went through a
22 process of data adequacy which I'll explain to you next, and
23 we're now in the process of discovery. Why don't we go to
24 the next slide?

25 Just to kind of give you -- and this has kind

1 of -- we've been over it before, but the Energy Commission
2 is the -- the go-to agency in the state. We license all
3 thermal -- which means it has a heat component -- all
4 thermal-electric power plant 50 megawatts or larger and all
5 related facilities or linears, transmission lines, natural
6 gas, water, anything necessary for the project to operate,
7 as part of our review process. We are the lead state agency
8 under CEQA. Our license supplants others. We work with all
9 other regulatory agencies within the state. Our license is
10 all-encompassing. Next slide please.

11 As I mentioned, the data adequacy is the first
12 phase that we undertake. It was a two-month process. We
13 filed -- they filed on August 5th. We then went through a
14 process of determining if the 1,000-plus page AFC,
15 application for certification, had all the required
16 information for us to do a review on about 22 different
17 technical disciplines, everything from air quality to
18 biological resources, cultural resources, land use, traffic
19 and transportation, hazmat, and a number of engineering
20 disciplines, water, waste management, worker safety, visual
21 resources, it's very extensive.

22 And it took us about two months and we had to go
23 through two different rounds where the applicant would file
24 additional information before we felt satisfied that we had
25 what we needed to begin the 12-month review. Under law we

1 had 12 months to review an AFC to make a determination at
2 the Energy Commission. And so it took us about two months
3 to get all the information we needed. And at the October
4 5th business meeting the commission deemed the application
5 data adequate and the clock started, the 12-month clock
6 started.

7 And then we began discovery and analysis. So
8 we're now in the process of discovery and analysis which
9 involves a number of different phases. It began with an
10 issues identification report which we filed on October 26th.

11 There should be copies here. There's also copies on the
12 website. Within that -- well, I'll talk a bit later about
13 what the -- what was entailed within that issues
14 identification report. But initially it's kind of a
15 forewarning to the commissioners, the decision makers, other
16 parties to this proceeding, and this public exactly what we
17 at the Energy Commission, what staff feels will be some of
18 the more challenging issues in terms of schedule, in terms
19 of our analysis, in terms of fighting mitigation that we
20 find with this project as proposed.

21 We also do data requests. Data requests are
22 official questions that we ask of the applicant on those
23 different 21 technical disciplines. We issued our first
24 round of data requests on October 17th. It was 50 questions
25 focused on water, air quality, traffic and transportation,

1 visual resources, transmission, a number of different areas.

2 The applicant has 30 days to respond. So they're about two
3 weeks into it. We anticipate we'll get those responses back
4 within the next two weeks.

5 Tomorrow we're going to file round two of data
6 request which will be primarily consisting of biological
7 resources, the larger more complex resource issues that we
8 will review.

9 And then in the third week of November will come
10 the final first round, at least, of data requests on -- on
11 biological resources and cultural resources, which is also a
12 very complex, involved and interesting area that we need to
13 look into. We'll talk a bit about that a little bit later,
14 as well.

15 We conduct public workshops as part of that
16 discovery process. In fact, a week ago today staff was here
17 in this room with our colleagues from Inyo County. A number
18 of you were here. We talked about issues important to Inyo
19 County, socioeconomic issues, land use issues, traffic and
20 transportation, fire safety, law enforcement, all issues
21 that impact the county on a local basis, and why those
22 issues are important and how this project would affect those
23 issues.

24 We have -- we'll have another workshop in the
25 third week of November. And by the time this is all said

1 and done after 12 months we'll probably have at least 10 to
2 12 public workshops. They're open. They're not formal like
3 this. They're not on the record. The commissioners
4 aren't -- aren't present. It's just staff, the applicant,
5 interveners, and other parties working through these issues
6 on an informal basis.

7 Ultimately, at the end of the discovery process,
8 which is about five months, we will issue our first
9 preliminary staff assessment. Sometimes you'll -- you've of
10 an environmental impact report, which is kind of the
11 equivalent, a CEQA document. We call it a staff assessment.
12 It will be a multi-volume report, and it will essentially
13 contain our analysis on those different -- on those 21
14 different technical disciplines, our recommendations, what
15 we found through the process of discovery, what we feel is
16 appropriate in terms of mitigation. It will be our
17 recommendation to the decision makers on whether or not this
18 project should be approved, and if so under what set of
19 conditions. That's the preliminary staff assessment. That
20 will come out the first of March.

21 We'll then have a big workshop right down here in
22 Inyo County again 30 days later, and then we'll come out
23 with the final staff assessment the 1st of May, and that
24 will be our last final testimony, our sworn testimony as
25 staff on what we feel about this project and what we feel

1 the impacts would be and what our recommendations will be
2 for mitigation.

3 We'll then go from that process into the committee
4 evidentiary hearing process where things will switch back to
5 the decision makers. And I'll go and show you a little bit
6 more about how that will work. But then we actually go into
7 official hearings on the record with the court reporter. We
8 give our testimony. The applicant will provide their
9 response. Interveners will provide their response. We'll
10 have witnesses. We'll be able to cross-examine. It's kind
11 of similar to a judicatory process, and that will happen
12 this summer. Next slide please.

13 Actually, let me -- we talked a bit about the
14 presiding members proposed decision. That sounds kind of
15 technical. But essentially the presiding member is
16 Commissioner Douglas. The associate member is Commissioner
17 Peterman. Their decision, after they hear all the
18 witnesses, all the -- the staff testimony, the applicants,
19 they will then produce their decision, their decision
20 document. And that's what is called a presiding members
21 proposed decision. We'll have a hearing on that. We'll do
22 that probably down here in Inyo County, as well. And that's
23 their recommendation to the full five member commission who
24 then makes the decision on a final vote at a regularly
25 scheduled business meeting in Sacramento. That will happen

1 next fall. Yeah. Let's go to the next one. Hit next.

2 There you go. All right.

3 This is just basically what I talked about before
4 in terms of a flow chart. We talked about data adequacy,
5 that we had the pre-filing and the meetings. It was filed
6 on August 5th. We did the data adequacy August -- October
7 5th. We started discovery. That will happen this fall,
8 into the winter. All these parties will essentially be
9 doing analysis. We'll be doing analysis. We'll be working
10 with agencies like Inyo County and others that I'll actually
11 stipulate a bit later.

12 Then the hearings occur. That will happen this
13 summer after we do a staff assessment, which is our
14 recommendations. That will come out, like I said, 1st of
15 March, 1st of May at the final. And then the proposed
16 decision will be late summer. And the final decision will
17 be 12 months from the time the data adequacy was. So
18 ideally from the next -- October 5th, 2012 will be the final
19 decision, which will come in Sacramento. So that's just
20 kind of -- there's copies of this in the back, too. All
21 right.

22 This is just a flow chart showing how discovery
23 works. In terms of staff, we will -- we're a party. We --
24 the applicant is a party. The interveners and the public
25 also have a role to play in this. The public adviser

1 facilitates that. We work with local agencies like Inyo
2 County and others. And together we are the ones that are
3 doing the investigation. We're doing our independent
4 analysis working with others, finding out what this project
5 is like, what the impacts will be, and beginning to write
6 our assessment or our recommendation to the decision makers.
7 Next slide.

8 Essentially what we do when we do this in terms of
9 our recommendations, we'll look at all sorts of things. We
10 look at determining if the project is consistent with the
11 existing laws, ordinance, regulations or standards,
12 something we call LORS, existing laws and ordinances that
13 may exist in Inyo County, local jurisdictions. We go ahead
14 and we conduct our environmental and engineering analyses on
15 those 21 different technical disciplines, finding out what
16 the impacts would be. We look at alternatives. We identify
17 mitigation. We do research on that.

18 And then we ultimately recommend conditions of
19 certification which essentially says if you're going to
20 license this project you're going to do so under certain
21 sets of conditions, or conditions of certification. That
22 will be our recommendation to the decision makers. And that
23 will be encompassed in the staff assessment, the preliminary
24 and the final staff assessment.

25 We facilitate agency and public participation in

1 this entire process. It's very transparent. We're very
2 open about this. Everything is posted on our website. You
3 can call us up at any time. We can really count on local
4 participation and your reviews. For folks who know the area
5 perhaps better than we do, as we do these analyses it's very
6 important that we have the processes back and forth.

7 Like I said, we produce the preliminary and final
8 staff assessments. That will be in March and May. And
9 those all are recommendations to the committee, the decision
10 makers.

11 And then we go to the hearing process. And
12 really, the hearing process, the committee is really the
13 judge and jury at this process, they -- at this point. They
14 will -- we'll do hearings here. We'll provide our input,
15 staff testimony, our sworn testimony. The applicant will
16 provide theirs, because they'll have a point of view which
17 will not be ours. You can guarantee that they'll be
18 different. Interveners will also have points of view and
19 they, too, may have testimony and may have witnesses, and
20 they may want to cross-examine us. They may want to cross-
21 examine the applicant. That will all take place in the --
22 in the -- during the evidentiary hearing process.

23 The public adviser will facilitate that between
24 the interveners and public comment, which counts. As Lynn
25 had stated earlier, there's a bit of a difference between

1 intervener and public comment. They're all important but
2 there are differences. And the, of course, local and state
3 agencies can make direct appeals to the committee
4 themselves, and they will work through us. And the next
5 slide please.

6 As we said, they will go ahead and they will
7 issue -- after this entire process they will make their
8 decision, the presiding members proposed decision. It will
9 contain what they find, what they found to be compelling
10 from staff, what they found to be compelling from the
11 applicant, interveners, whether they thought that the
12 project complied with these local ordinances, whether they
13 liked the conditions of certification. They may or they may
14 not. They may change them. They make them harsher. They
15 may make them less harsh. This is -- this is all up to
16 the -- the commission, the committee members, the
17 gubernatorially appointed and senate approved commissioners.
18 And they'll make their final decision to the full five-
19 member body who will then have that final decision.

20 After a decision is made if the project is
21 approved it stays within the Energy Commission and moves
22 over to our compliance office where we monitor and make sure
23 all the conditions of certification -- this is what's
24 happening at Ivanpah right now -- to make sure all the
25 conditions of certification are being met, that they're

1 being complied with. If they're not there's consequences
2 and fines that are applied upon the -- the project
3 proponent. And we follow it all the through decommissioning
4 and closer. So it stays within the Energy Commission all
5 the way through to the end.

6 We work, I'd like you to know, very extensively
7 with local, federal and state agencies here in Inyo County
8 with the Department of Planning, Department of Environmental
9 Health, the sheriffs' department. We've had a great working
10 relationship with Inyo County. We're very pleased with
11 that. With the Southern Inyo Fire District. With the Inyo
12 County Fire and the Pahrump Fire and Rescue. We've -- like
13 I said, we were here last Thursday. We had really good
14 conversations with them. I'm very excited to be working
15 with them on this project.

16 We do a complete air analysis. That will be
17 through the Great Basin Air Pollution Control District. We
18 work extensively with our resource agency sisters -- sister
19 agencies on biological resource issues, so California
20 Department of Fish and Game. We work with the local Water
21 Quality Control Board on impacts to water. And then we have
22 the federal -- our federal partners, as well, in the -- the
23 U.S. Fish and Wildlife service. We work with Bureau of Land
24 Management, Army Corps of Engineers and others. All of
25 these agencies are part of our process, and we work

1 collaboratively together in reviewing this -- this proposal.

2 This is just a map. I think everyone has seen
3 where this is and what it looks like. So if we could just
4 go to the next one.

5 The issues identification report that I mentioned
6 earlier, this was published on October 26th. This was an
7 early warning, essentially, from staff, our recommendations
8 to the -- to the commissioners, as well as others, on what
9 we see as the potential issues, where we see concerns, where
10 we think the focus should be. We basically look to see if
11 we think an issue is going to be difficult to mitigate, if
12 it's going to have a significant impact on the environment,
13 if it's going to be non-compliance with LORS, if there's
14 going to be an issue.

15 For instance, Inyo County has a law or ordinance
16 that's going to be in non-conformance with that. We're
17 already finding these issues in terms of land use. And if
18 there's going to be conflicts with parties where we see that
19 it's going to be difficulty in getting through the 12-month
20 process. We -- we kind of alert everyone to that early on.
21 And those, again, those copies are available. They're on
22 our website. And I'm going to talk in just a few about some
23 of the main topics that -- that were encompassed in the
24 issues identification report. We can go to the next one,
25 John.

1 The main ones we found, biological resources,
2 cultural resources, socioeconomics as it relates to law
3 enforcement and response time for fire and safety issues,
4 water resources, and visual resources. These are the top 5
5 of the 21 that we looked at that we -- we kind of singled
6 out and we wanted to talk a bit about and alert you, as well
7 the commissioners, to them today.

8 In terms of biological resources, it's a large
9 site, 3,200 acres. Desert Tortoise is a federal and state
10 protected species. It's a good Desert Tortoise habitat, at
11 least it seems to be initially. We're not finding a lot of
12 tortoises out there, at least surveys don't find them so
13 far. But we're certainly concerned about this issue. We're
14 concerned about Golden Eagles, avian issues, Burrowing Owl,
15 special status plants. All these are things that we are
16 looking at, questions that will be included in these data
17 requests that come out tomorrow. And in two weeks will be
18 the first kind of round of issues that we consider
19 important. And we're going to ask the applicant to explain
20 in better and more detail where we see these impacts and how
21 these issues might be resolved.

22 Ultimately, there will be multi-agency mitigation
23 development plan that will have to be put into place in
24 terms of 3,200 acres that will be taken out and -- and used
25 in this industrial facility. How we deal with that

1 mitigation, how that is developed, how the compensatory
2 mitigation package is ultimately put together that involves
3 a number of resource agencies is something that's going to
4 be time consuming. It takes a lot of coordination and work.
5 And all of that is something that we need to -- to be weary
6 of as it's going to potentially impact schedule.

7 In terms of cultural resources, again, a large
8 site. Not a lot known about what actually exists out there.
9 There are clearly issues important to Native Americans and
10 tribal concerns. We've already had a couple of meetings
11 with some of the tribal representatives, one on August 2nd.
12 We're hearing them loud and clear in terms of sacred site
13 issues that exist in the Pahrump Valley. That's something
14 that we're obviously very sensitive to. We'll continue to
15 look at that clearly and how we potentially mitigate those
16 potentially significant issues will be something that's
17 important. Next one.

18 Socioeconomics, again, given the rule of nature
19 and the limited resources that exist within this community,
20 the fact of how law enforcement is dealt with, how emergency
21 responders, first responders, fire and safety are dealt with
22 are important to us. They're important to Inyo County and
23 the local -- the local districts. We clearly want to make
24 sure that we're working with you to understand the -- the
25 impacts this project will have on those resources and how

1 they need to be augmented potentially if this project is to
2 be approved, and what set of conditions would -- would allow
3 for that.

4 And then water, I think we talked about already.
5 We obviously realize the water in a ground water basin that
6 is -- is clearly in -- in overdraft right now, dropping, how
7 this project, even though it's a relatively small amount of
8 water, it's 140 -- 140 acre feet -- acre foot. It's about
9 325,000 gallons, enough for a family of four for a year. So
10 140 acre feet a year is not a lot compared to the water that
11 some of the projects we've licensed in the past use. But
12 it's still, given the nature, given the desert, given the
13 groundwater in existence, given the fact a lot of people
14 have wells and they're worried and concerned about that,
15 it's totally something that we're going to be concerned
16 about, as well. So we're asking a lot of questions about
17 this. We'll be workshopping this issue. And it's one that
18 will ultimately have to be mitigated.

19 And then visual resources. This is very large.
20 These power towers are very large, 750 feet tall. And we
21 will be looking at key observation points on both the
22 California and Nevada side of the border on how the impacts
23 will be felt from this project and how those impacts will be
24 mitigated.

25 This is our proposed schedule I think I talked a

1 bit about. We not only do these workshops, we also file
2 periodic status reports. So we'll be filing status reports
3 to the committee that will be made available to everyone
4 here on how things are progressing on the schedule, how --
5 how our work is going, what kind of problems we're
6 encountering, how our multi-agency collaboration is moving.
7 So basically here we will have a number, like a said, a
8 number of data requests that are going to be coming out in
9 the next couple weeks. We'll have a status report the first
10 of January. We'll have a big workshop in mid-January.
11 We'll do a second report in mid-February before we get to
12 the preliminary staff assessment publication on April --
13 excuse me, March 1. Actually, I have it on Leap Year it's
14 going to be published.

15 And then we'll do a workshop after that, probably
16 another status report so that ultimately you guys will know
17 what's going on. A final staff assessment coming out the
18 1st of May. And then everything gets turned over to the
19 committee because they really set that schedule in terms of
20 hearings, when their presiding members proposed decision
21 will come out, and the final decision, that will be theirs
22 to set, not staff.

23 Contact numbers are next if you need to get a hold
24 of -- oh, this is also important to note, meeting the
25 proposed schedule, our 12-month schedule, is really

1 dependent on a number of factors, how responsive the
2 applicant is when they answer our questions or when they
3 provide their data responses, if those are coming in a
4 timely fashion, how our collaborative efforts with other
5 agencies goes, you know, our work with resolving outstanding
6 issues, how that proceeds, getting the staff assessment
7 published on time. We do a pretty good job at the Energy
8 Commission in meeting our -- our 12-month mandate. We
9 average a little over 12 months. We take that
10 responsibility seriously as staff. And there's a lot of
11 factors that go into meeting the schedule. And sometimes we
12 are unable to meet it exactly but we definitely try our
13 best.

14 These are the contacts. You know the committee
15 here. This is the one to remember, these two here. You can
16 contact me, the project manager, if you have any questions,
17 or Lynn Sadler. Either of us will help you. We'll get you
18 plugged into the process and keep you aware of what's going
19 on.

20 So again, it's really good to see everyone out
21 there, and we look forward to working with you over the next
22 ten months. There's copies of the -- of the PowerPoint in
23 the back if anyone needs it. So thank you.

24 HEARING OFFICER CELLI: Thank you, Mr. Monasmith.

25 So the first thing I'm going to ask the parties is

1 to please remember to docket your PowerPoints so that makes
2 it into the administrative record.

3 I have some questions for -- before we get on to
4 public comment I wanted to -- I've -- I want to make the
5 first observation that this, it looks to me like we're going
6 to need a bigger room. We're pretty full here. And if --
7 if interest remains at this level then we may need to
8 consider a bigger venue than this -- this place. And I
9 don't know where that would be. So it be good to get some
10 input on that.

11 MR. HARRIS: Nevada.

12 HEARING OFFICER CELLI: Nevada? Okay.

13 (Off mike comments from the public not transcribed.)

14 HEARING OFFICER CELLI: Okay. So if you -- you
15 would talk to Mr. Monasmith on that, Mike Monasmith, that
16 would be great. And notice how I delegate that.

17 MR. HARRIS: Maybe the state line.

18 HEARING OFFICER CELLI: Yeah. I wanted to ask --
19 getting to that question, maybe Mr. Ratliff -- and by the
20 way, that's -- Dick Ratliff over here is staff counsel for
21 staff. He's their attorney. We're -- we're trying to
22 understand how we're going to deal with the multi-agency
23 aspect of this, especially the BLM and the feds, given the
24 different timing and so forth.

25 How is that going to affect the PSA, the FSA? How

1 are you going to deal with the linears that over in Nevada
2 in the PSA and the FSA? And the PSA and the FSA, folks,
3 is -- PSA is the preliminary staff assessment, and the FSA
4 is the final staff assessment. That's what staff is going
5 to be working on putting together a report.

6 MR. RATLIFF: As the counsel for the applicant
7 showed in their slides, there is an exception in CEQA for
8 projects or elements of projects that are out of state. And
9 so staff will not be analyzing linears that are in Nevada.

10 On the other hand, the BLM has an obligation when
11 it does its environmental analysis for the linears in Nevada
12 to look at the connected action of the power plant project
13 itself. So BLM will be considering the project in its more
14 complete self. But the Energy Commission staff will not be
15 analyzing the linears.

16 HEARING OFFICER CELLI: So if --

17 MR. RATLIFF: And it will not affect our schedule
18 at all.

19 HEARING OFFICER CELLI: That's -- that's really
20 the question. I remember in -- and just, folks, Mike
21 Monasmith probably has more experience dealing with the BLM
22 than anybody at the Energy Commission. And the federal
23 system has certain longer deadlines than we do. And it
24 didn't really fit very well, their schedule and our
25 schedule, when we were dealing with the ARRA projects in the

1 desert.

2 And so my main question is: Are we dependent on
3 the BLM for information in order to finish the FSA or the
4 PSA or any other agency in having to do with the linears,
5 and how are you going to deal with that? Is that -- are we
6 going to have a blank -- are we going to have no linears in
7 the FSA?

8 MR. RATLIFF: Well, staff always looks at
9 downstream transmission impacts. And so we will be getting
10 at some point an impact analysis for the transmission. And
11 I mean -- when I mean that I mean the electrical
12 consequences of adding generation at this point and moving
13 it to another point, and what sort of secondary impacts
14 might come out of that. Like for instance, the construction
15 of new transmission lines or the reinforcement of
16 transmission lines. So those things we will consider if
17 they're in the State of California.

18 HEARING OFFICER CELLI: Okay. Thank you. And did
19 you have any other questions for staff or applicant?

20 COMMISSIONER DOUGLAS: No.

21 HEARING OFFICER CELLI: Okay. Then with that, the
22 only other thing I wanted to mention is we've received -- so
23 that really, we're all out of questions with regards of
24 issues identification. I'm making sure that's true. Yes.

25 Then let's get on to the schedule. We talked --

1 we received the schedule from both the applicant and staff.
2 They're essentially the same schedule. And really the only
3 question I had, again, was whether the federal analysis was
4 going to slow down our process. It looks pretty ambitious
5 to be able to get a PSA out by the end of February, but that
6 would be a great thing.

7 So what will happen, Ladies and Gentlemen, just so
8 you know, is based on -- since I have -- there's no real
9 issue with regard to the schedule; right? Then what will
10 happen is the committee will issue a scheduling order within
11 the next -- well, before November 18th, because it has to be
12 within 15 days of today's hearing. So what the schedule
13 will explain is what has to happen by when. These are --
14 schedules are -- you know how they say rules are meant to be
15 broken? Schedules are very difficult often times to -- to
16 stick with. Sometimes there's slippage for whatever reason,
17 and we may have to revise the schedule as we go. It all
18 depends on factors, how the analysis goes, what sort of
19 bumps in the road they might encounter.

20 We are -- this is as early in the stage as we
21 could possibly be. It's our first participation in this as
22 a committee. And so I'm -- I'm telling you that up front
23 because people shouldn't feel, you know, bound by these
24 dates. They're -- they're sort of guidelines and go-for,
25 and we'll see how we do, we'll see how the parties do.

1 Again, I want to really encourage those of you who
2 are thinking of intervening, talk to Lynn Sadler, and do it
3 early. Because once the train leaves the station it's gone
4 and we do not go back. And if you come in late we don't --
5 we don't go back and try to rehash matters that we've
6 already covered.

7 So with that, if there's nothing further from
8 applicant --

9 MR. HARRIS: Just --

10 HEARING OFFICER CELLI: Mr. Harris, go ahead.
11 You're still not on. I think it's being hidden by the
12 little -- the nylon cover. There's -- there's a little --
13 okay. Why don't you go to the podium.

14 Folks, just to remind everybody, the reason we're
15 doing all -- we're making such a big deal about the
16 microphones is that everything that's being said is being
17 taken down and there's a permanent record. We have a court
18 reporter here today. And so in order for whatever is being
19 said to make the record it has to make it into the
20 microphone.

21 So go ahead, Mr. Harris.

22 MR. HARRIS: Yeah. A much bigger production than
23 I thought they were going to have here.

24 Just one note for the commissioners. One of the
25 lessons learned from the -- the ARRA process, the

1 recommendation from the industry was more frequent
2 interaction with the committee. And in that connection we
3 may be asking for status conferences a little earlier than
4 you're typically going to see them. I just want to bring it
5 up, number one, to let you know that. And number two, to
6 let you know that it doesn't necessarily signal a problem --

7 HEARING OFFICER CELLI: Right.

8 MR. HARRIS: -- in the proceeding. It's not like
9 we come to loggerheads and we need to meet. But that is one
10 technique that we've taken to heart. And we'll probably be
11 asking if we can do that by teleconference or otherwise, to
12 make it low impact. So --

13 HEARING OFFICER CELLI: We would have to -- we'd
14 have to notice it, of course. And we would -- I fit it into
15 the schedule. Let me ask you this, Mr. Harris, how -- this
16 is November. You know, you're going to have to get through
17 some workshops between now and Christmastime. What do you
18 think we should do for a first status conference, January,
19 February?

20 MR. JENSEN: January.

21 MR. HARRIS: Well, I think January would probably
22 make sense for a lot of reasons, including being right after
23 the holidays. There's some data requests that I'm sure
24 we'll be enjoying over the holidays on our side. And it
25 gives staff a little bit of time to look at those. So

1 January is probably a good time.

2 HEARING OFFICER CELLI: End of January?

3 MR. HARRIS: Yeah, end of January.

4 HEARING OFFICER CELLI: And then we will probably
5 set it up as a monthly -- monthly status conference.

6 MR. HARRIS: Yeah. I think that would be
7 frequently -- frequent enough. And again, we would be glad
8 to do that via teleconference. Because I know your
9 schedules are pretty crazy, too, so --

10 HEARING OFFICER CELLI: Yeah. We'll set it up and
11 we will notice them. So thanks for bringing that up.

12 And -- and that raises another point that I'd like
13 to make while I have all of the public here. I want to,
14 first of all, thank all of you for being here. It's a lot
15 better to have you here than on the phone. There are people
16 on the phone right now and they can't speak because I have
17 them on mute. So it's a lot better to be here in person.
18 I'm going to unmute them in a moment when we get to public
19 comment.

20 But I've been doing this now enough times to see
21 that you really can't count on electronics. Things seem to
22 always go wrong. People can't hear. Some mike or other
23 doesn't work. And it's just better here to in public -- in
24 person. So thank you again for being here.

25 About these status conferences that we were just

1 talking about, the odds are we will have them in Sacramento,
2 not down here. But right now -- and you won't be able to
3 see it, but right now we are -- in our notice we noticed
4 this thing called WebEx, W-e-b-E-x, which is a sort of
5 teleconferencing software that we use. And you get to --
6 our meetings, you can listen in. You can hear it and see
7 any documents that we put up on your computer. So we would
8 probably handle status conference by way of WebEx. So you
9 can participate by hearing it on the phone, which is what
10 people are doing now.

11 So if there's anything -- without anything further
12 from Applicant or Staff, I would go to public comment next.
13 I'm going to tell you how we're going to proceed.

14 Folks, first I'm going to call the people on the
15 phone.

16 COMMISSIONER DOUGLAS: I'll do the cards.

17 HEARING OFFICER CELLI: Do you want to make a
18 comment before I get to that?

19 COMMISSIONER DOUGLAS: What are we doing? We're
20 on public comments?

21 HEARING OFFICER CELLI: Yeah. I'm -- we're about
22 to do the public comment. I'm going to get to the phone
23 people.

24 COMMISSIONER DOUGLAS: All right. Good idea.
25 Okay.

1 So just briefly, as we move into the public
2 comment part of the agenda, I wanted to agree with Mr.
3 Harris that frequent status conferences prove to be very
4 valuable. And so we'll -- we'll definitely make that
5 happen.

6 I also wanted to note that I do appreciate the
7 schedule. So let's certainly try to keep it.

8 And finally, for the members of the public who are
9 here, I wanted to say a bit more about the role of public
10 comment in our process. You've heard earlier -- thank you.
11 You've heard earlier, public comment can not be used to
12 prove a fact. And when a fact is at issue in the case, if
13 there -- if there is argument about facts as there often
14 are, public comment does not in itself prove or allow us
15 determine or find one way or the other, but it's very
16 important to us, and it's important in many ways. And I'll
17 give you some examples.

18 Making public comment early in the process, such
19 as many of you will be doing today, is an opportunity to
20 raise issues that are of importance to the community and to
21 the people in the vicinity of the project. And so if -- if
22 enough people stand up or even one person stands up and
23 says, for example, water is very, very important -- I expect
24 that we'll hear that -- that can be a message to staff and
25 that can be a message to the applicant to make sure that

1 they really do their work in that area.

2 If somebody stands up and questions a methodology
3 for a certain kind of survey or something else, again, very
4 useful, very helpful, especially early in the process.

5 Public comment also helps the commission when we
6 have the job of weighing evidence and trying to determine
7 which facts ultimately become more important than other
8 facts. Also, to the extent that we reach the point of
9 needing to consider potentially any overrides of
10 environmental issues, again, this is an area where your
11 voices come through to us, and what you have to say is very
12 important and can impact directly on the case.

13 So I really appreciate you being here and I look
14 forward to hearing from you.

15 Have -- have you unmuted the phones?

16 HEARING OFFICER CELLI: I'm just about to.

17 COMMISSIONER DOUGLAS: All right. Go ahead.

18 HEARING OFFICER CELLI: I wanted -- I wanted you
19 to proceed.

20 Thank you, Commissioner, for that clarification.

21 So what we're going to do now in public comment is
22 first we're going to take the people on the phone. Then
23 we're going to take the people who are present in the room's
24 comments.

25 For the people on the phone, right now they're

1 muted. I'm about to unmute them, call their name, and --
2 and take their comment. And hopefully we'll be able to hear
3 them.

4 For the people in the room, Commissioner Douglas
5 is going to -- you're going to -- will be reading off the
6 cards. She'll call your name. We need you to come up to
7 the podium and speak clearly and directly into the
8 microphone and make your comment that way.

9 So with that I'm going to unmute everybody --

10 UNIDENTIFIED PUBLIC MEMBER: Is there a time limit
11 on comments?

12 HEARING OFFICER CELLI: You know, given -- usually
13 we -- we don't make it hard and fast. We're going to ask
14 everybody to try to keep your comments to about three
15 minutes if you can, two or three minutes, get to the point.

16 Often times with a crowd this big what will start happening
17 is people will start saying the same thing over and over and
18 over again. So if you have something to say that somebody
19 already said you can just say I agree with what Bob just
20 said, but I also want to say these other things that are
21 different than what Bob just said, so we can just hear what
22 you have to say. Okay.

23 I'm going to unmute a couple of people whose names
24 I recognize because I don't think they really need to make a
25 comment. Jeff Leosch, Jeff, can you hear me, Jeff Leosch?

1 MR. LEOSCH: Yeah, I'm here. Can you hear me?

2 HEARING OFFICER CELLI: Yes. Did you wish to make
3 a comment?

4 MR. LEOSCH: No. I'm just listening in today.

5 HEARING OFFICER CELLI: Thank you. Okay. I'm
6 going to mute Jeff again. He's an Energy Commission staffer
7 so I recognized his name.

8 Kelly Williams, I'm going to unmute you now.
9 Kelly Williams, can you hear me?

10 MS. WILLIAMS: Yes. I have not comment.

11 HEARING OFFICER CELLI: Okay. Thank you.

12 Sometimes, folks, just so you know, these are
13 people associated with the applicant or staff and they're
14 just listening in.

15 Now I have a group of people who have called in,
16 and I'm going to mute -- unmute everybody.

17 COMMISSIONER DOUGLAS: What about Greg Suba?

18 HEARING OFFICER CELLI: Greg Suba wants -- but
19 he's on a different line because he called back in. So I
20 have to unmute everybody.

21 Greg Suba, are you there?

22 MR. SUBA: I am.

23 HEARING OFFICER CELLI: Please, go ahead. You
24 have the floor.

25 MR. SUBA: Thank you. Hello, everyone. My is

1 Greg Suba. And my title is the Conservation Program
2 Director for an Organization called California Native Plant
3 Society.

4 HEARING OFFICER CELLI: Greg, excuse me. Do you
5 know -- Grey, can you hear me? You're -- you're not coming
6 through very clearly. If you're on a speaker phone we'll
7 need you to pick up your handset and speak directly into it
8 because we're not getting good audio from you.

9 MR. SUBA: Let's see, is that any better?

10 HEARING OFFICER CELLI: A hundred percent. Thank
11 you. Go ahead.

12 MR. SUBA: Oh. Okay. All right. I'm just going
13 to go through this. Well, anyway, I just wanted to say I
14 appreciate the opportunity to make comments. And I
15 understand there's further opportunities to engage more
16 formally as an intervener.

17 I'd like to make a few statements regarding the
18 plant life that is found at the project site. And I totally
19 agree with Mr. Celli's comment that being present face to
20 face is helpful, but hopefully whoever is listening will
21 bear with my disembodied voice over the phone.

22 Building energy, solar energy in the United States
23 and around the world is and will continue to be a great
24 thing, full of promise and benefit for our generation and
25 future generations. And in needing to consider how we

1 achieve more solar and wind and other types of energy, it
2 has to go hand in hand with needing to consider how we
3 preserve the natural world where we put these projects. I'm
4 talking about the animals and plants, air, water, soil and
5 such that we encounter. And I know that the project
6 applicant has taken great steps to start to address that.
7 I'd like to just make three comments regarding some of the
8 plants that I understand have been found on the project
9 site.

10 One of the plants listed in the AFC, nymilkfich
11 (phonetic), is a plant that's known to occur in very few
12 places, in Utah and in Nevada. And it's considered rare in
13 both those states.

14 The Hidden Hills' report documents the first
15 recordings of this plant in California. And this underlines
16 two important points. First, new information about rare
17 plants or animals occur, as it becomes known, we have to
18 assess and recalculate where they occur along a spectrum of
19 what we consider rare and what we consider common. At first
20 glance this nymilkfilch plant appears to be a plant that is
21 rare everywhere that it is found, in Utah, in Nevada, and
22 including now in California.

23 Second, much of the desert continues to be a
24 terra-incognita, or an undiscovered country in terms of
25 plants and other life forms that might be living out in the

1 desert. There is -- that's because much of the desert has
2 yet to be surveyed in any systematic manner. And new
3 projects will reveal new biological information, and that's
4 a very exciting fact.

5 Howe we deal that information is an important part
6 of what this process is about. And some of this new
7 information can represent a challenge in project planning.
8 As a community of people we have a responsibility to these
9 challenges by acknowledging this new information,
10 integrating it into project plans, and making appropriate
11 decisions that take measures to satisfy both our human needs
12 and the requirements for the continued existence of the
13 other life forms and their habitats.

14 Lastly, the last thing I want to say, is that
15 several of the plants listed in the Botanical section,
16 Chapter 5.2 of the AFC, the report, appear in a few places
17 in California, but do occur more generally outside, in
18 neighboring states. Based on the information available to
19 date impacts to the plants that occur in very few places in
20 California represent a threat to the continued existence of
21 these species within California. Should the California
22 population cease to thrive we run the risk of extricating,
23 that is wiping out these plants from California.

24 Our organization will examine this project and its
25 impacts and will work with the applicant and agencies,

1 particularly those agencies whose missions are to be the
2 stewards of our state's natural resources to ensure that
3 we're not brokering the extrication of the species from
4 California while building such a project. Thank you.

5 HEARING OFFICER CELLI: Thank you. He's from the
6 California Native Plant Society.

7 Greg Suba, thank you for your comments.

8 Phil Lyle, are you still on the phone?

9 MR. LYLE: Right here. We're just listening.

10 HEARING OFFICER CELLI: Okay. So you didn't --
11 you didn't wish to make a comment, Mr. Lyle?

12 MR. LYLE: We don't have any.

13 HEARING OFFICER CELLI: Okay. Thank you. Lastly,
14 Ladies and Gentlemen, one of the funny things about -- and
15 I'm talking about the people on the phone, this -- the WebEx
16 that you use, if you just call in but don't use your
17 computer it doesn't get -- identify who you are. So I have
18 a couple of people left on the phone, call-in user number
19 four and call-in user number six. I can't get more
20 information than that. If you wish to make a public comment
21 would you please speak up? Is there anyone on the telephone
22 now who would like to make a public comment, please speak up
23 and identify yourself. Anyone? Okay. Hearing none, then
24 I'm going to go back to mute all.

25 And with that, Commissioner Douglas, please.

1 COMMISSIONER DOUGLAS: All right. Well, thank you
2 for bearing with us through that.

3 Now I'll call up Larry Levy, Acting Fire Chief for
4 the Southern Inyo Fire Protection Fire Protection District.

5 MR. LEVY: Thank you. Larry Levy. I've been a
6 resident here for about 15 years. I have somewhat of an
7 overview on the capabilities of emergency response in the
8 area. I'm currently employed as a firefighter-mechanic with
9 Amargosa Volunteer Fire Department, which is a mutual aid
10 agency to the north of our fire district here. I also
11 volunteer with Nye County Emergency Services as a trainer,
12 and on the South Nye County Hazmat Team. And I am the
13 acting fire chief here in Southern Inyo Fire Protection
14 District.

15 Our district is about 1,250 square miles with
16 fewer than 500 residents. We survive on a pretty minimal
17 parcel fee that we collect. We do not get at this point any
18 portion of the one percent dollar in tax. That all goes to
19 the county and the state for schools and the like.

20 So we -- we actually, as things stand right now,
21 look to be losing a little bit of funding because all of the
22 parcels that we now get an individual fee from are going to
23 be consolidated into a single parcel. We scrape by barely
24 on what we do get from our parcel taxes. Most of our
25 equipment, you can see across the street, is not yet housed

1 indoors. It is outdoors and -- and suffers from it.

2 I can not speak for the board, but I look forward
3 to this project bringing a benefit to the area. But as we
4 stand right now we do not have the capability of supporting
5 an emergency response, either medical or fire, the activity
6 that's proposed. We would love to gear up and ramp up to do
7 that but we're going to need some help in doing that,
8 whether it comes from the county from the taxes that they
9 will derive, or whether it comes
10 from the project directly, we're going to need some help.
11 And if you don't believe that I have raffle tickets for sale
12 to benefit the fire district. Anybody can come see me
13 afterwards.

14 But we get by on that very minimal parcel tax. It
15 took us for ballot measures with our local residents to get
16 that measure passed for something around \$70,000 a year. So
17 we're going to need to gear up in equipment, in personnel,
18 and especially in training. But we look forward to working
19 with all parties.

20 COMMISSIONER DOUGLAS: Thank you. Thank you.

21 MR. LEVY: Thank you.

22 COMMISSIONER DOUGLAS: Fire safety and emergency
23 response are part of the environmental -- part of the review
24 that staff will be doing, and I'm sure they'll be working
25 closely with you.

1 Ted Farson? I have a card from Ted Farson. If
2 he's not in the room I'll just -- I'll -- it's okay. I'll
3 call him later.

4 Eddie Jim? Eddie Jim, are you here? And he's
5 from the Pahrump Paiute Tribe.

6 MR. JIM: Hello, my name -- my name is Eddie Jim.
7 I'm with the Pahrump Paiute Tribe. I'm opposed -- opposed
8 to this project, mostly because of water issues. I've lived
9 in the Pahrump Valley for over 50 years. I've seen how our
10 water has dwindled. Water used to run like the -- all over
11 the place above ground. And as more people moved in the
12 waters got dry, wells had to be dug deeper, and they're
13 still being dug deeper. I don't think we can sustain the
14 water issue. It is -- it is just getting dryer and dryer
15 out there. And even the animals, they used to have -- drink
16 out of these streams, have to go other places, mostly in the
17 mountains.

18 So -- and I think this project is going to be an
19 eyesore. It's -- the towers don't look too attractive to
20 me.

21 And as for native culture issues, I think that
22 will -- we'll have a meeting on that next December, which I
23 don't want to bring up here because there's some sensitive
24 issues there.

25 So I will sign off here. And other -- I hope

1 there's other native tribes out there that get on the
2 bandwagon with the Paiute Tribe and oppose this issue --
3 issue of the solar project. I hope some tribes in Inyo
4 County and surrounding areas will join the bandwagon. Thank
5 you.

6 COMMISSIONER DOUGLAS: Thank you. Thanks for
7 being here.

8 Curt Ledford, Valley Electric Association.

9 MR. LEDFORD: Good afternoon, Ladies and
10 Gentlemen, and thank you for this opportunity to speak. I'm
11 Curt Ledford, general counsel for Valley Electric
12 Association. For those of you that don't know us, we're a
13 nonprofit cooperative located in Pahrump, Nevada. We serve
14 a large portion of the southern and central rural Nevada, as
15 well as portions of California.

16 We support this project. We think that this is a
17 fantastic approach to renewable generation. And we support
18 renewable generation as a whole, as a cooperative, as -- as
19 a global part of a future power scheme for the -- for the
20 region as a whole and for the nation.

21 Valley Electric has been mentioned a couple of
22 times today as providing the linears, as that term is being
23 described, coming in and out of the project. We currently
24 have an SF-299 with the BLM studying the corridors of where
25 this energy will ultimately flow, as well as studying almost

1 3,000 megawatts of renewable energy in our service area, our
2 service territory of which this project is a part.

3 So we would like to thank the applicant for
4 their -- for their willingness to work with the cooperative
5 and willingness to meet with us on a regular basis. And we
6 hope that you approve this project.

7 COMMISSIONER DOUGLAS: Thank you.

8 MR. LEDFORD: Thank you.

9 COMMISSIONER DOUGLAS: Thanks for being here.

10 Kevin Emerrick, are you here?

11 MR. EMERICK: Hi. Thanks. My name is Kevin
12 Emerick, and I'm going to speak as a resident of Nye County
13 and somebody who is concerned about very large energy
14 projects that are being proposed like this. I have a
15 general concern about water. I think this project, 140 acre
16 of feet of water a year is a high volume of water in an area
17 that is overdrafted. And I worried how that will
18 cumulatively impact areas surrounding possibly the Amargosa
19 River, and generally the Death Valley Regional Aquifer.

20 I'm worried about, too, that you've got a lot of
21 mirrors here. You're going to require a lot of mirror
22 washing. You've got a lot of dry lakes. And blowing wind
23 tends to make that accumulate. So I'm just worried about
24 the ultimate totals of water use that are going to be used
25 here.

1 I'm also worried about the visual resources. I
2 realize that the footprint on the ground has been reduced,
3 but in effect the towers have been increased in height. So
4 that's going to have a very cumulative impact on the
5 surrounding wilderness and conservation areas, and that will
6 be visible both in the daytime, because it will be very
7 reflective, and in the nighttime, and not only from a height
8 of, what, 750 feet, but from the reflective flash-glare
9 effect of a lot of the mirrors depending on what altitude
10 you're looking at it from the wilderness areas.

11 I know there have been Golden Eagle nests found
12 around here and there are towers in that area that are very
13 high.

14 And I also want to mention on visual via the
15 flashing red aviation lights that will have the nighttime
16 impacts of the area, as well.

17 And so overall I just want to say, in spite of the
18 fact that it's located on private land I'm worried that a
19 project of this size is going to have a very negative
20 cumulative impact on several valuable resources in the area.
21 And so I am opposed to it for that reason. Thank you.

22 COMMISSIONER DOUGLAS: Thank you for your
23 comments. You know, we're definitely hearing loud and clear
24 the importance of both water and visual as -- as has been
25 brought up in comments.

1 Brian Brown, Amargosa Conservancy.

2 MR. BROWN: Yes. Thank you. My name is Brian
3 Brown. I'm the resource advocate with the Amargosa
4 Conservancy. We are a local nonprofit group that is
5 dedicated to the protection of the land, water and beauty of
6 this bi-state Amargosa Region. I'm also a local
7 businessman, a fourth generation resident of the area, and a
8 land owner here.

9 Our organization has played a key role in the
10 designation of the Amargosa as a wild and scenic river in
11 2009. We're also actively involved in reviewing and
12 approvals of renewable energy projects in our region.

13 The Amargosa Conservancy supports appropriately
14 sited and mitigated renewable energy generation, including
15 location in the eastern Mojave Desert. But we are quite
16 concerned about water use, as everyone else is. The affect
17 on desert species, overdevelopment, impairment, public
18 health and safety issues.

19 Our principal concern about the Hidden Hills is
20 the ground water pumping issue. The plant site in Pahrump
21 Valley is close to the small community of Charleston View
22 and is in the Amargosa River Water Shed. It's also known as
23 the Death Valley Regional Flood System. This system has
24 been regionally modeled by the U.S. Geological Survey.
25 They -- there are modeling efforts out there.

1 The Amargosa River and it's springs and stream
2 tributaries and associated wetlands are wholly dependent
3 upon groundwater, which the USGS model shows flowing
4 primarily in a northeast to southwest direction from Nevada
5 into California. However, the scale of this model is very
6 large. And the underlying geology and hydrology of the area
7 is complex, and it's not really well understood.

8 Groundwater to serve the facility to be pumped --
9 is to be pumped from an alluvial aquifer in the Pahrump
10 Valley which is recharged by precipitation falling on the
11 Spring Mountains. The USGS regional model shows that this
12 aquifer in the Pahrump Valley Basin is hydrologically
13 connected to this Amargosa system over here.

14 As you know, the Pahrump Valley Basin from which
15 Hidden Hills' facilities will be withdrawing water is mostly
16 located in Nevada. And water rights in that basin,
17 according to the Nevada state engineer, are significantly
18 over-appropriated, and these rights exceed the sustainable
19 withdrawal level by a large margin. And California does not
20 regulate groundwater pumping outside of adjudicated basins
21 as Nevada does.

22 We think that the coordination between California
23 and Nevada federal and state agencies involved in a major
24 project in the Amargosa Water Shed should be improved, more
25 communication, putting all of the agencies, this being a

1 complex, complicated project that it is. The short-term
2 groundwater modeling that BrightSource has submitted with
3 it's application is -- we feel is not adequate. The effects
4 of groundwater pumping can often take a very long time to
5 propagate throughout an aquifer, and once detected it is
6 usually too late to remedy the situation. And moreover, we
7 have to assume that this facility, once built, will be
8 essentially permanent or replaced by other future facilities
9 in the future.

10 In our view the commission must require the
11 acquisition of additional data and the imposition of a
12 carefully designed monitoring, modeling and mitigation
13 program to avert long-term risk to the wild and scenic
14 Amargosa River and it's tributaries.

15 Essentially, as you've heard over and over, the
16 water is the key issue here. And if the project is to move
17 forward we feel that -- that a good monitoring system to
18 alert us if something is going wrong as soon as possible,
19 that will be most helpful. And we will be submitting
20 written comments also. Thank you.

21 COMMISSIONER DOUGLAS: Thank you. Thanks for your
22 comments, and thanks for your conservation work in this
23 area.

24 Dorothy Crow, do you -- are you hear, Dorothy
25 Crow? All right. We'll call -- oh, here she is. Oh, good.

1 Great.

2 MS. CROWE: My name is Dorothy Crowe. And first
3 I'd like to say that I do support renewable energy projects,
4 and that I also support the comments made by Brian Brown.

5 COMMISSIONER DOUGLAS: I have a couple people in
6 the back of the room indicating they can't hear you.

7 MS. CROWE: Oh.

8 COMMISSIONER DOUGLAS: So if you could --

9 MS. CROWE: Maybe closer?

10 COMMISSIONER DOUGLAS: Absolutely. Perfect.

11 MS. CROWE: Okay. So I do support the comments
12 made earlier by Brian Brown and the fellow from the
13 California Native Plant Society. But I'd also like to make
14 a couple comments of my own.

15 I have concerns over the biological surveys for
16 Burrowing Owl. Recently there have been surveys conducted
17 throughout the Mojave that came up with very few Burrowing
18 Owl pairs. And it was based on a protocol that was really
19 ineffective for surveying that species. And I'm worried
20 that the surveys for the owls on this project and -- and on
21 the -- what is it, the linear lines, will need to be looked
22 at more carefully to make sure that the owls are actually
23 found.

24 And then I have concerns over -- also over the
25 mitigation. Other projects that I've looked at, it's like

1 the mitigation doesn't quite fit with the impacts to the
2 bird species, lizard species, etcetera, that occur in the
3 areas where the development does occur. And so I do have
4 concerns about that and would like to have that really
5 looked into.

6 And also a very specific thing about water, I
7 noticed that along the Nevada-California edge, just over in
8 the Nevada side, there is an extensive line of mesquite.
9 And mesquite is really a very rare plant community. And I'm
10 worried that the water drawdown will actually impact those
11 mesquite stands and all of the species that are contained
12 within those stands. And so I'd hope there would be some
13 sort of studies and monitoring that will go along with
14 the -- the possible impacts to that.

15 And also maybe studies -- I was not aware that
16 vegetation was left in between the rows of the mirrors. And
17 I was wondering if there were actually studies conducted on
18 the impacts to species that are drawn in by that -- the
19 plants that are still there but are contained within that --
20 that solar site. Thank you.

21 COMMISSIONER DOUGLAS: Thank you for your
22 comments. If you have specifics on the Burrowing Owl study,
23 the surveys, among other things, I'm sure staff would love
24 to hear them. And I don't know if Applicant has a response
25 to the question or whether there are analyses that you could

1 point her to on the impacts of leaving vegetation between
2 the mirrors.

3 MR. JENSEN: It works now. We've done a lot of
4 analysis. We assume with the projects that the habitat
5 that's there is -- is -- sensitive species are removed from
6 the site. So the site would be, for Desert Tortoise as an
7 example, would be fenced and swept and relocated. So
8 we -- we look at the impacts of what the project would have
9 on the species that are there. There's multiple purposes
10 for leaving as much native vegetation in place as you can
11 that -- that have to do with a lot of -- a range of -- of
12 reasons that I won't get into now. But the Ivanpah facility
13 that is under construction, we are implementing that -- this
14 technology, and we are going to be studying the impacts
15 of -- of how that method or technique works and if it's
16 successful, and in which cases it's successful and which it
17 hasn't.

18 MS. CROWE: Yeah. Because I do worry that it's
19 kind of like -- like a sink, it's bringing animals in but
20 that they can't actually live --

21 MR. JENSEN: Yeah.

22 MS. CROWE: -- within that solar site.

23 MR. JENSEN: Yeah. The -- the site will be fully
24 enclosed. And it's not intended to continue to be a
25 habitat. And we're --

1 MS. CROWE: So it's more like dust reduction?

2 MR. JENSEN: It's dust reduction. And then
3 with -- when -- when the solar plant is no longer
4 operational there's benefits when -- when the plant
5 decommissions from that regard to the plant species that are
6 there. We are not getting what we would consider to be
7 mitigation credit for the -- those materials that are left
8 onsite.

9 MS. CROWE: Okay.

10 MR. JENSEN: So it's not a mitigation credit issue
11 for us. It's -- it's -- there's a variety of benefits that
12 we see by doing it this method. But it's not meant to be
13 remaining habitat when the plant is in operation.

14 MS. CROWE: Okay. Thank you.

15 COMMISSIONER DOUGLAS: Okay. Thank you. Thanks
16 for that response.

17 Len Warren?

18 MR. WARREN: Hello, I'm Len Warren. I've been
19 studying Amargosa area for approximately three years. And
20 I've been studying ornithology for my whole life. I'd like
21 to turn a checklist in of 319 species of birds, which is
22 pretty impressive for the middle of the desert. That is not
23 from your site proposal, but that's from this area here
24 which is basically just over this set of hills. So it's a
25 tremendously diverse area for birds.

1 I must agree with Dorothy Crowe, both the
2 Burrowing Owl surveys that -- they work well in Imperial
3 Valley type area where one can visually survey in the
4 daytime for owls in this area with it's depth of washes,
5 that 1993 survey protocol that's commonly being used for
6 Mojave. The Wilkinson and Siegel paper that was published
7 recently, republished in *Southwestern Birds* in September
8 2011, shows that their opinion is there's very few Burrowing
9 Owls in eastern Mojave and northern Mojave.

10 Part of the problem, in my opinion, is that much
11 of the Burrowing Owl research has gone into research on a
12 state-by-state basis. I've even seen maps that showed on
13 this diagonal line --

14 COMMISSIONER DOUGLAS: If you could you be,
15 please, as close to the mike as you can.

16 MR. WARREN: I've seen maps that show on this
17 diagonal line that's our state border that Burrowing Owls
18 breed right up to the edge of that border, and then not on
19 the California side. So from the perspective of a Burrowing
20 Owl, I promise you that they really don't care which side
21 they're on, it's whether they like that habitat or not.

22 There's a substantial of Burrowing Owls in the
23 eastern Mojave and northern Mojave. Richard Cantino who
24 works with us here has surveyed over 130 individual
25 Burrowing Owls in Pahrump. This is just from advertising

1 for folks to call in, let him know the sightings that they
2 have in their area

3 This Charleston View area has across the board
4 been un-surveyed for birds. Mount Charleston, which looms
5 to the east at almost 12,000 feet has a substantial bird
6 population that both -- that uses the Charleston View, both
7 as a migratory stopover and as a substantial wintering
8 grounds for birds that breed up in that Mount Charleston
9 area. So this whole lower valley that we're in now holds
10 wintering birds from Yosemite, the Sierras, and from Mount
11 Charleston, as well.

12 So I believe that it's very appropriate for us to
13 get involved with a two-state Burrowing Owls survey that
14 maybe this project could showcase the importance of that.
15 And that we really believe that nighttime surveys where you
16 play their calls, you listen for owls to call back, that's a
17 Burrowing Owls observation. In turn, one can walk those
18 points in the daytime on a corkscrew type of pattern to
19 determine breeding holes and burrows from there.

20 The second thing I want to talk to briefly is that
21 there's a lot of people who are in environmental protection,
22 also in government, are not aware of the devastating effects
23 of 1,100 degree temperatures on birds. And if you can
24 imagine what happens to a Golden Eagle when they fly through
25 that highly concentrated beam of heat, if anyone would like

1 to see pictures of birds that are disintegrated and burned
2 and singed there's many records of small projects with the
3 mirror surrounding and the tower in the center that shows
4 that a substantial amount of deaths of birds are from
5 collisions into the towers. And here we're proposing a
6 larger tower than we've surveyed before for birds. And the
7 remainder of the bird deaths are mostly from heat.

8 And I could correlate that to human casualty,
9 incidences that we see a flock of birds that fly through
10 those temperatures and a certain percentage of them are
11 found in a survey on that property on the ground during
12 survey times, you've got to use some math formulas to
13 determine that a much larger percentage of birds in that
14 flock were injured or burned and continued on and may have
15 died in adjacent areas, as well.

16 So those are very important things to consider
17 when we have this kind of bird population that's moving
18 through, and in particular the Golden Eagle population in
19 this area. We've all seen Golden Eagles. They are under-
20 surveyed as to exactly where their nest locations are.

21 But we have -- these are -- I'm only mentioning
22 the birds that are specifically required by law to be
23 protected. The remainder of these 300-and-some-odd species
24 of birds are totally dependent on the endangered species and
25 protected species for their own protection. Otherwise there

1 isn't very much protection for those birds, except for the
2 simple Migratory Bird Act.

3 I would like to ask one question if the
4 information is readily available. Do you guys know how many
5 Burrowing Owls were found on your surveys in that grid?

6 MS. STRACHAN: Eight.

7 MR. WARREN: Eight -- eight -- eight pairs? Eight
8 owls?

9 MS. STRACHAN: Eight owls were found on that site.

10 MR. WARREN: Eight individuals? Okay. Thank you.
11 Thank you for listening to me.

12 COMMISSIONER DOUGLAS: Thank you for your
13 comments. You mentioned Richard Cantino. And, in fact, his
14 card is up next. If you can come forward.

15 MR. CANTINO: Yes. My name is Richard Cantino. I
16 live in Pahrump. Hidden Hills Solar Project, that's what
17 this is; right? Are these heliostats cold? Do they need to
18 be warmed up? What's the gas line for? I haven't heard
19 anybody say what the gas line is for.

20 COMMISSIONER DOUGLAS: Why don't we -- if you
21 don't mind we'll go through your comments and we'll ask
22 Applicant to ask -- answer -- answer your questions --

23 MR. CANTINO: Well, the --

24 COMMISSIONER DOUGLAS: -- after we get your
25 comments.

1 MR. CANTINO: The gas line is obviously for a
2 gas -- a gas -- a jet engine to turn gas turbines in the
3 evening, I suppose. That's what the gas line is for.

4 COMMISSIONER DOUGLAS: All right. Why don't we
5 have the applicant talk about the role of the gas line.

6 MR. JENSEN: Sure. The -- the gas line extension
7 is -- is sized to -- to provide startup heat for the -- for
8 the turbine systems for the power plant. And there's a
9 limit on the amount of natural gas -- or the limited amount
10 of natural gas that can be used to produce power on an
11 annual basis. And the AFC cites a ten percent limit on
12 power produced from natural gas. The intent is not to
13 continue to produce power into -- into the evening hours.
14 That ten percent limit, we -- we consume that with -- with
15 the uses for startup.

16 We use turbine systems that -- that can be more
17 efficient early in the cycle with a natural gas injection.
18 And then once the plant is operational it converts to solar
19 power. And it's also used during intermittent breakages.
20 If a cloud cover comes over for a very short duration and
21 the plant is in full operation it can -- it can sustain the
22 plant.

23 It's not intended in any way to -- to produce
24 power into the evening.

25 MR. CANTINO: I understand. But either way the

1 prevailing winds coming from the south-southwest, the people
2 in Pahrump are going to suck in those emissions, and I'm
3 against it for that reason.

4 COMMISSIONER DOUGLAS: Thank you. Air quality is
5 another issue that will be addressed in this, but -- but
6 thank you for raising that concern. And we'll look forward
7 to working more on that issue.

8 Jon Becknel, Permit Engineering with the Great
9 Basin Unified Air Pollution Control District.

10 MR. BECKNEL: Hi, my name is Jon. And I first
11 would probably -- for those that are not familiar with our
12 agency, I should give a brief background into how air
13 pollution regulation is structured in the United States.

14 It starts federally with the USEPA and regulations
15 delegated under the Clean Air Act. And the EPA delegates to
16 each state because each state has its own unique concerns
17 and criteria. And those states can write more rigorous
18 regulations. They have to be at least as rigorous if not
19 more so than the Clean Air Act. California is renowned,
20 or -- or actually depending on your perspective infamous,
21 for -- for being more rigorous than the Federal EPA. All of
22 us are familiar with that every time we fill up at the gas
23 station, for instance. All the specialized equipment that
24 you have on the nozzle, that's above and beyond what the EPA
25 requires. That's state regulation.

1 Now California is also the -- it has -- we have
2 our own local areas that have their unique criteria also.
3 The state is divided up into 35 districts. Some are single
4 counties. Some are unified districts, multiple counties.
5 We are a unified district. We cover Inyo, Alpine an Mono
6 Counties, three counties. And our governing board is made
7 up of appointed members that are supervisors, two from each
8 of the counties. Richard Cervantes, I know he was here
9 earlier, Supervisor Cervantes is one of those members, one
10 of those board members. And then we have a seventh member
11 that is from the town of Mammoth Lakes.

12 So I just -- with that background in mind I just
13 want to tell you where we fit into the process. The
14 applicant -- well, a consultant for the applicant, Sierra
15 Research, submitted on behalf of them an application to us
16 for a permit to operate. And we have 30 days to rule that
17 application complete. We have done so. We had some
18 questions initially. But upon asking them they essentially
19 just directed us to where in the application that
20 information actually was. They have done a very thorough
21 job and I'm impressed, and I don't anticipate any issues in
22 meeting the deadlines that are in the -- the staff schedule.

23 So pretty much that's what I want to say. There's
24 only a few areas of concern with air pollution. First --
25 actually the -- the speaker that got up just prior to me

1 voiced one, and that would be the combustion emissions from
2 the natural gas. We don't anticipate any significant
3 impacts from those because of two things.

4 They have selected the best technology, low --
5 what they call low NOx boilers -- burners on the -- the
6 boilers that are the absolute best technology for
7 combustion. NOx is the highest -- NOx is a term used for
8 oxides of nitrogen. It is a regulated pollutant by the EPA,
9 and all the way down the line to state and local agencies
10 like ourselves. And they are using the best technology.

11 And also they are using hourly -- or daily hour
12 limitations and annual hour limitations on -- on how much
13 fuels they actually combust. So they are going to stay well
14 under any federal and state ambient air quality standards
15 and will meet all regulations in that regard.

16 The only other pollutant of concern or the -- the
17 next major pollutant of concern would be airborne
18 particulates. And we will investigate. That is our area of
19 expertise. If any of you are familiar with the Owens Dry
20 Lake, three-quarters of our -- our staff is dedicated just
21 to that project for dust control, for dust monitoring and
22 dust control. So we have quite a bit of expertise in that
23 regard.

24 And actually, a variety of control technologies
25 has been employed on the Owens Dry Lakebed. And one that

1 was suggested was a solar array because it creates wind
2 breaks, which keeps particulate matter from being suspended
3 into the air. And looking at the picture diagrams of the
4 heliostat array, if it's really as dense as what's been
5 depicted, that looks like about 90 dust control on its own.
6 So we really don't anticipate any. And they have done
7 extensive computer modeling to show that those impacts will
8 also be below all federal and state ambient standards.

9 So that in mind, I think we can issue the permit
10 on schedule. And it looks like they will comply with all
11 regulations. Thank you.

12 COMMISSIONER DOUGLAS: Thank you for your comments
13 and your thorough response to the concerns raised. And
14 obviously this is an issue that will be addressed in the
15 environmental documents.

16 John Hiatt, Red Rock Audubon Society.

17 MR. HIATT: My name is John Hiatt, that's
18 H-i-a-t-t --

19 COMMISSIONER DOUGLAS: Sorry about that.

20 MR. HIATT: -- with Red Rock Audubon Society. And
21 while we certainly support renewable energy in concept,
22 we're really concerned about the siting of individual
23 projects, including this one. Comments were made that this
24 is a disturbed site. And, yes, there is some disturbance
25 there. But basically it's pretty pristine, as is most of

1 the eastern Mojave Desert. And as such it remains one of
2 the least disturbed ecosystems in the United States, and
3 that is something to consider as we now are talking about
4 industrializing the Mojave Desert in the name of renewable
5 energy.

6 Birds were mentioned, and certainly frying birds
7 as they fly through the heated column of air is a problem.
8 That column of air rising from this thing will be an
9 attractant to raptors and other soaring birds because it is
10 a huge thermal. And when they get too close it's gone.

11 Water is a big issue always in the desert and I think there
12 needs to be mitigation. Because this is in a bi-state area
13 and that -- that complicates things greatly.

14 But one thing I might suggest is that we all -- we do have a
15 problem with water usage on the California side which
16 affects Nevada greatly, and that's all the water pumping in
17 Sandy Valley, which is not in the same surface hydrographic
18 basin but is part of the same underground or subsurface
19 hydrographic basin. And Sandy Valley is a few miles south.

20 And in case you're not familiar with it, 98 percent of the
21 population or 99 percent, maybe, lives in Nevada; 98 or
22 maybe 99 percent of the water pumping occurs in California
23 to support irrigation for growing alfalfa, something which
24 is really not sustainable. And I would urge you to
25 consider, if possible, mitigation purchase of -- of some of

1 that water right that's being used to irrigate alfalfa
2 there.

3 We also need to look at the cumulative impacts of
4 this. One of the linear applications is for a 30 inch or 36
5 inch diameter gas pipeline to come as a trunk line, and then
6 a smaller line to tier off to support this facility.
7 Obviously, that huge trunk line, which is the same size in
8 diameter as the Kern River transmission line itself, at
9 least where it passes through Las Vegas, it's doubled.
10 There are two 36-inch pipes other places. But that
11 basically says somebody thinks there's going to be a huge
12 market for gas in the Pahrump Valley at some point in the
13 future.

14 So this industrial project here may facilitate
15 incredible other developments. Somebody is thinking of
16 that. Now whether they think that gas line is going on to
17 the Amargosa Valley to supply other renewable projects, I
18 don't know. That's not been specified. But we need to look
19 at the unintended consequences of what the infrastructure
20 for this project will do in terms of facilitating other
21 projects and leading to the industrialization of a large
22 area. And if you just look at the 3,200 acres they're
23 talking about we may be missing the big picture of what this
24 project will ultimately facilitate. So thank you for your
25 time.

1 COMMISSIONER DOUGLAS: Thank you for being here.
2 Laura Crane, The Nature Conservancy.

3 MS. CRANE: Hello, Commissioner Douglas, Staff,
4 thank you for the opportunity to comment. My name is Laura
5 Crane. I'm with The Nature Conservancy. And our
6 organization is interested in protecting plants and
7 wildlife, as well as the lands and water that they need to
8 exist. And while we are very supportive of renewable energy
9 and very active in renewable energy planning in the
10 California deserts we do have concerns about siting.

11 And I wanted to speak today specifically because
12 of our involvement in the Amargosa region. The Nature
13 Conservancy has invested significant resources in the
14 Amargosa River region since the 1980s and remains active in
15 protecting the unique rich ecological resources here. In
16 fact, when The Nature Conservancy evaluated areas of
17 importance in California from an ecological perspective the
18 Amargosa region was raised as not just an area that was
19 important for California but was of global significance.
20 And the reason why is because of the water in the desert.
21 So the plants and animals that we have here, many of them
22 are unique to this area and exists nowhere else on earth,
23 and they are dependent on water.

24 So many of the comments that I had prepared
25 actually have already been touched on. I won't repeat them

1 all. Brian Brown talked about many of these, and John Hiatt
2 and already touched on them, as well.

3 But I did want to point out specifically that
4 the -- when in 2009 congress added a 20-mile stretch of the
5 Amargosa River in California to the National Wild and Scenic
6 River System, that that inclusion protects the existing
7 water flow and quality as of the date of that qualification.
8 And so that's an important legal consideration to take into
9 account. As Brian mentioned, there's already USGS models
10 that show that the area where this project is proposed, that
11 aquifer is linked to the Amargosa region.

12 Another thing that I wanted to point out is
13 that -- that many of the -- the wetlands in the area are
14 wholly dependent on groundwater. And so once again,
15 understanding the connection to the Amargosa region is very
16 important.

17 And finally, I just wanted to make a comment about
18 mitigation. The Nature Conservancy supports the -- the
19 Council on Environmental Quality's approach to mitigation,
20 which is first to avoid impacts whenever possible. In the
21 case of groundwater pumping, certainly our preference would
22 be to avoid additional pumping in this area. But when it
23 can not be avoided then -- then the next step is to minimize
24 water use. We appreciate that BrightSource is using dry
25 cooling, which does minimize water use, but -- but we think

1 that there still will be remaining impacts. And when there
2 are remaining impacts what we look for is for offsetting
3 those through mitigation. And in particular we -- we strive
4 for a net benefit, and at minimum a no-net impact.

5 And so from a water perspective the way to achieve
6 that is really through acquisition of other water rights and
7 retiring those water rights, and especially in an area
8 that's over-appropriated.

9 I think that covers my comments. Thank you very
10 much.

11 COMMISSIONER DOUGLAS: Thank you. Okay.

12 The next card I have is for Butch Borasky, Nye
13 County Commissioner.

14 MR. BORASKY: Good afternoon, Ladies and
15 Gentlemen. Thank you for allowing me to come in front of
16 you today to testify. I have a little different slant on
17 this than most people in the room. I am very pro solar.
18 And we all know that there's going to be a lot of it in
19 Southern Nevada and in California.

20 The mitigation issue on the water can be easily
21 done. One hundred and forty acre feet, it's not that hard
22 to mitigate that. There will be some -- probably be some
23 water rights retired to the ground to offset that.

24 My biggest concern is jobs. And if we don't start
25 getting some jobs for the people that live within 100 miles

1 of here there isn't going to be anybody here to support
2 anything, and -- and that's the biggest issue. Right now
3 the federal government is taking away jobs at a record pace.
4 They're spending money they don't have. Some of these solar
5 projects will help offset -- offset that.

6 And I've looked very carefully at this project and
7 I think it's a viable project, and I encourage you to
8 continue on and hopefully approve this in the near future
9 and put some people to work. Thank you.

10 COMMISSIONER DOUGLAS: Thank you. Thank you for
11 being here.

12 I'm having trouble reading. Steven R. Swan [sic],
13 Attorney, Mary Wiley Trust. If I misread your name, I'm
14 sorry.

15 MR. SCOW: Thank you. Yes. My name is Steven R.
16 Scow, S-c-o-w. That's probably my own writing that you
17 couldn't read. I'm an attorney. I live in Las Vegas. I'm
18 the attorney for the Mary Wiley Trust, which is the owner of
19 99 percent of the land which is under option with
20 BrightSource Energy. And we would be the landlord if this
21 was approved. And, of course, we approve this project. But
22 I wanted to make a couple of points that I thought would be
23 helpful.

24 First of all, much of the land in the area where
25 this is that's owned by the Mary Wiley Trust has been in the

1 Mary Wiley family since 1947. This is not a Johnny-come-
2 lately. The family has been very supportive of all of the
3 efforts that have been made in the area. We had plans in
4 the past, and still could go forward with other plans as the
5 economy permits to do other developments such as home
6 building, which would be impacting on the -- on the
7 environment than having this very renewable, highly
8 effective, environmentally approved, I think, project. This
9 would -- it will also be a very minimal use of water. One
10 hundred and forty acre feet of water is less than 40 acres
11 of alfalfa on an ongoing basis. So it's a very useful
12 project.

13 And the other thing that we -- we felt is -- and
14 we -- we know you know this but I think it bears mentioning,
15 BrightSource Energy is highly effective and successful in
16 developing projects that are environmentally friendly and
17 respectful of the environment and conditions that can
18 operate. We had a choice -- the day we signed the agreement
19 with them we had a contract we could have signed with
20 somebody else for more money. We chose to sign with them
21 because of their abilities and their proven capacity to do
22 something that's good for the people, for the environment,
23 and hopefully for the -- the trust and the landowner.

24 So with all of those reason we encourage you to
25 approve this project. Thank you.

1 COMMISSIONER DOUGLAS: Thank you. Now I have
2 Ileene Anderson, Center for Biological Diversity.

3 MS. ANDERSON: Thank you, Commissioner Douglas,
4 Hearing Office Celli, Staff, Applicant. I'm Ileene
5 Anderson. I'm with the Center for Biological Diversity.
6 Our mission is to protect rare and endangered plants and
7 animals and their habitats.

8 As the commission knows, the center supports
9 renewable energy, but only if it's properly sited can it
10 really, truly be renewable.

11 As to the -- as the public trust agency the CEC
12 must learn from its past mistakes in evaluating the impacts
13 of this project. As an intervener in the previous
14 BrightSource Energy project in the Ivanpah Valley which was
15 in front of the CEC, we and other interveners provided
16 expert testimony on endangered species impacts as a part of
17 the hearing process. Many of those issues were initially
18 ignored by the commission, and then, unfortunately,
19 subsequently proved true.

20 As predicted by expert intervener testimony many,
21 many more Desert Tortoise were actually found on the Ivanpah
22 site than the applicant or the CEC ever considered. As
23 predicted by expert intervener testimony Golden Eagles
24 relied upon the site for foraging, a fact completely
25 dismissed by the commission and not addressed through

1 mitigation. Yet a transmitters tortoise from the project
2 site ended up in the nest of Golden Eagle.

3 We'll never know how many migratory birds will get
4 zapped by the Ivanpah power towers because the commission
5 never required monitoring of that impact, despite expert
6 intervenor testimony on documented substantial impact from
7 other power tower sites.

8 The commission must improve their review and
9 analysis of all the potential impacts. These important
10 analysis will inform the decision makers on the viability of
11 the proposed project site. We urge you to improve the
12 environmental review process and let science, not politics,
13 drive the process. And we'll submitting our formal written
14 scoping comments on the actual issues to the docket. Thank
15 you.

16 COMMISSIONER DOUGLAS: Thank you for being here.
17 I had a question for you. Just, you know, I know that you
18 have had the experience of intervening in past cases, as you
19 have mentioned. If you were going to intervene in this one
20 we'd -- we'd welcome that. We'd welcome you intervening --

21 MS. ANDERSON: Thank you.

22 COMMISSIONER DOUGLAS: -- sooner rather than later
23 if that were to be your decision.

24 MS. ANDERSON: Thank you.

25 COMMISSIONER DOUGLAS: Thank you. All right. So

1 the next card I have is William A. Kohbargor, Pahrump,
2 Nevada, Town Manager. Oh, he had to leave? Please come --
3 please come up.

4 MR. BALLOQUI: Bill Kohbargor is the town manager
5 for Pahrump. And unfortunately he did have to leave. And
6 he left this note with me to -- to tell BrightSource Energy
7 that he appreciates how they came to the town and chatted
8 with him. And we have a planned regional airport coming in,
9 and they were very sensitive to that fact and how this would
10 affect that. And they came forward and had several meetings
11 with us to resolve or -- or put to rest any questions we may
12 have on how that may detrimentally affect the airport, which
13 is did not. And he just wanted to thank them for that.

14 COMMISSIONER DOUGLAS: Good. Thank you. Thank
15 you for conveying that message.

16 Now I have John Dibella. John Dibella
17 representing himself. I'm sorry if I mispronounced your
18 name. Excellent. I always like it when I get it right.

19 MR. DIBELLA: Yeah, you did. You did very good.
20 My name is John Dibella. I live in Las Vegas. I currently
21 own a piece of the Hidden Hills. BrightSource Energy has an
22 option on that property. We own a little piece there. And
23 then we also own another piece of -- of land in the area, as
24 well.

25 This project should be approved because it's a

1 win-win-win situation, not only for the community, as
2 somebody -- the gentleman talked about jobs, a community
3 that is very sensitive to the environment, and it's going to
4 create value in our property. I think it's a great project,
5 and BrightSource Energy is an amazing company. Thank you.

6 COMMISSIONER DOUGLAS: Thank you. Jack
7 Prickett --

8 MR. PRITCHETT: Pritchett.

9 COMMISSIONER DOUGLAS: -- Pritchett, Old Spanish
10 Trail Association.

11 MR. PRITCHETT: Good afternoon. My name is Jack
12 Pritchett, and I am president of the Old Spanish Trail
13 Association of Tecopa Chapter and active on the national
14 board. I'm reading a statement of concern.

15 As president of that chapter and on behalf of the
16 Old Spanish Trail Association, OSTA for short is an
17 organization affiliated with the National Park Service and
18 the Bureau of Land Management. And OSTA's mission is to
19 protect, interpret and promote the Old Spanish National
20 Historic Trail. We work hand in hand and get budget from
21 the National Park Service.

22 The Old Spanish Trail, the road that we drove out
23 on today is also known, besides Tecopa Road, it's also known
24 as Old Spanish Trail Highway because the Old Spanish Trail
25 which led in the early 1800s from Santa Fe, New Mexico to

1 Los Angeles followed over that route, right over Immigrant
2 Pass.

3 And as some of you know, national historic trails,
4 of which the Old Spanish Trail is one, are subject to the
5 protections and provisions of the National Trail System Act
6 of 1968 which established the system. And the Old Spanish
7 Trail was designated a national historic trail in 2002. So
8 apart from -- in difference from the other -- the previous
9 speakers, I'm addressing the issue of cultural resources.
10 That's the primary concern here.

11 Our chapter is intimately familiar with the trail
12 as it crosses the California Mojave Desert. We stop our
13 investigations at the state line. The trail runs just south
14 of -- south of the -- the Old Spanish Trail Highway and the
15 southern boundary of the project. So that is -- that gives
16 us concern for two reasons, possible cultural resources
17 impacts and visual resources impacts. We conducted -- we
18 have tracked 11.5 contiguous kilometers of the trail,
19 recorded, GPS, are working with other consultants to compile
20 a complete history of the trail in this area.

21 So our organization is unsurpassed, I believe, in
22 the knowledge of the Old Spanish Trail. We possess the
23 charter, the interest, the scholarly resources, and the on-
24 the-ground familiarity with the trail to carry out the
25 mission that I cited earlier. So on behalf of OSTA and the

1 Tecopa Chapter I want to express to you two concerns that we
2 have, two specific concerns.

3 First, I have read on your website that -- that
4 the project has a consulting firm, CH2M Hill, and that they
5 conducted a cultural resources survey. However, it's
6 classified confidential. And -- and you have two
7 applications pending to keep cultural resources
8 confidential.

9 Now the old Spanish Trail is a different breed of
10 cultural resource from Native American sites, prehistoric
11 sites, and I want to make that very clear. We have the
12 expertise and we know where it is, we've checked with GPS,
13 we know about the trail. And I -- I can not find out in any
14 way whether CH2M Hill even considered the trail. So that --
15 that confidentiality is something that we have to get
16 overturned so that we can do our job. And as I say, we have
17 the domain knowledge in this area. People come to us for
18 this -- for this information.

19 Let's see, the second concern I want to address is
20 that OSTA is developing archival -- we're working in the
21 area immediately south of the project. That's just where
22 we've arrived in our studies at this point. We are
23 developing archival and field survey evidence that there did
24 exist alternative routes of the Old Spanish Trail leading to
25 and from Stump Springs, Hidden Hills Springs and Brown

1 Springs. Those are ones in Nevada just across the property.
2 So to reach those from where we've found the trail you would
3 be going across the -- the project. We're working on that.
4 But I want to get that on the record now.

5 And by the way, my statement, I'd like it read
6 into the record.

7 So those are -- those are our concerns, to
8 register those at this meeting. And we're available to
9 consult with project personnel or your staff.

10 Let me now turn to a slightly separate issue, then
11 I'll get out of here. From a broader public policy
12 perspective, and this is something that I haven't heard
13 mentioned today, I live in Los Angeles. And I believe that
14 solar power, I'm a firm believer in solar power, but I
15 believe that the generation should be put where the people
16 are, where the power users are.

17 We have hundreds of acres of large industrial
18 buildings in the south part of the City of Los Angeles.
19 There are public buildings, there are trucking warehouses,
20 produce markets that could do -- you wouldn't -- it obviates
21 the need for building transmission lines. You don't have to
22 bring hundreds of people out here and house them to -- for
23 your construction crews. So I want to make a strong pitch
24 for that. And I will -- I'll be -- we -- if we do intervene
25 I've got some specifics. I've been working with the Rocky

1 Mountain Institute to -- to get my facts together on that
2 point. Thank you.

3 COMMISSIONER DOUGLAS: Thank you. Let me see
4 if -- let me see if staff or applicant want to say anything
5 about how they're planning on treating the Old Spanish
6 Trail, if -- if you're planning on that being included in
7 the confidentiality or not.

8 MR. RATLIFF: We don't know if it is -- what's
9 been made confidential, at least I don't know. But we can
10 find out.

11 COMMISSIONER DOUGLAS: All right. Thank you.

12 MR. PRITCHETT: Just one clarification.

13 COMMISSIONER DOUGLAS: If you could come to the
14 microphone please.

15 MR. PRITCHETT: Yeah. In light of the question, I
16 realize it is a bit of a dubious situation. I am an
17 archeologist. I was a professional archeologist for three
18 years, did work in San Francisco and in California. I
19 haven't practiced archeology for a long time, but I bring
20 that professional training and background and three years
21 professional experience to my work with the Old Spanish
22 Trail Association. So again, I think you're not dealing
23 with rank amateurs here.

24 MR. RATLIFF: Yes. And we appreciate that. And
25 we were just discussing trying to put you in contact with

1 our -- our cultural resources analyst so you can --

2 MR. PRITCHETT: Yes.

3 MR. RATLIFF: -- find out what they know about
4 what you know and --

5 MR. PRITCHETT: Yeah. I would -- I would be --

6 MR. RATLIFF: -- and inform them further.

7 MR. PRITCHETT: You -- you -- you have my contact
8 information.

9 COMMISSIONER DOUGLAS: All right. Very good. You
10 can also work with the public adviser, and she may also have
11 some guidance for you. I see that --

12 MR. HARRIS: Commissioner, may I please respond?

13 COMMISSIONER DOUGLAS: Mr. Harris?

14 MR. HARRIS: Yeah. I guess I want to respond
15 briefly. We filed that information under confidential
16 designation, because our understanding is it has to be as a
17 matter of law. Now if that's incorrect the commission could
18 release that information. But I don't want -- I don't --
19 like I said, I don't want to leave people with the
20 impression that we did anything other than what we did,
21 which was per the law file that thing under confidential
22 designation. And that's really to prevent people from
23 knowing where these resources are going -- are and going out
24 and injuring them, looting them, taking stuff away.

25 So we don't have any problem with providing the

1 information that is publicly available to anybody. But
2 again, I think -- I think we were required to do that
3 because California law requires us to do that.

4 COMMISSIONER DOUGLAS: Yeah. You may speak.

5 MR. JIM: Okay. I'm Eddie Jim with the Paiute
6 Tribe again.

7 That -- that Spanish Trail also was a Native
8 American Trail before it was Spanish Trail. And maybe
9 that's why it's confidential. That's all I wanted to say.

10 COMMISSIONER DOUGLAS: Thank you. That's
11 important information. All right. At this point we will
12 move on in our comment list.

13 Robert Fielden -- Fielden, representing himself as
14 a property owner.

15 MR. FIELDEN: My name is Robert Fielden. I'm a
16 property owner over -- adjacent to the site. I'm also an
17 urban planner and architect that deals in sustainable
18 communities and green architecture. And I want to at least
19 make my comments at a larger scale, at a more holistic
20 perspective of the issues at hand, and that is the health
21 and safety of the planet itself. And I speak in support of
22 this project.

23 I have dealt with CEQA before. I know how
24 thorough and comprehensive the study and the science is that
25 goes into the reports that are done by the State of

1 California. And I applaud the state for that comprehensive
2 character of its investigations and studies.

3 The world needs solar energy. And opposing it at
4 any level is just another level of nimbyism. It's how we
5 put it in somebody else's back yard rather than our own. We
6 need to face up to these obligations and responsibilities we
7 have, as a society and as a nation and move forward. Thank
8 you.

9 COMMISSIONER DOUGLAS: Thank you for your
10 comments.

11 I have a card from Kelly Bradley.

12 MR. BRADLEY: Good afternoon. First, I'd like to
13 thank you for giving me the opportunity to be here today.
14 My name is Kelly Bradley, and I'm a BrightSource Energy
15 appointed community outreach representative for the
16 Charleston View community. Now one of the community
17 stakeholders, Mr. Randy Dizon of Magnificat Ventures
18 Corporation, they're the developer of the St. Therese
19 Mission has a scheduling conflict and can't be here today.
20 Randy has asked me to present his formal letter of support
21 for the Hidden Hills.

22 Now with your permission I'd like to take a couple
23 of minutes to read only a portion of it. I know we're short
24 on time. I have copies for you, also, I can leave when I'm
25 finished. It's a letter of support.

1 "Dear Sirs, I am writing this letter in regards to the
2 Hidden Hills Solar Generation System that is being
3 planned within the vicinity of our project, the St.
4 Therese Mission. Let me start by first giving you a
5 background on our involvement in the area.

6 "We have owned property in this area of Inyo County
7 since 1996, initially owning 1,700 acres in the area
8 known as Charleston View. We also found an opportunity
9 to offer it as an investment for families wanting to
10 own property in the valley and share in our family's
11 love for the area and its surroundings. As of today we
12 still maintain a sizeable amount of property in the
13 area.

14 "Since 2010 we've been working with a renowned
15 architectural firm to create and develop the St.
16 Therese Mission right in Charleston View. This a
17 project we hope will be a future home for religious and
18 cultural events for residents from the surrounding area
19 including Las Vegas, as well as visitors from all over
20 the United States and the world.

21 "On behalf of my family and our corporation we would
22 like to express our support for this project as it was
23 presented to us. We feel it will be a great addition
24 to Inyo County and the people in Charleston View. We
25 feel it is a project we as local residents and business

1 owners would be proud of."

2 Again, thank you for giving me the opportunity to
3 present his.

4 COMMISSIONER DOUGLAS: Thank -- thank you. I have
5 a card from Gary Barkley.

6 MR. BARKLEY: Yeah. I'm a firefighter here in
7 Tecopa. I live in Charleston View. I've been a landowner.
8 I own a couple pieces of land there. I'd like to speak on
9 behalf of this project for several reasons.

10 One of them is the alternates we have are nuclear
11 power. And they want to put he waste site at Yucca
12 Mountain. And I don't know now how many of you know, but
13 the Amargosa Water Shed runs right through Yucca Mountain.
14 It's one of the only rivers in the world that runs in a
15 circle. It runs through Betty (phonetic), comes down
16 through our area, goes down through the bombing range, back
17 up through Bad Water, and back up through Nopah and Betty
18 area. That's our watershed. And we know that the science
19 behind that project is to prevent that nuclear waste from
20 coming into our watershed. And the Amargosa is not good,
21 that the Amargosa Watershed runs just 1,000 feet under where
22 they're planning on burying that. So I'm not sure of all
23 the technology of the solar industry. I think it's the best
24 that I've seen.

25 I've also worked as a carpenter at the coal

1 burning power plants at Laughlin. I know of such issues
2 like unscrubbed coal and the damage that it does amongst our
3 rivers and our streams and all the -- the problems that we
4 have with the health problems that go along with that.

5 And for that -- those reasons I'm in favor -- I'm
6 in favor of the power plant. I live in Charleston View and
7 I basically don't know anybody that works there. It's a
8 very poor community. Most of the people are unemployed.
9 Many of them are welfare, disability. And I think it would
10 be a great boost in the arm to both Tecopa, Pahrump and
11 Charleston, and especially Charleston View.

12 I have several concerns. One of the -- one of the
13 issues is, is access from Charleston View. And one of the
14 things that Charleston View needs more than anything else is
15 access to Pahrump because -- because there are no businesses
16 in Charleston View. And I'd like to kind of find to kind of
17 applaud BrightSource Energy for putting the meeting at
18 the -- at the water tanks today, because most of our
19 meetings are held at the trash cans.

20 So all in all I think it would help our community.
21 I've talked to most of the people in the community. I've
22 heard actually no one say that they didn't -- or weren't in
23 favor of the people who live in Charleston View. And I
24 think that that's really important. And I guess -- anyway,
25 I think this is -- it's a good opportunity for our

1 community. I think it's the best option that we have.
2 Thank you.

3 COMMISSIONER DOUGLAS: Thank you. Now I have Ann
4 Harrell, an area property owner.

5 MS. HARRELL: It's Harrell, Ann Harrell.

6 COMMISSIONER DOUGLAS: Thank you.

7 MS. HARRELL: Thank you. I appreciate you letting
8 me speak. I just had a question about the evidentiary
9 hearings. I'm not sure if I'm saying that right.

10 COMMISSIONER DOUGLAS: Yes.

11 MS. HARRELL: Are they all going to be held in
12 Sacramento?

13 COMMISSIONER DOUGLAS: We -- where see a lot of
14 public interest in a project, and we obviously do here, we
15 make every effort to hold evidentiary hearings in the local
16 area.

17 MS. HARRELL: Okay. Because I feel like if
18 they're all in Sacramento I don't know how we, the public,
19 can get everything across to you.

20 COMMISSIONER DOUGLAS: That's right. That makes
21 it much more challenging when the evidentiary hearings are
22 remote. What the hearing officer said is that we will most
23 likely have status conferences, which are basically check-
24 ins on schedule and on progress, in Sacramento with WebEx
25 available. But as I said, we make every effort, especially

1 in cases where we see a lot of public interest, to have
2 evidentiary hearings in the local area.

3 MS. HARRELL: Well, I just had a couple questions
4 for the applicant. They mention there's going to be fencing
5 around the site. What kind of fencing? Is it going to be
6 like bushes, any bushes, or just like chain link? How is it
7 going to change how, you know, the area is going to be? How
8 is it going to look?

9 MR. JENSEN: Great question. We continue to be
10 fluid. Right now we're proposing a fence. There's
11 obviously going to be visual discussions related to that
12 fence, what that includes. We also have a preliminary plan
13 to have some landscape buffer along Tecopa Road to shield
14 from -- from the neighborhood. But I think I can speak with
15 staff that we'd like to understand better what the
16 Charleston View neighborhood would prefer to see as it
17 impacts the project.

18 For us as the applicant that -- that -- that
19 boundary treatment along that edge is -- is -- it's
20 important for us to -- for security purposes to have it
21 fenced in some way. We need to -- to protect the site. But
22 having said that, the treatment along that fence line, we'll
23 be working -- with commission staff and stakeholders to
24 determine what would be the best method to -- to approach
25 that edge.

1 MS. HARRELL: Because I have -- I live in Pahrump
2 but I do have a lot --

3 MR. JENSEN: Uh-huh.

4 MS. HARRELL: -- that's 1,000 feet from the border
5 of Solar Field II --

6 MR. JENSEN: That's greet.

7 MS. HARRELL: -- on Gold Street. I'm concerned
8 what that's going to look like, you know, to me, you know,
9 when I'm going to my property and stuff.

10 MR. JENSEN: Yeah. And I'm dying to ask you what
11 you'd like to see, but it might not be the right
12 opportunity. If you can get the contact information, or if
13 you'd like to share what you prefer to see we're -- we're
14 open to all options.

15 MS. HARRELL: Right. I'd probably have to think
16 about it.

17 MR. JENSEN: Yeah. Okay.

18 MS. HARRELL: I just don't want it to, you know --
19 you know, I don't want it to look like a prison or
20 something.

21 MR. HARRIS: Yeah.

22 MR. JENSEN: Yeah.

23 MR. HARRIS: Neither do we.

24 MR. JENSEN: Yeah, that's a good point.

25 MS. HARRELL: And I just had a question about the

1 cleaning of the solar panels. I've heard that it's done at
2 night. Is that true? What kind of light pollution would
3 that give for the area residents?

4 MR. JENSEN: Sure. I'll briefly describe the
5 process. The -- the heliostats, and I'm sure you're --
6 you're most concerned with the ones on the -- the exterior
7 perimeter --

8 MS. HARRELL: Right.

9 MR. JENSEN: -- but you are right, the -- the
10 cleaning normally happens at night. We have equipment that
11 has arms that come out and reach two rows of heliostat for
12 the cleaning operation. So those mirrors go into a stowed
13 position. And then it's what looks like a tractor that has
14 arms that go out, and it's computer -- computer controlled,
15 and it's a very sensitive systems on how it touches the --
16 the mirror faces.

17 Now regarding the light, of what -- what light is
18 required to do that operation, I'd need to get back to you
19 on that.

20 MS. HARRELL: Uh-huh.

21 MR. JENSEN: And if we want to -- we can create a
22 formal response to that question. But because it is
23 computer controlled I don't want to speculate, but I guess
24 it's not the human element operating the tractor, so
25 lighting may not be a concern. But we'll -- we'll

1 definitely look into that and provide a response.

2 MS. HARRELL: Right. Because that's one of the
3 things I like about the area. I like to go out there at
4 night and see the stars. And I would hate to see that
5 disturbed, as long as, you know, everybody has mentioned the
6 wildlife, etcetera.

7 MR. JENSEN: Exactly. And we'll look into that
8 for sure. And I know that -- that we've also heard some --
9 some questions about -- related to noise. And these are
10 opportunities for us to -- to -- to identify certain areas
11 of the solar field to -- to clean at different times of day
12 to keep impacts to adjacent neighbors at a minimum. And you
13 know, while -- while we like to keep operational flexibility
14 we'd also be cognizant of those concerns. So we're willing
15 to work with staff on -- on -- on working with you.

16 MS. HARRELL: That was all I had. Thank you.

17 COMMISSIONER DOUGLAS: Thank you for your
18 questions. And let me just ask for a show of hands based on
19 the question that you just asked. How many people in this
20 room have access to the web so that if we had a WebEx of a
21 status conference you would be able to login and hear the
22 proceedings? Just raise your hand if you have access to the
23 web. Okay. Is there anyone in this room would be
24 significantly inconvenienced by having to get internet
25 access?

1 MS. HANSEN: If I may, I'd like to just say that
2 we're on satellite internet here. And so --

3 COMMISSIONER DOUGLAS: Okay. So the comment --
4 the comment is that you're all on satellite internet?

5 MS. HANSEN: Exactly. There's a lot of lag.

6 COMMISSIONER DOUGLAS: So there's a lot of lag
7 time? All right. Thank you. And -- and at least one
8 person on dial-up?

9 Go ahead, Lynn.

10 MS. SADLER: Would it be helpful to perhaps have a
11 group gathering here where you can watch the WebEx with a
12 PowerPoint projector like we did here so that we watch it
13 together? I say, not me necessarily. Would that be helpful
14 if we were to arrange something like that, that maybe that
15 would improve things?

16 MS. HANSEN: It would. But again, there's some
17 lag issues. And for us out here -- yes. Thank you. For --
18 for --

19 COMMISSIONER DOUGLAS: If you could introduce
20 yourself?

21 MS. HANSEN: Yes. Hi. My name is Molly Hansen.
22 And I'm a resident of Shoshone, just seven miles from here.

23 Technology is a challenge for us out here because
24 we're -- we only have satellite internet and there's lag
25 time issues. So for instance, if I do an online meeting

1 with somebody I often can not see what's on screen or there
2 are delays, because everything comes down in data chunks.
3 So there is a limiting factor. I mean, it's something that
4 I think we could do here as a meeting. But there -- there
5 may very well be technology challenges.

6 HEARING OFFICER CELLI: Folks, I just wanted you
7 to see this. What people have been looking at all day today
8 is the -- who have been listening on the phone is the logo
9 for the California Energy Commission. And underneath it, it
10 says,

11 "You are listening to the informational hearing on the
12 Hidden Hills Solar Energy Generating System, November
13 3rd, 2011 at the Tecopa Community Center, 405 Tecopa
14 Hot Springs Road, Tecopa, California, 92389."

15 That screen hasn't changed all day. We have the
16 capability --

17 MR. LEMEI: Slides?

18 HEARING OFFICER CELLI: No. They were not hooked
19 up --

20 MR. LEMEI: Oh.

21 HEARING OFFICER CELLI: -- because of the
22 capabilities of this room. Unfortunately, we feel your pain
23 because we have -- we're -- we have the capability. And we
24 often will have these PowerPoints on the WebEx, as well.
25 But today we -- we didn't have that capability. So that's

1 all that you'd see.

2 The thing about a status conference, generally
3 status conferences are usually things that are like legal
4 issues that the parties are trying to work out. They're not
5 fact or diagram driven, per se. And it's just like what
6 we're doing today. We're having a conversation. Parties
7 are presenting their sides. The committee will hear it, and
8 then we'll say, okay, thank you, we're going to -- we'll see
9 you at the next status conference, kind of thing.

10 So I just wanted to -- it's not like people are
11 missing great video. We're not -- we're not showing
12 anything like that.

13 So go ahead.

14 MR. HARRIS: You're also able to phone in. I
15 actually typically don't use the audio off of the computer.
16 I usually use the audio from the -- from the telephone, and
17 there isn't any lag there. That's a little bit of a help,
18 because I've got some slow internet, as well, at one of my
19 locations. So you get realtime voice and hear what's going
20 on, but the pictures can lag a little bit. And that -- to
21 me that's the best solution, is to dial in on your phone and
22 then use your computer just for the -- the visual.

23 COMMISSIONER DOUGLAS: Did you all hear that?
24 That's really important.

25 COMMISSIONER DOUGLAS: Good. Good. All right.

1 So I have three cards left, two that I haven't called, one
2 that I did call and -- and the gentleman wasn't in the room,
3 and so I'm going to call it again. So if there's anybody
4 else who, after hearing all of this, would like to speak and
5 has not filled out a blue card, this would be a great time
6 to do that.

7 I'll now call Steve McNeal.

8 MR. MCNEAL: Hi, my name is Steve McNeal. Thank
9 you for holding this here in Tecopa. It's a long drive up
10 to Sacramento.

11 We have T-1 here, which is a high-speed internet
12 in this building, so you could do this here. Nowhere else
13 in town.

14 You know, I was just told about this meeting
15 yesterday, and then I went out and saw where this was going
16 to be. A few questions.

17 Number one, whoever made up this map, pretty
18 tricky. It would be nice if you guys would put the road
19 names on here so we could see where this is at. This is
20 like -- you know, my kid can draw better than this. All
21 right.

22 You guys talk about the water. How many gallons
23 of water are you going to use a day? Simple question. You
24 talk about acre feet. But then when the Board of Health
25 talks about how much water people use and how much is in a

1 household they don't talk about acre feet, they talk about
2 gallons. So how many gallons are you guys going to use a
3 day?

4 COMMISSIONER DOUGLAS: All right. We're going
5 to -- we're going to get an answer to that. Mr. Harris?

6 MR. HARRIS: Yeah. Let -- Matt Frank is going to
7 come up and answer that. But one of the issues is that, you
8 know, you don't generate power at night until -- and you
9 don't generate the same amount every day. But Matt Frank is
10 probably firing up his computer.

11 MR. MCNEAL: I was just -- I don't mean to be
12 negative about this. I'm -- I actually own property next
13 door to you guys. I also own the Hot Springs Resort here.
14 The project is not going to do anything for us. It's not
15 going to do anything for the -- for anybody out there. It's
16 not going to do anything for anybody out there except for --
17 except for if you guys do allocate some of the money for the
18 taxes, the property taxes or whatever, and that money comes
19 back to the fire department that would -- that would benefit
20 everybody out there. And I can see that's probably only the
21 way you're ever going to benefit anybody out there.

22 I asked you earlier if you're going to take any of
23 that electric and give it us. You said, no, you're just
24 going to make it in California and send it to Nevada.
25 Whatever. Okay.

1 How much money are you going to make off 50
2 megawatts? Is that like \$500,000 to \$1 million a month? Is
3 that the profit? Is that how much that is? Well, we can
4 figure it out. It's like \$.10 a kilowatt. So I mean, you
5 guys are -- you're not talking to these people. You're
6 talking over their heads. All right.

7 Where is the water coming from that you're going
8 to use? You just going to drill a hole or is it going to be
9 piped in?

10 And I don't see how anybody is going to build an
11 \$85 million project and you don't know what kind of fence
12 you're going to put up around it. You don't know how much
13 buffer you're going to -- I'm sure you've got these answers
14 somewhere. But it would be nice if you'd just tell these
15 folks.

16 How high are -- how high are the mirrors? When
17 you put these mirrors out there what kind of visual are you
18 going to block?

19 How wide is the tower? You talk about how tall it
20 is, but how wide is it? How wide is the tower?

21 Golden Eagles, yeah, we have Golden Eagles here.
22 There in the Nopah Range, in case you're looking for them.
23 That's between Chicago Valley and the proposed site.
24 There's a mountain range there that's called the Nopah. I
25 think if you look up there you'll find the Golden Eagles.

1 All right.

2 And there's another -- there's -- there's a
3 reptile out there that you guys don't talk about that's a
4 pretty rare reptile. It's called the Mojave Green
5 Rattlesnake. Anybody heard of it? It's the most dangerous
6 snake in the whole world, and it lives out there. I don't
7 know what you're going to do when you find them. I don't
8 know if you're going to put them in a zoo or just kill them
9 or whatever you're going to do.

10 You made a LLC to acquire this permit. Okay. For
11 all the people that don't know what that means, if I have a
12 company and I don't want to have any liability and I want to
13 start a new company I make an LLC. That way if that goes
14 broke I have no liability to it. If that project goes
15 bankrupt -- I don't know where they're borrowing the
16 money -- but if it goes bankrupt and it just sits there it's
17 just going to sit there. The litigation -- it would take it
18 ten years to litigate.

19 So it seems like BrightSource ought to just go
20 ahead and just get the permit themselves instead -- instead
21 of getting another entity and calling it an LLC and put all
22 the liability with that in case they don't cover the loan.
23 So you might want to look into that. Yeah.

24 The government owns -- the BLM owns about 90
25 percent of all the land west of the Mississippi River. I

1 don't know why you've got to building this project right in
2 a neighborhood, but -- and then not give the neighborhood
3 electricity. That's -- I don't understand that, but that's
4 something that the commission can talk about.

5 You're bringing -- you're bringing that gas and
6 electric lines. Some of the people said, yeah, why don't
7 you build it where you're going to sell electric. That
8 makes a lot of sense.

9 The lots, you say you're -- you're -- you're
10 acquiring 32,000 [sic] acres. Have we got a number on the
11 water you're going to use per day? Forty-five thousand
12 gallons? All right. That's nothing.

13 MR. JENSEN: No. No. We -- we got clarification
14 from our counsel. It would be 125,000.

15 MR. MCNEAL: Right, 125,000 gallons. A lot of
16 people are concerned about that. They shouldn't be. If
17 they took that 3,200 acres and just give everybody ten acre
18 lots you'd be using -- the way they figure that is they
19 figure -- the Board of Health figures it's 75 gallons per
20 day per person. So if you take a household of four people
21 it's about 300 gallons per house. So if -- 3,200 acres, if
22 you give everybody 10 acres to build a house on you would
23 use approximately 400,000 gallons. So you guys are really
24 saving the area water. Okay. Just so -- just for these
25 people that can't count, they're saving you water by

1 building this. So this is -- that's good. Okay. All
2 right.

3 And -- and hunting, you're going to -- you're
4 going to seal off that whole property so there's not going
5 to be any trespassing; right? All right.

6 We have a post office here in Tecopa, and we also
7 have a post office in Shoshone. The U.S. Government is
8 getting ready to shut down the post office here in Tecopa.
9 You guys are getting ready to employee 1,000 more people
10 right next to this post office. Now there's only, I think
11 they said, 500 people living in the whole half of this
12 county. We got 200 or 300 people who live around here. We
13 use the post office a lot. When business comes October 1st
14 through June 1st this town grows to sometimes 1,000 people,
15 sometimes more. The post office is kind of important to us,
16 but now it's even more important to us, and maybe you guys
17 can help us save our post office by telling them that you're
18 getting ready to build this big facility, this \$83 million
19 facility, and we kind of need a post office.

20 You also talk about Pahrump being eight miles from
21 your place. Well, that's wrong. You guys need to
22 straighten that up real quick. You're about 25 -- about 20,
23 25 miles to the nearest help, okay, and that's Pahrump. So
24 don't say you're eight miles to Pahrump. Because if
25 somebody gets injured they're not 8 miles away, they're

1 about 25 miles away.

2 So that's the reason you need to -- to try to
3 allocate some of that tax and state money that this is going
4 to generate, and you need to try to put it in this fire
5 department these people tried to build down here. Because
6 if somebody gets hurt -- and you have 1,000 people working,
7 you will have people get hurt. They'll either get hurt on
8 the job or they'll get hurt going to the job. Most of the
9 problems we have around here is cars wrecking, and that's
10 where our fire department spends most of its time, rescuing
11 people from wrecks. But if you guys got 1,000 people
12 working with mirrors and all that you will have some calls
13 into our fire department, and you really need to try to
14 fund -- fund them and make that a bigger and safer fire
15 dept. Because that's the only way that you guys are going
16 to get any help, because you're not eight miles from
17 Pahrump. So you need to change that. You take a road, it's
18 going to -- you're going to -- you're about almost 30 miles
19 to help.

20 So you had on your screen here -- excuse me. Let
21 me get a drink of water. I don't mean to take up
22 everybody's time, but I think these are important questions
23 that these people probably want to ask.

24 You had on your screen here a lifetime -- you
25 showed a lifetime of your project. How many years is a

1 lifetime of your project? Is it a 20-year lifetime, a 10-
2 year lifetime? And when this project is over who's going to
3 clean up the mess? Is it just going to sit there? Do you
4 have money allocated to clean up the mess or are you guys
5 going to post a bond to build this and to clean up the mess
6 when you're done? Because you -- you put on your screen
7 here lifetime. This is our thing and this is the lifetime.

8 But we don't know how long your lifetime is. I think you
9 need to address that.

10 This is just some of the stuff I just sat here
11 and -- and got over. I imagine you guys got more questions
12 than me.

13 But the school system, yeah, this particular area
14 here, I don't know if you guys are aware of this, we have a
15 high school, a middle school, and a junior school, but yet
16 we only have 100 people in our school system. So you -- so
17 BrightSource, even if they employed 1,000 people and they
18 all moved here, we would support the children's school
19 system. That would actually be a plus for our community.
20 So you don't have to build schools which is a big deal for
21 you guys. The infrastructure for a project like this would
22 be a lot of money.

23 The only thing I can see is -- is you guys really
24 just need to try to beef up our fire department for -- for
25 everybody's safety, including your guys'.

1 So -- and like I said, I own property right across
2 the street. I was going to put a house there. I don't know
3 if this is what I want to look at every day. It doesn't
4 really bother me that much.

5 But good luck with your project. Thank you so
6 much, and have a nice day.

7 COMMISSIONER DOUGLAS: Thank you for your comments
8 and your questions.

9 Are there any questions that the applicant wants
10 to respond to right now, the lifetime question, for example,
11 decommissioning?

12 MR. JENSEN: Sure. Sure. I'll take a few of
13 those off.

14 So the lifetime of the plant, we're listing in the
15 AFC as 25 to 30 years. It's difficult to say, but that's
16 our -- our projections is 25 to 30 years.

17 The -- the restoration of the site, Inyo County
18 has some -- some restoration requirements. We had some --
19 some good dialogue last Thursday with the commission staff
20 about what would be required of this project, whether that's
21 a bond being posted. That's -- that's to be discussed over
22 the next several months. We're -- we're real early in the
23 process to -- but we're looking at that. That's on the
24 table.

25 Height of the heliostats, roughly ten feet.

1 We answered the water question.

2 Yeah, I think that's -- that's the quit hit
3 answers for most of them.

4 COMMISSIONER DOUGLAS: Okay. Thank you for that.
5 I do want to note that -- that we are very early in the
6 process. And so many questions may not have firm answers
7 just because we are so early in the process and the
8 applicant needs to work with staff. We need to hear from
9 the public on -- on issues like what should the fence look
10 like, for example. These are issues that, you know, it's
11 probably very good that we're hearing the applicant walk in
12 and say what do you think, as opposed to hearing the
13 applicant walk in and say this is exactly what we think.

14 So -- so this -- we're very early, and so we will
15 be working out these issues. The public is going to have a
16 really important voice in that. And then at the end of the
17 day the commission is going to have to consider the
18 environmental impacts of the project and make a decision
19 about licensing of the project.

20 You know, I also can't resist saying, although
21 I've -- I've been sitting here thinking about whether and
22 how -- how much I want to say about this, you know, I agree
23 with the commenters who talk about the importance of
24 building generation near load centers. I think it's -- the
25 governor has very aggressive distributed generation goals.

1 We've got a 12,000 megawatt goal that we're working for.
2 There's a potential for combining heat and power. There's
3 potential for development that's utility scale in the west
4 Mohave and other regions of the state, as well as this
5 region.

6 But I do want to say that the state has very
7 aggressive renewable energy and climate goals. We're
8 looking long-term. We think that we're going to need a lot
9 of clean energy development in order to clean up our fleet
10 and clean up our air and address our climate and energy
11 goals. The California Desert has some of the best solar
12 potential in the world. So I'll just -- I'll just leave it
13 at that. It's my own view that -- that we need both and we
14 need to make sure that we do both.

15 I have a card from Al --

16 MR. BALLOQUI: Balloqui.

17 COMMISSIONER DOUGLAS: -- Balloqui.

18 MR. BALLOQUI: Balloqui.

19 COMMISSIONER DOUGLAS: Balloqui.

20 MR. BALLOQUI: Yeah.

21 COMMISSIONER DOUGLAS: Very well. Please come
22 forward.

23 MR. BALLOQUI: Thank you very much. I'm name is
24 Al Balloqui. I'm -- I basically am wearing two hats today.
25 One is I work for the town of Pahrump. I do the community

1 business economic development. And secondly, I'm a business
2 owner in -- in the Pahrump Valley. My wife and I own and
3 operate Sunrise Acres which is a row crop produce farm that
4 sits on ten acres in the southern most part of Pahrump.
5 Probably it's a short walk from my farm to my car, which
6 would be to the California border. I'm not this far south,
7 but we're close. Therefore I understand the value of water
8 and water rights. The gentleman just before me addressed
9 it, but I already wrote my notes so I'm going to let you
10 hear it again.

11 Should the project be in Nevada, a potential
12 residential project, which I think the area was originally
13 intended to be, the development of 3,200 acres, you could
14 develop 20 -- into 20 acre sites, which would 160 homes,
15 which could be credited with 2 acre feet per home for a
16 total usage of 320 acre feet. And you can petition the
17 State of Nevada on 20 acres to go ahead and do that, and you
18 would have those water rights. Bada-bing, bada-bing, it's a
19 done deal.

20 If -- if you went ahead and said you went to a 40
21 acre site, and I heard someone said that may have been the
22 intention out there, 40 acres is a lot of acres. I'm on ten
23 and it takes my breath away. But if someone did decide to
24 live on a 40-acre site that would go ahead and increase it
25 to still 160 acre feet of water that we're using for

1 residential development, still less than the 140 acres
2 that's proposed that BrightSource Energy is presenting
3 before us.

4 But the reality is, is a family that would reside
5 on 40 acres would likely seek to use more than 2 acre feet
6 of water. You've got that with the horses or your critters.

7 You're going to be planting, you're going to use more.

8 So -- so as I see it from a realistic point of view, they're
9 probably going to utilize the land with a fraction of the
10 water that would be utilized under its normal planning use
11 in the area. So I don't see the water to be an issue
12 because someone else could go ahead and develop that at
13 least probably -- I'm not familiar with the California
14 planning procedure -- with no sweat, and the water would
15 probably use in excess of what they're doing right now.

16 The question should be is in dealing with the
17 economic benefits that the -- that will trail this type of a
18 project. An individual on the site said that there are
19 almost 2,000 residential home lots, the gentleman that spoke
20 before me. I hadn't had an opportunity to meet with him or
21 talk to him. And mainly, primarily, they're all vacant.
22 It's very likely that the -- that electric power lines to
23 the local area will be provided when -- when a typical
24 infrastructure like this comes -- the infrastructure will
25 follow a typical project like this to go in. I can't answer

1 that for sure. He -- that's what he asked out at the site,
2 if you were there.

3 But this development will provide that incentive
4 for -- whether it's Southern California Edison or Valley
5 Electric, to go ahead and bring in more -- more power to the
6 area. So I would think that would be a benefit where --
7 where the BrightSource Energy would be carrying the majority
8 of the weight because they're -- they're likely not to use,
9 and I don't -- I'm making a guess here, all the power that
10 they're generating, they're probably not going to use that
11 power to run their own facility, so they're going to be
12 buying power from someone else to run the facility.

13 You follow what I'm saying? So they're either
14 going to go to Southern California Edison or they're going
15 to go to Valley Electric to supply the utility use of the
16 power to operate the facility, to generate the power, to
17 sell it somewhere else. And -- and in bringing that power
18 to probably accommodate that facility would help to be a
19 benefit for the area. Or if the neighborhood wanted to they
20 could probably talk with them about that and -- and be very
21 much on the upside, which normally that infrastructure -- in
22 Southern Nevada we severely lack infrastructure. That's one
23 of the shortfalls of -- of the State of Nevada, and that's
24 another whole discussion I'd be glad to have with anyone at
25 another time.

1 So in addition to that the -- the gas line coming
2 in, I've been doing economic development for the town of
3 Pahrump for almost six year now. And very night as I lay me
4 down to sleep I pray that a gas line may be creeping in to
5 weep, you know?

6 You know, I mean, one of the biggest stifling
7 things I've had to bring more interest to industry and
8 industry to me is manufacturing heavy capitol industry. I'm
9 not talking about retail. I'm not talking about Denny's,
10 which are certainly glad that we have received in Pahrump,
11 but that's not the type of industry I focus on. I'm looking
12 for heavy capitol improvements that will bring the jobs to
13 sustain itself and increase my property tax, along with
14 everything else. And gas is one of the things, natural gas,
15 which I think we'll see becoming a predominant use in the
16 whole country, not just our area into Pahrump.

17 And the coming of BrightSource Energy to our area
18 I think would be a blessing to Pahrump, but even more so to
19 Charleston View. Yes, whether you like it or not, that's
20 your choice, there is going to be development into
21 Charleston View. There will be residential, as well as
22 business development with the advent of BrightSource Energy
23 coming on. So if you're for it or you're against it,
24 it's -- that's your choice.

25 Lastly, during the bus ride to the site, as we

1 crest the summit, the mountain, we witnessed a vista of over
2 100,000 acres. And, actually, it was probably close to
3 twice of that as you come over the summit, if you go back
4 that way, uninhabited wilderness. That makes the project
5 here of 3,200 .32 percent of 1 percent of that 100,000-plus
6 acres of wilderness out there. Now when I look at such an
7 economic impact, what that project is going to do, it's
8 insignificant to me in comparison. Of course, I don't live
9 there, and all respect to those people that do. But when
10 you -- you have to take things sometimes into -- into
11 perspective. I mean, would it have been better if we moved
12 it on this side of the mountain? I mean, or would we have
13 the same sort of concerns.

14 The reason it is where it is, because it is
15 private land, and that land is probably BLM, and it's held,
16 and there's a lot more loops and hurdles that they'd have to
17 go through and making it more expensive and costly and
18 timely, and then they wouldn't come at all.

19 So I'll close with that. I thank you very much.
20 There's -- they estimate there's 326,000 acre feet in an
21 acre foot of water -- excuse me, there's -- it's actually
22 325,685 gallons of water in one acre foot, but that may help
23 you there too. I thank you very much for the opportunity.

24 COMMISSIONER DOUGLAS: Thank you for your
25 comments.

1 I see that we have another card. Let me first
2 see, Ted Farson, he's not here. Okay. He's gone home. All
3 right.

4 So Maury Hansen with a question -- Molly Hensen
5 with a question.

6 MS. HANSEN: Hi. Thank you. I'm Molly Hansen
7 from Shoshone. And I have a question about the reflective
8 light. There was mention from an earlier commenter about
9 the potential for the reflective light in wilderness areas.
10 And I'm also concerned about whether there's been any
11 consideration or studies of reflective light for the driving
12 population. So I'd just like to register that question.

13 COMMISSIONER DOUGLAS: I'm to look for staff or
14 the applicant on that question.

15 MR. JENSEN: That's actually a great question.
16 The commission staff has just asked us to provide a
17 response. They described the 50 data comments that we
18 received a couple of weeks ago. We have our technical team
19 responding.

20 But in essence, the mirrors, the control systems
21 for the heliostats, that is our business. That is -- that
22 is where we -- we make or break as an efficiency. And the
23 control systems on those mirrors are, again, paramount to
24 the overall effectiveness. So we have backup measures after
25 backup measures. We have calibration techniques. The way

1 those -- those mirrors are operated in stow and -- and
2 operation positions we have a great amount of flexibility in
3 assuring that we don't have glare impacts on adjacent
4 roadways or in certain directions.

5 I think rather than try to provide a scientific
6 response it will be written on -- and you'll have access to
7 it from the -- the CEC's website that describes our formal
8 response to -- to glare issues from different vistas and --
9 and from the adjacent roadways. So it's something we're
10 going to continue to be looking at. And everything is
11 relative, how much a glare is a glare impact. You know,
12 clearly there's -- there's standards. We -- we don't expect
13 to have glare on adjacent roadways for safety purposes. But
14 glare from wilderness areas, what do we consider to be
15 glare, at what level, the studies will be looking at that as
16 we move forward. So I don't want to speculate and say, no,
17 there's not going to be glare issues because an issues, it's
18 different depending on what perspective you're looking.

19 So we'll -- we'll be doing a lot of analysis on
20 that specific issue over the next five months.

21 COMMISSIONER DOUGLAS: Let me see. We have
22 another card. Brian Brown.

23 MR. BROWN: Yeah. Thank you. I'm Brian Brown
24 again. I wanted to ask, and I don't know if this is a
25 proper question. I mean no offense by it. But is the

1 applicant receiving a federal loan guarantee from the
2 Department of Energy on this project, like on the Ivanpah
3 project? And if so, what would be the amount of that fee?

4 MR. JENSEN: We do not have a loan, a Department
5 of Energy loan guarantee on this project. We -- we keep --
6 how we finance our project is very confidential.

7 MR. BROWN: I understand.

8 MR. JENSEN: But we are also aware of the
9 environment that we're working in and the financial markets,
10 and so we're -- we're striding with the business plan
11 that -- that frees us from -- from some of those
12 obligations. So we -- we are -- we are convinced that we
13 are commercially viable under a whole slew of alternatives.

14 MR. BROWN: Right.

15 MR. JENSEN: But we do not currently have an
16 application pending nor are we imminently going to apply for
17 anything from the Department of Energy Loan Guarantee
18 Program.

19 MR. BROWN: Okay. Thank you.

20 COMMISSIONER DOUGLAS: All right. So we seem to
21 be through the blue cards. I'm sort of looking around the
22 room to just make sure that we're through. One more
23 comment.

24 MR. WARREN: Hi, Len Warren again. I want to ask
25 the applicants about the amount of water that's currently

1 projected at 140 acre feet. So as your project continues
2 and if you discover that you need substantially more water
3 for cleaning, if it's more dirty of an area or more wind,
4 more caking of mud and stuff that gets on the mirrors during
5 bad weather, is there a provision to -- you know, basically
6 I'm asking what happens if you need a lot more water than
7 you've got, is the question?

8 MR. JENSEN: I'm going to answer part of that
9 question. Susan will weigh in, and staff may have an
10 opinion on that, as well.

11 I can tell you that -- that our -- our studies
12 when we do our development of how much water we're going to
13 use are very conservative. We've -- we've got the facility
14 in the Negev Desert which has a very similar composition.
15 It's -- it's very dusty. You have wind plumes. It's --
16 it's a very similar condition.

17 Additionally, the Ivanpah facility, though we
18 haven't installed the heliostats we've had mirror -- we've
19 had mirror sets up by our met station and we do routine
20 testing of those to determine impacts of those mirror
21 surfaces. And that's adjacent to the Ivanpah dry lakebed
22 that also has very large plumes of dust just outside of
23 Primm. And -- and we've -- we've approached it from a
24 conservative sense.

25 And I will also mention that -- that most of the

1 mirror cleaning operation is handled by pressured air rather
2 than water. Water is a component, so there is water use to
3 clean the mirrors. But it's not -- it's not a one-to-one
4 correlation. So we are constantly working to minimize the
5 water use with the airbrush system to -- to -- to minimize
6 the impacts. So a significant miscalculation on the amount
7 of dust on the mirrors, it wouldn't -- it wouldn't correlate
8 to a one-to-one impact for water per user. But we have,
9 again, developed a conservative model.

10 COMMISSIONER DOUGLAS: All right. I'd like to
11 thank the parties and the members of the public at this time
12 for this very productive and very interesting hearing.
13 We've -- we've heard from a lot of people. And I think it's
14 given staff and all of us a lot to think about.

15 The committee will issue a scheduling order based
16 on today's proceedings. And the scheduling order will be
17 posted on the Energy Commission's website once it's issued.

18 Let me ask now if the parties have any final
19 comments today? Looks like no from staff, and it looks like
20 no from applicant. All right.

21 So with that, thank you again. The hearing is
22 adjourned.

23 (Thereupon the California Energy Commission,
24 Hidden Hills Solar Electric Generational System
25 Information Hearing adjourned at 4:41 p.m.)

CERTIFICATE OF REPORTER/TRANSCRIBER

I, MARTHA L. NELSON, an Electronic Reporter and Transcriber, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Informational Hearing; that I thereafter transcribed it into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of November, 2011.

/s/ Martha L. Nelson

MARTHA L. NELSON - CERT 00367