

Memorandum

Date: March 21, 2008
Telephone: (916) 653-0062

To: Commissioner Jeffrey Byron, Presiding Member
Commissioner James D. Boyd, Associate Member

From: California Energy Commission – Jack W. Caswell, Project Manager
1516 Ninth Street
Sacramento, CA 95814-5512

DOCKET 07-AFC-5	
DATE	MAR 21 2008
RECD.	MAR 21 2008

Subject: **STATUS REPORT #1**
IVANPAH SOLAR ELECTRIC GENERATING SYSTEM (07-AFC-5)

Pursuant to the Committee Scheduling Order dated January 31, 2008, the following is staff's Status Report #1 for the proposed Ivanpah Solar Electric Generating System (ISEGS) project. The Bureau of Land Management (BLM) and California Energy Commission (Energy Commission) staffs continue to gather information in the form of data requests, while providing direction to the applicant for the successful completion of their data responses.

Milestones to Date

Staff has been coordinating a number of activities to facilitate the discovery and analysis phase of the Application for Certification (AFC) review as follows:

- December 12, 2007- Staff provided the applicant with data requests for the following technical areas: project description, air quality, biological resources, cultural resources, land use, traffic and transportation, transmission system engineering, waste management, soils and water resources and visual resources.
- December 28, 2007 - Staff published the Issues Identification Report identifying four issues in the technical areas of: air quality, land use, soils and water, and visual resources. The agencies' staffs and ISEGS applicant are working to resolve technical issues identified.
 - a) The applicant believes that the proposed project represents a net air emissions reduction to the environment. Therefore, the applicant has not proposed an air emission offset package or mitigation measures related to the three natural gas fired boilers and their contribution to air emission impacts. Staff provided data requests focused on this issue in order to more fully understand the logic of the applicant's proposed approach.
 - b) Land use issues focused on compliance with the Bureau of Land Management issuance of a right-of-way grant and the impacts to more than 3,400 acres of public lands. Additionally, a joint agency approach is being developed for the alternatives and cumulative impacts analyses related to public lands and compliance with both NEPA and CEQA. Staff provided data requests focused on resolution of these issues.

- c) Soils and Water issues are focused on impacts to soil from site preparation and the impacts from potential water and wind erosion. A Drainage, Erosion, and Sedimentation Control Plan that meets both NEPA and CEQA requirements is required prior to the Final Staff Assessment/Final Environmental Impact Statement publication. Complete site design information is a necessary requirement of the BLM to adequately assess impacts of the project. BLM has evaluated the applicant's conceptual site design drawings and is concerned that the on-site check dams and diversion berms will not adequately address erosion control for the site, nor will these limited erosion control measures protect adjoining public lands. BLM has requested a detailed engineering site plan to assure that the project footprint incorporates any area that might require surface disturbance associated with the impoundments, diversions, or other water and erosion control features. Data requests have been provided requesting additional detailed engineering information.
- d) The joint agencies' staffs are developing specific Visual Resource Management (VRM) classifications for the proposed project's visual setting that satisfies both NEPA and CEQA concerns. The developing VRM approach by both agencies for large solar projects will be helpful in the review of future projects of this size and visual magnitude. Staff has provided data requests focused on Key Observation Points for this issue.
- January 14, 2008 – Applicant filed Set 1A Data Responses.
 - February 11, 2008 – Applicant filed Set 1B Data Responses.
 - March 11, 2008 – Applicant filed Set 1C Data Responses.

Pending Data Requests to Date

The Applicant has not responded fully to Round #1 Data Requests filed on 12/12/07. The following is a list of incomplete data responses or data requests to which no response has yet been received.

1. Air Quality: 9,8
2. Biological Resources: 18,19,20,21,22,24,25,26,29,30,31
3. Cultural Resources: 33,37,40,41
4. Land Use: 44,45,46,47,48,49,51,52
5. Soils and Water Resources: 53,58,63
6. Traffic and Transportation: 88
7. Transmission system Engineering: 92,93
8. Visual Resources: 105,106

Other Coordination Activities

- April 2008 - Staff intends to publish a second set of data requests and will request a schedule for completing responses to Round #1 Data Requests from the applicant in our Round #2 Data Requests document. Staff will request responses to all data requests no later than May 16, 2008.
- June 2008 – The Bureau of Land Management and Energy Commission staffs will plan a Data Request and Data Response workshop upon receipt of all or most data requests. It is the intent of the BLM and Energy Commission staffs to resolve questions and issues related to data responses at this workshop. The joint agency staffs intend to gather enough information at the workshop to develop a publication schedule for the Preliminary Staff Assessment/Draft Environmental Impact Statement (PSA/DEIS) document.

Intervenor Issues

Staff has not received information from intervenors on the proposed project regarding their areas of concern. Staff will address any issues that are raised by intervenors in the PSA and in subsequent workshops.

Project Manager Transition

Jack Caswell has accepted a position in another section of the Energy Facility Siting Division which will begin April 1, 2008. Che McFarlin will be the new project manager for this project. Over the next several weeks Mr. Caswell will be working with Mr. McFarlin to ensure a smooth transition. Mr. McFarlin may be reached at (916) 651-0965 or by email: cmcfarli@energy.state.ca.us.

Schedule

At this time, given the incomplete responses to data requests, staff believes it cannot maintain the schedule as issued by the Committee in their order dated January 28, 2007. It is the goal of both agencies to work as quickly and efficiently as possible to complete their review of the ISEGS AFC and meet the necessary regulatory requirements for both NEPA and CEQA for the proposed project.

The BLM and Energy Commission staffs will propose a schedule for the publication of the joint agency PSA/DEIS document after all data requests have been responded to and issues related to those responses have been resolved.

cc: Docket (07-AFC-5)
Proof of Service List

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION
FOR THE *IVANPAH SOLAR ELECTRIC
GENERATING SYSTEM***

DOCKET No. 07-AFC-5

**PROOF OF SERVICE
(Revised 1/11/08)**

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION
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DECLARATION OF SERVICE

I, Maria Sergoyan, declare that on March 21, 2008, I deposited copies of the attached Ivanpah Solar Electric Generating System (07-AFC-5) Status Report #1 in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.



Maria Sergoyan