

DOCKET

07-AFC-5

DATE DEC 09 2008

RECD. DEC 09 2008

State Of California

Memorandum

The Resources Agency of California

Date: December 9, 2008

Telephone: (916) 651-0965

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

From: California Energy Commission – Che McFarlin, Project Manager
1516 Ninth Street
Sacramento, CA 95814-5512

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

The following is staff's Status Report #5 for the proposed Ivanpah Solar Electric Generating System (ISEGS) project.

Milestones Since Status Report #4, filed September 5, 2008

- December 9, 2008 – The Preliminary Staff Assessment was published. Please refer to the Executive Summary and the appropriate technical sections for a complete description of the issues which need to be resolved prior to publication of the Final Staff Assessment.

Summary of Preliminary Staff Assessment

Staff's preliminary analysis shows that, with the exception of Air Quality, Biological Resources, Cultural Resources, Land Use, Soils and Water Resources, Traffic, Transmission System Engineering, and Visual Resources, the ISEGS project's potential impacts will be mitigated to a less than significant level. Staff believes the impacts to Visual Resources are unmitigatable. Staff's preliminary analysis has identified cumulative impacts which are likely to occur in the areas of Biological Resources, Land Use, Traffic, and Visual Resources.

Staff is currently unable to determine if impacts in the areas of Air Quality, Biological Resources, Cultural Resources, Land Use, Soils and Water Resources, Traffic, Transmission System Engineering can be mitigated to a less than significant level pending resolution of outstanding issues that require either additional data, further discussion and analysis, or are awaiting conditions from a permitting agency prescribing mitigation.

Staff's analysis also shows that the ISEGS project would not comply with the applicable laws, ordinances, regulations, and standards (LORS) that pertain to Visual Resources. Staff is currently unable to determine whether or not ISEGS

PROOF OF SERVICE (REVISED 7/14/08) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 12/9/08

would comply with the LORS pertaining to Biological Resources, Land Use, and Transmission System Engineering.

Data Responses

The data responses submitted to date have provided staff with the information necessary to complete the preliminary analysis.

- July 22, 2008 – Applicant filed “Set 2B Data Responses” which included updated grading, drainage, and erosion control information as well as information necessary to complete the preliminary alternatives analysis.
- July 22, 2008 – Applicant filed “Set 1E Data Responses” which included some of the outstanding biological resources information.
- August 7, 2008 – Applicant filed “Set 1F Data Responses” which included the draft weed management plan.
- August 7, 2008 – Applicant filed “Set 2C Data Responses” which included the information necessary to complete the preliminary visual resources analysis. Some additional grading, drainage, and erosion control information was also provided.
- August 12, 2008 – Applicant filed “Supplemental Data Responses 1A” which included responses to questions raised at the Data Response and Issues Resolution workshop on June 23, 2008.
- August 22, 2008 – Applicant filed “Supplemental Data Responses 1B” which included additional responses to questions raised at the Data Response and Issues Resolution workshop on June 23, 2008.
- September 11, 2008 – Applicant filed “Set 1G Data Responses”, which contains the Revised Wetland Delineation Report that is being submitted to US Army Corps of Engineers.
- September 12, 2008 – Applicant filed “Supplemental Set 1C Data Responses” and “Set 1H Data Responses”.
- September 19, 2008 – Applicant filed “Set 2E Data Responses”.
- October 3, 2008 – Applicant filed “Set 2F Data Responses”.
- November 21, 2008 – Applicant filed “Supplemental Set 1E Data Responses”.

Next Steps

Staff will conduct a public workshop on the PSA on January 9, 2009. After the public comment period on the PSA, staff will prepare a document jointly with BLM, which is the federal lead agency for compliance with the National Environmental Protection Act (NEPA). This project will also be reviewed by BLM staff pursuant to the Federal Land Policy and Management Act of 1976. The joint state and federal analysis will take the form of a Final Staff Assessment/Draft Environmental Impact

Statement (DEIS). That document will then be circulated for a 90-day public comment period. Then a Final Environmental Impact Statement (FEIS) will be issued.

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 7/14/08)

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
Attn: Docket No. 07-AFC-5
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Solar Partners, LLC
John Woolard, Chief Executive Officer
Alicia Torre, Project Manager
1999 Harrison Street, Suite #500
Oakland, CA 94612
ATorre@BrightSourceEnergy.com

*Steve De Young
Ivanpah Solar Electric Generating System
Director, Environmental, Safety and Health
1999 Harrison Street, Ste. 2150
Oakland, CA 94612
sdeyoung@brightsourceenergy.com

APPLICANT'S CONSULTANTS

John L. Carrier, J. D.
2485 Natomas Park Dr. #600
Sacramento, CA 95833-2937
jcarrier@ch2m.com

COUNSEL FOR APPLICANT

Jeffrey Harris
Ellison, Schneider & Harris L.L.P.
Attorneys at Law
2015 H Street
Sacramento, CA 95814-3109
jdh@eslawfirm.com

INTERESTED AGENCIES

*California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@casio.com

Tom Hurshman, Project Manager
Bureau of Land Management
2465 South Townsend Ave.
Montrose, CO 81401
tom_hurshman@blm.gov

Sterling White, Field Manager
Bureau of Land Management
Needles Field Office
1303 South Highway 95
Needles, CA 92363
Sterling_White@blm.gov

Becky Jones
California Department of Fish & Game
36431 41st Street East
Palmdale, CA 93552
dfgpalm@adelphia.net

INTERVENORS

California Unions for Reliable Energy ("CURE")
Tanya A. Gulesserian
Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
tgulesserian@adamsbroadwell.com

ENERGY COMMISSION

JEFFREY D. BYRON
Commissioner and Presiding Member
jbyron@energy.state.ca.us

JAMES D. BOYD
Commissioner and Associate Member
jboyd@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Che McFarlin
Project Manager
Cmcfarli@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

Public Advisor
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Hilarie Anderson, declare that on December 09, 2008, I deposited copies of the attached Status Report #5 in the United States mail at Sacramento, CA 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.

Original Signature in Dockets
Hilarie Anderson