

Memorandum

Date: February 11, 2009

Telephone: (916) 651-0966

To: Karen Douglas, Chairman and Presiding Member
Jeffrey D. Byron, Commissioner and Associate Member

DOCKET
08-AFC-2
DATE <u>FEB 11 2009</u>
RECD. <u>FEB 11 2009</u>

From: **California Energy Commission** – Eric K. Solorio
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512

Subject: **Beacon Solar Energy Project (08-AFC-2) STATUS REPORT #5**

Pursuant to the Committee Scheduling Order dated June 18, 2008, the following is staff's Status Report #5 for the proposed Beacon Solar Energy Project (Beacon).

Recent Activities and Current Issues

1. Staff continues to make progress in effecting a primary objective of the Renewable Energy Action Team (REAT), as identified in the Governor's Executive Order S-14-08, – to create a more expeditious process for permitting renewable energy generation facilities under California law. Staff has received written comments and recommendations from the California Department of Fish and Game (CDFG), U.S. Fish and Wildlife Service (USFWS), and Lahontan Regional Water Quality Control Board (LRWQCB). The Energy Commission's exclusive permitting authority will subsume the CDFG and LRWQCB permits and agreements. The USFWS approval is scheduled to be issued concurrent with the Commission's licensing process.
2. Staff and applicant continue to make substantial progress towards resolving the outstanding issues in the areas of biology and cultural resources. Applicant has completed the field work for a geo-archeology field study which will allow staff to adequately assess potential impacts to cultural resources, and recommend appropriate mitigation measures. Regarding biological resources, staff continues to coordinate a joint environmental review with the California Department of Fish and Game, and the U.S. Fish and Wildlife Service, to develop mutually acceptable measures that will mitigate impacts to listed species.
3. Regarding the soils and water analysis, staff is completing its draft analysis of applicant's proposed use of potable water for wet cooling. The analysis will include a feasibility study for the potential use of non-potable water sources and/or alternative process equipment (dry cooling).
4. Staff continues to try and reconcile inconsistencies in the AFC data which have given rise to new issues such as engineering design criteria used for the proposed rerouted desert wash, flood plain mapping, circulation around the project, access for emergency vehicles, and engineering assumptions relied upon for the design of the proposed evaporation ponds. Staff continues to evaluate the supplemental data responses, recently submitted by applicant, in order to address these issues.

PROOF OF SERVICE (REVISED 02/09/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 02/11/09

- Aside from working to reconcile the issues described above, staff has completed the majority of the Preliminary Staff Assessment (PSA) and is finalizing the few remaining sections. Staff requires additional time for review, document formatting, and to offset reduced staffing hours resulting from the governor's furlough program. Staff is proposing to move the PSA publication date to March.

Staff's Proposed Schedule

Staff proposes the following revised schedule for the Committee's consideration:

**STAFF'S PROPOSED SCHEDULE
 BEACON SOLAR ENERGY PROJECT (08-AFC-2)**

DATE	EVENT
3/14/08	Applicant files Application for Certification (AFC)
5/7/08	Decision on Data Adequacy at the Business Meeting
6/11/08	Informational Hearing and Site Visit
6/17/08	Staff files 1st Round Data Requests
7/17/08	Applicant provides Data Responses (round 1)
7/21/08	Data Response and Issue Resolution Workshop (round 1)
8/8/08	Status Report #1
8/15/08	Staff files Data Requests (round 2, if necessary)
9/3/08	Local, state and federal agency draft determinations, including PDOC from KCAPCD
9/15/08	Applicant provides Data Responses (round 2, if necessary)
9/25/08	Data Response and Issue Resolution Workshop (round 2)
9/30/08	Staff files Status Report #2
11/06/08	Data Response and Issue Resolution Workshop (round 2)
11/21/08	Staff files Status Report #3
12/29/08	Staff files Status Report #4
2/11/09	Staff files Status Report #5
3/19/09	Preliminary Staff Assessment (PSA) filed
4/02/09	PSA workshop(s)
4/02/09	Local, state and federal agency final determinations, including FDOC from KCAPCD
5/18/09*	Final Staff Assessment filed (*this publication date is contingent upon applicant and staff resolving the outstanding issues during the PSA workshop)
TBD	Pre-Hearing Conference

Proof of Service List
 Docket



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

APPLICATION FOR CERTIFICATION
For the *BEACON SOLAR ENERGY*
PROJECT

Docket No. 08-AFC-2

PROOF OF SERVICE

(Revised 2/9/09)

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DECLARATION OF SERVICE

I, April Albright, declare that on February 11, 2009, I served and filed copies of the attached Beacon Solar Energy Project (08-AFC-2) Status Report #5, dated February 11, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[www.energy.ca.gov/sitingcases/beacon]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-4

1516 Ninth Street, MS-4

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

Original signed by _____
April Albright