

July 9, 2009

Mr. Christopher Meyer  
Project Manager  
Attn: Docket No. 08-AFC-13  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

**DOCKET**  
**08-AFC- 13**

**DATE** July 09 2009

**RECD.** July 09 2009

RE: SES Solar One  
June 22<sup>nd</sup> Solar One Site Visit/Informational Hearing and Scoping Meeting Transcript

Dear Mr. Meyer,

Tessera Solar hereby submits the transcript from the June 22<sup>nd</sup> Solar One Site Visit/Informational Hearing and Scoping Meeting.

I certify under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge.

Sincerely,



Camille Champion  
Project Manager

**INFORMATIONAL HEARING, SITE VISIT  
AND SCOPING MEETING**

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	)
	)
STIRLING ENERGY SYSTEMS	)
	)
TESSERA SOLAR	)
	)
CALICO - SOLAR ONE POWER	)
	)
PROJECT (08-AFC-13)	)
	)

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**REPORTER'S TRANSCRIPT OF PROCEEDINGS**

LOCATION: Barstow City College  
Performing Arts Center  
2700 Barstow Road  
Barstow, CA

DATE AND TIME: Monday, June 22, 2009  
11 a.m. to 3:49 p.m.

REPORTED BY:

JUDITH W. GILLESPIE, CSR, RPR

(No. 3710)

JOB NO. 68281JG

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**A P P E A R A N C E S**

**FOR THE CALIFORNIA ENERGY COMMISSION:**

COMMISSIONER JAMES BOYD	CEC, VICE PRESIDENT
COMMISSIONER JEFFREY BYRON	CEC, COMMISSIONER
PAUL A. KRAMER, JR.	CEC, HEARING ADVISOR
KRISTY CHEW	CEC, BYRON ADVISOR
KELLY BIRKINSHAW	CEC, BOYD ADVISOR
CHRISTOPHER MEYER	CEC, PROJECT MANAGER, CEQA
LOREEN McMAHON	CEC, ASSOC. PUB. ADVISOR
CARYN HOLMES	CEC, LEGAL COUNSEL

**FOR THE BUREAU OF LAND MANAGEMENT:**

STEVE BORCHARD	BLM, CDD DISTRICT MANAGER
GREG MILLER	BLM, CDD RENEWABLE ENERGY PROGRAM MANAGER

**FOR THE APPLICANT TESSERA SOLAR/URS CORPORATION:**

CAMILLE CHAMPION	TESSERA PROJECT MANAGER
FELICIA BELLOWS	TESSERA VP for DEVELOPMENT
KEN KOSTOK	TESSERA SR. DIRECTOR
ALLAN THOMPSON	TESSERA LICENSING COUNSEL
CORINNE LYTLE	URS, ASST. AFC MGR.
BILL MAGDYCH	URS, CONSULTANT

**FOR THE COUNTY OF SAN BERNARDINO:**

RUSSELL E. BLEWETT	PLANNING COMMISSIONER
SOUA VANG	ECONOMIC DEVELOPMENT AGENCY
JIMMY COLLAZO	ECONOMIC DEVELOPMENT AGENCY

**FOR THE MOJAVE WATER AGENCY:**

KIRBY BRILL	GENERAL MANAGER
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**FOR THE INTERVENOR CURE:**

LOULENA A. MILES	LEGAL COUNSEL
SCOTT CASHEN	BIOLOGIST

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1 Barstow, CA

Monday, June 22, 2009

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**P-R-O-C-E-E-D-I-N-G-S**

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6 MR. KRAMER: Good morning. I'm the  
7 hearing officer. We will introduce the rest of the  
8 committee after we come back from the site visit. So  
9 if you want to make your way out to the two buses that  
10 you probably saw as you came in, we will load on the  
11 buses and go on the site visit and then come back here  
12 for the informational hearing.

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I made the time frames a little tight, I  
realize, so we may not get back right at 1 o'clock  
when I said the informational hearing will start. So  
don't worry, you won't miss anything. You are free to  
grab lunch if you want and eat it on the bus. So we  
are hoping we get back by 1:00.

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(Site visit from 11:29 a.m. to 2 p.m.)

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COMMISSIONER BOYD: Good afternoon.  
Welcome to this notice of information -- or  
Informational Hearing and Public Site Visit and Bureau  
of Land Management Scoping Meeting. I'm Jim Boyd,  
Commissioner of the California Energy Commission. I'm  
the presiding commissioner for this case.

1           Two seats to my left is Commissioner  
2 Jeffery Byron, who is the associate member of the  
3 Energy Commission's Siting Committee. As you will  
4 learn from some of the presentations today, we have  
5 committees of two of the five commissioners for siting  
6 cases. To Commissioner Byron's left is his advisor,  
7 Kristy Chew, and my advisor, Kelly Birkinshaw.  
8 Sitting between us is Mr. Paul Kramer, who is the  
9 Energy Commission Hearing Officer, who will be hearing  
10 officer for this case. So you will hear a lot from  
11 him and only questions, probably, from Commissioners  
12 most of the time.

13           But I wanted to welcome you to this event.  
14 Also joining us up here at the table are several folks  
15 from the Bureau of Land Management. You will hear  
16 more from them, and there will be some introductions  
17 of them.

18           This is my second -- probably the third or  
19 fourth unique siting case -- siting hearing process  
20 for the Energy Commission and its new partners, the  
21 Bureau of Land Management in this new arena of dealing  
22 with renewable energy projects in the desert regions  
23 of this state of California where the land is managed  
24 heavily and rather exclusively by the Bureau of Land  
25 Management. We each have our processes and we signed

1 an MOU and we are working in cooperation with each  
2 other. So thus, a bigger group of people, more  
3 players and more people involved in the siting  
4 process.

5 I think with that, you had the public site  
6 visit. This is the opening of the Informational  
7 Hearing and Scoping Meeting. And with that, I'm going  
8 to turn it over to Mr. Kramer, who as I said you are  
9 going to hear most from during this process. Are you  
10 ready?

11 MR. KRAMER: I am, but we need my slides  
12 up there.

13 If you go to the third page, I will begin  
14 with introduction of the parties and others with us  
15 today, starting with the applicant.

16 MS. CHAMPION: I'm Camille Champion,  
17 project manager for Terresa Solar.

18 MS. LYTLE: Corinne Lytle, Assistant AFC  
19 Project Manager, URS Corporation.

20 MS. BELLOWS: Felicia Bellows, vice  
21 president of development at Tessera Solar.

22 MR. MAGDYCH: Phil Magdych with URS  
23 Corporation, consultant for Tessera.

24 MR. THOMPSON: Allan Thompson, licensing  
25 counsel to the project.

1 MR. KOSTOK: Ken Kostok, director of  
2 engineering and construction for Tessera Solar.

3 MR. KRAMER: And Energy Commission  
4 staff.

5 MR. MEYER: I'm Christopher Meyer. I'm  
6 going to be the project manager for the Energy  
7 Commission on the CEQA side of the process.

8 MR. KRAMER: We have one intervenor  
9 that's been approved so far in the case that's here.  
10 Their representative is over there. Please introduce  
11 yourself.

12 MS. MILES: My name is Loulina Miles.  
13 I'm here on behalf of California Unions for Reliable  
14 Energy, and this is our biologist, Scott Cashen.

15 MR. KRAMER: The next is Bureau of Land  
16 Management.

17 MR. BORCHARD: I'm Steve Borchard. I'm  
18 the district manager for the California Desert  
19 District.

20 MR. MILLER: I'm Greg Miller. I'm the  
21 renewable energy program manager for the California  
22 Desert District.

23 MR. KRAMER: Do we have any  
24 representatives with the local agencies, the City or  
25 the County or other State agencies that wish to



1 identify themselves? Sir?

2 MR. BLEWETT: Russell Blewett, Planning  
3 Commissioner for First District, San Bernardino  
4 County.

5 MS. FISHER: Sandra Fisher, County of  
6 San Bernardino, Events Planning.

7 MR. COLLAZO: Jimmy Collazo with County  
8 of San Bernardino Economic Development Agency.

9 MR. KRAMER: Could you spell your last  
10 name for the court reporter?

11 MR. COLLAZO: C-o-l-l-a-z-o.

12 MR. KRAMER: And your colleague?

13 MS. VANG: Soua Vang, V-a-n-g.

14 MR. KRAMER: Anyone else?

15 MR. BRILL: Kirby Brill with the Mojave  
16 Water Agency.

17 MR. KRAMER: Could you spell your last  
18 name for us?

19 MR. BRILL: B-r-i-l-l.

20 MR. KRAMER: Anyone else? Thank you.

21 Then we also have a representative from our Public  
22 Advisor's Office.

23 MS. McMAHON: I'm Loreen McMahon.

24 MR. KRAMER: She will be speaking in a  
25 little while.

1           A few reminders: Unlike our normal  
2 proceedings which are recorded, this one is being  
3 reported by the court reporter. So I would normally  
4 tell you that you have to come to one of the  
5 microphones so your voice gets on the tape. I don't  
6 have to do that because as long as she can hear you --  
7 and I will ask her to speak up if she cannot hear  
8 you -- you will be on the transcript.

9           But if you want to make sure your last name  
10 is spelled correctly in the transcript, please spell  
11 that for her so she can get that correct.

12           We also have these blue cards that we would  
13 like -- we don't require you to fill them out, but if  
14 you would, if you wish to speak during the public  
15 comment portion of the hearing, it helps us organize.  
16 And if you would fill one out, give it to Ms. McMahon  
17 and she will give it to us to use. If you have a  
18 particular topic, if you would write that down on the  
19 card.

20           I mentioned earlier some handouts were  
21 available in the corner. They are probably all  
22 exhausted by this point, but there may be a couple  
23 more. If you see a handout that your neighbor has and  
24 you really like it and want to get a copy of it, let  
25 one of us know after the hearing, and we will see that

1 you get one.

2 We have a lot of acronyms in this process  
3 and what I call an acronym suit. So I will briefly go  
4 through these. These are basically here in the order  
5 that you are going to see them in this proceeding.

6 The applicant filed an Application For  
7 Certification (AFC) some time ago. The next document  
8 will probably be the Preliminary Determination of  
9 Compliance (PDC), and that's a report from the Air  
10 Quality Management District about whether the project  
11 complies with their laws and perhaps suggested  
12 conditions that will be applied to it.

13 Then Commission staff will prepare a  
14 Preliminary Staff Assessment (PSA), which in this  
15 particular case will also be -- well, it always is the  
16 Environmental Impact Report that the Commission uses.  
17 If you sit around waiting for an Environmental Impact  
18 Report, a document that says EIR on the cover, the  
19 whole process will be over and everyone will have gone  
20 home. And you still won't see one because we use our  
21 Preliminary and Final Staff Analyses (FSA) as  
22 substitutes for an Environmental Impact Report (EIR).

23 After that, the Preliminary Report, you  
24 will see a Final Determination from the Air District,  
25 followed by a Final Staff Assessment.

1           Then we go to hearings before this  
2 Committee. And the Committee issues a Presiding  
3 Member's Proposed Decision (PMPD), that's a  
4 recommended decision to the full Energy Commission  
5 that they may choose to adopt or not at a subsequent  
6 hearing.

7           In those documents you will see something  
8 called LORS mentioned quite frequently. I'm sure the  
9 staff will use that term at least once today. That's  
10 meant to encompass all the laws, ordinances,  
11 regulations and other standards that apply to the  
12 project by virtue of some law or other regulation.

13           CEQA is the California Environmental  
14 Quality Act. That's the law that specifies how  
15 environmental analyses are conducted for projects such  
16 as this. Its federal equivalent is the National  
17 Environmental Policy Act, which is involved in this  
18 case because Bureau of Land Management is also issuing  
19 the project permit.

20           Next slide. Today's agenda is, first, the  
21 public advisor will tell us how the public can  
22 participate in this process. Then the applicant will  
23 provide more information about the proposed project.  
24 The Commission and Bureau of Land Management staffs  
25 will describe their role in the process and how the

1 permitting process works.

2           The parties will discuss scheduling and  
3 other items that were raised in an Issue  
4 Identification Report that the staff filed roughly ten  
5 days ago. And we will have a presentation or comments  
6 from CURE as an intervenor, and then presentations  
7 from other local agencies, if they have any to make.

8           Finally, we will take public comments and  
9 questions. And this is also a scoping meeting, both  
10 under CEQA and under NEPA. So what we are especially  
11 interested in hearing from the public are your areas  
12 of concern, what you are concerned about the project,  
13 questions that you have about it so that they can be  
14 taken into account as the staff prepare its  
15 Preliminary and Final Staff Assessments and the Bureau  
16 of Land Management prepares their analysis for their  
17 permitting process.

18           Then finally we will discuss a few  
19 housekeeping items and we will adjourn.

20           Next slide.

21           One legal rule I need you tell you about is  
22 what we call the "ex parte rule," and I believe that's  
23 "one-sided" is what it translates to. The essence of  
24 it is that the Commission's decision must by law be  
25 based solely on the evidence that's presented at our

1 evidentiary hearing. And in order to have a fair  
2 process, that information needs to be available to all  
3 the participants, all the parties, the staffs, and the  
4 public so that they know what the committee has heard.  
5 So all discussions on -- next slide, please -- with  
6 committee members or their advisors need to be about a  
7 substantive matter. And that would be something to  
8 the effect of I'm for or against the project for a  
9 particular reason. That has to be in a public meeting  
10 such as this meeting today or communicated in writing,  
11 say, in the form of a letter or e-mail to be shared  
12 with all the other parties.

13           It is okay, though, to have an ex parte  
14 discussion about procedural matters. For instance, if  
15 you wanted to talk to me about when the next hearing  
16 is going to be or what is the deadline for comments,  
17 that sort of thing. That's perfectly allowable.

18           Finally, as resources, if you want to keep  
19 track of this case, you can get a lot of paper. Or if  
20 you want to avoid busting your recycling bin, you can  
21 look at most of this stuff on the Internet, including  
22 the original application and documents that will be  
23 filed as the case progresses.

24           The Internet page address is on the screen  
25 there. And you can also sign up for a list serve, an

1 e-mail list, that will notify you when new documents  
2 are posted on the Web site. And you also receive  
3 notifications of hearings such as this one or staff  
4 workshops, because another point I should make is the  
5 staff will, between now and the evidentiary hearings  
6 when you next see the committee, they will be  
7 conducting various workshops where only the staffs and  
8 the applicant and the other parties will be present,  
9 not the committee. And you will receive notice of  
10 those, as well.

11 That's where the meat and potatoes of the  
12 discussion of the issues and the ways that potential  
13 impacts could be mitigated and questions of that  
14 nature are quite often resolved. So you will want to  
15 keep an eye on that if you are interested in the  
16 progress of this case.

17 And my final slide gives you a list of  
18 contacts, including the public advisor, myself, and  
19 Mr. Meyer, the staff project manager. So you can talk  
20 to the public advisor for advice about how to  
21 participate in this process, for me about procedural  
22 questions, and Mr. Meyer about technical questions  
23 about the project.

24 Next on the agenda is the presentation from  
25 the public advisor.

1                   COMMISSIONER BOYD: Can I make one  
2 comment, Mr. Kramer? Let's go back to the ex parte  
3 rule we referenced.

4                   I want you to understand that the Siting  
5 Committee process has now commenced. It is a  
6 quasi-judicial process. We sit here not in black  
7 robes, but it is very judicial. The ex parte rule  
8 applies to all people, including the staff of the  
9 Energy Commission. We can no longer talk to our own  
10 staff except in a public setting like this or in a  
11 document that they filed with the Committee that goes  
12 into the docket, just like everyone else: The  
13 applicant and the intervenors or our friends at the  
14 Bureau of Land Management or the public.

15                   Just so you understand, we predicate our  
16 decision on what's in the record, not hearsay, not our  
17 own feelings, not past comments, but what is developed  
18 in the record that transpires over the next --  
19 hopefully only a year, but they tend to run longer,  
20 that process involved in permitting power plants. So  
21 with that understanding, please.

22                   MS. McMAHON: Welcome again. As they  
23 stated, my name is Loreen McMahon. I'm the associate  
24 public advisor. Our job in the Public Advisors Office  
25 is strictly to work with the public and make sure you



1 know the avenues and methods of communicating through  
2 the process and getting the information.

3 We make the recommendations on the best way  
4 that you can be involved. As I go through this, you  
5 will find out that there are different types of  
6 involvement, formal and informal involvement.

7 And in the back, I have these brochures.  
8 And they give a thumbnail sketch of what the Public  
9 Advisor's Office can do to help you be involved and  
10 how to get resources and how to contact me if you want  
11 further information. I also have my business cards  
12 and I also have this presentation. So I have my  
13 telephone in a lot of places so I can be reached.

14 At the Commission, there are lots of places  
15 to get information. The specific Web site, every  
16 project that goes through the Commission has its own  
17 Web site for the project. So once you get into the  
18 Energy Commission site, you go into the siting cases  
19 and then you go into this particular project, which is  
20 Solar One.

21 Docket is where all the information that  
22 comes to us goes, and there is public access to the  
23 records as well. That's where you both send  
24 information and receive information. And then we have  
25 the list servers. And the list server is also project

1 specific, so you will want to sign up specifically for  
2 the Solar One project.

3           And then there is also the library in  
4 Sacramento that has all of the -- at the Energy  
5 Commission that has all of the documents. In your  
6 communities you can also access the documents. You  
7 don't have to be in Sacramento. The AFC, copies of  
8 this large binder here were sent to your local  
9 libraries that are listed. And of course, also,  
10 because it's on-line, you can access it from those  
11 libraries or from our Web site.

12           Next. We have done a lot of the outreach.  
13 Our office does the outreach independently of the  
14 applicant and independent of the project manager and  
15 the Energy Commission staff. We primarily try to  
16 outreach into the community the organizations that can  
17 help us post notices. We make a notice and we send it  
18 out to the Council members, the schools, some of the  
19 other libraries that aren't on there and community  
20 organizations and ask them to post it or notify their  
21 membership so we can get as much outreach out there  
22 without actually sending it to specific individuals.

23           The people that are within a certain  
24 distance of the project site will get them. And I  
25 will get to that in a minute. The rest of the Public

1 Advisors' outreach consists of, we put paid  
2 advertisements in local papers and we put it in  
3 Spanish as well. We want to make sure we can reach as  
4 much of the community as we can. We do a survey  
5 through the census, which we know is old, to determine  
6 what language needs might be in the community, and  
7 that's how we determine which other languages might be  
8 helpful.

9 We also post the notice of this hearing on  
10 public service-type sites. Your local Chamber of  
11 Commerce and your local cities were contacted and  
12 volunteered to put the information up, as did the  
13 Energy Current, which is an on-line paper. And then  
14 we contacted local TV and radio, local stations.

15 And then if you want to continue to get  
16 information past this meeting where we actually do  
17 this outreach, it's incumbent upon you to let us know  
18 you want further information. And the way you do that  
19 is to be aware of when the meetings are, sign up on  
20 this -- I have my sign-up sheet as opposed to the  
21 applicant's sign-in sheet out there. And I can put  
22 you on a mailing list to receive paper copies of the  
23 notices, or you can receive electronic copies by  
24 signing up on the list serve.

25 This sign-up sheet will allow you to check

1 either box or you can go on-line and sign up yourself.  
2 You don't have to do this at all, just if you want our  
3 assistance in doing that.

4 We do have special accommodations for  
5 disabilities at all of our meeting, and this is our  
6 contact person if you need that. And we really  
7 encourage the public to participate in all the  
8 meetings that we are having. You have the best  
9 knowledge of the issues that are in your community,  
10 the best knowledge of the issues that are going to  
11 effect you, so your input is really important to our  
12 process. So we really want to make that clear that we  
13 really do want you involved.

14 So how do you make your voice heard?  
15 First, come to meetings and you can speak, fill out  
16 the blue cards. Typically at our meetings we use that  
17 as a way to determine -- be able to read the next  
18 person rather than having hands go up. It's more  
19 orderly, and Paul indicated at this meeting it's not  
20 necessary, but it's definitely helpful. These are the  
21 blue cards. And when the public comment period  
22 starts, we will pass them out and you can come get  
23 them from me and return them to me, and I will take  
24 them up to Paul.

25 Comments that -- you can write in comments

1 to the Commission and make sure you put the docket  
2 number on it for this project and name on it for this  
3 project. The difference in the comments is they are  
4 considered by Commissioners, they are docketed and  
5 become part of the record, but they are not at the  
6 level of evidence that Paul previously described to  
7 you. And that's an important distinction when you  
8 want to determine how you want your voice to be heard.

9           So if you want to be a formal  
10 participant -- we call it a party to the case or an  
11 intervenor -- you can contact my office. And I will  
12 help you file a petition or you can go on the Web site  
13 and fill out a form and submit it. But we are in the  
14 process of updating our Web site. Currently it's  
15 there under the Public Advisor's page. If you file a  
16 petition to intervene, we recommend that you do it as  
17 early in the process as possible. It gives you a  
18 better opportunity to be involved at a more in-depth  
19 level early on, and also, it avoids possibly missing  
20 the deadline. There is a deadline for when you can  
21 intervene.

22           So who can become an intervenor? Anybody.  
23 You don't have to be an attorney to do it. Groups can  
24 do it; individuals can do it. And once we get the  
25 petition, it goes to our committee and they review it.

1 And then they accept or reject the petition to  
2 intervene. And then there will be notification of  
3 that.

4 So if you decide to become an intervenor,  
5 you have benefits and responsibilities. You will get  
6 notices and documents of all the stuff that goes  
7 through the Commission. But it isn't that you have  
8 access to more information because if you are just a  
9 commenter, you can get that information. But you do  
10 have responsibilities that go with it as well. You  
11 can present evidence. You can present witnesses. If  
12 you present witnesses, you have to be able to have  
13 them be cross-examined by others. So there is a whole  
14 nuance on how that works. And that's explained on the  
15 Web site, and I can talk to you about it in more  
16 detail, and it's covered a little bit in here.

17 So if you have any questions for me, I will  
18 be in the back and I can be reached at my e-mail,  
19 phone, and let me know if I can help you become  
20 intervenors or make comments.

21 MR. KRAMER: Thank you. Next we will  
22 hear from the applicant.

23 MS. CHAMPION: At the time we submitted  
24 applications to the agencies, the Bureau of Land  
25 Management and CEC, we were under the company Stirling

1 Energy Systems. Since then we have split functions  
2 into two businesses, Stirling Energy Systems and  
3 Tessera Solar. Stirling Energy Systems is responsible  
4 for the manufacture and supplier of the solar power  
5 generating equipment, which is the new version, the  
6 Suncatcher. So they do the design and manufacturing,  
7 the commissioning and the operations and the  
8 maintenance of the Suncatcher.

9 Tessera Solar is the developer of utility  
10 scale solar power projects in North America as well as  
11 internationally. We will do project siting, going  
12 through permitting, and seeking site control. This  
13 also includes engineering, procurement, plant  
14 operations, and the balance of plant operations and  
15 maintenance, as well.

16 So why are we here? We are here to provide  
17 up to 850 megawatts of renewable energy capacity a  
18 under 20-year power purchase agreement we have with  
19 Southern California Edison. We are also going to  
20 assist the State of California in meeting its goals in  
21 reducing greenhouse gas emissions. We are also going  
22 to develop renewable solar energy to help California  
23 achieve its Renewable Portfolio Standard energy  
24 requirements. And also we are going to help protect  
25 the environment by providing clean, renewable solar

1 energy.

2 In addition to the Calico Solar One  
3 project, we're also currently under permitting for  
4 another project in Imperial Valley Solar Two near El  
5 Centro, California. That project is a proposed 750  
6 megawatt project, and the Solar One Calico project is  
7 the 850 proposed project. If permitted, basically  
8 these will be two the largest solar projects in  
9 California.

10 So a little bit about our technology.  
11 Again, it's the Suncatcher. SES is the exclusive  
12 developer of the Suncatcher technology. So several  
13 components consists of the pedestal here. This  
14 portion of it is hydraulically vibrated into the  
15 ground. The facets are mirrored facets. These are  
16 the portions of the SunCatcher unit that track the sun  
17 and take in the solar energy. And that solar energy  
18 is then converted to the PCU unit where it converts to  
19 electrical grid power. I have some additional  
20 pictures that explain this further.

21 So let me show you a little clip of how the  
22 Suncatcher unit works. So here you see as the sun  
23 rises and the solar energy, it hits the dishes, the  
24 dish concentrates or focuses the sun energy on the  
25 receiver. The Stirling engine then converts that



1 thermal energy into electrical energy, and that  
2 electrical energy is then pumped into the grid system  
3 that eventually heats the homes.

4 Here is a picture of an actual Suncatcher  
5 that's in operation at our Sandia National Laboratory,  
6 which is in Albuquerque, New Mexico, and the  
7 technology has over 20 years of recorded operating  
8 history on record.

9 So a little bit about the installation and  
10 assembly. The portion that actually goes into the  
11 ground is the pedestal. Here is a picture of a  
12 pedestal being installed at our Sandia Labs. No  
13 grading required, minimal ground disturbance, and the  
14 total time it takes for this to be driven into the  
15 grounds is approximately seven minutes total. Again,  
16 you will see that we don't require any grading. And  
17 there you have it.

18 From this point on the additional portions  
19 are put on to our pedestal. Here are several of the  
20 Suncatcher units that are in operation and this is  
21 fully constructed.

22 So a little bit about the project. The  
23 project is approximately 37 miles east of Barstow,  
24 California, just north of Interstate 40 and just north  
25 of (inaudible). And we are about approximately 155

1 miles east of Los Angeles, California.

2 So the size of the project, again, 850  
3 megawatts is what we are proposing to build through an  
4 existing power purchase agreement that we have with  
5 Southern Cal Edison. Project will be located on  
6 approximately 8,200 acres of public land that's  
7 managed by the Bureau of Land Management. Nearby  
8 communities include Newberry Springs, Victorville,  
9 Barstow and Ludlow.

10 As we started looking at a project site, we  
11 worked with Bureau of Land Management and we worked  
12 hard to select a project site to avoid minimal impacts  
13 to recreation, as well as environmentally sensitive  
14 areas. So the construction would be in two phases,  
15 Phase 1 being 500 megawatts and Phase 2 is an optional  
16 for an additional 350 megawatts. So the total  
17 buildout would contain 34,000 SunCatchers, 20,000 of  
18 those in Phase 1 and 14,000 for Phase 2. If all goes  
19 well with the permitting, we would be scheduled to  
20 initiate construction by late 2010, with commercial  
21 operations starting by mid-2011. And this project  
22 would interconnect to the project to the SCE Pisgah  
23 station.

24 So here is a preliminary site plan. The  
25 yellow, as you see in here, is the Phase 1. This

1 contains the 20,000 SunCatcher units, and the Phase 2,  
2 which is the total of 350 megawatts. Along in here is  
3 the BNSF railroad. And what you didn't see within  
4 this, there are several underground utilities, natural  
5 gas pipelines and such. And again, this is the  
6 existing SCE transmission lines and the Pisgah  
7 substation where we would connect into.

8 Here is a visual simulation showing what  
9 the project site would look like when constructed and  
10 fully built. And this is a view looking north as you  
11 are traveling along Interstate 40. Again, another  
12 visualization. This is looking south if you were  
13 standing at Cady Mountains looking south. This is  
14 what the project site would look like.

15 So this is the applicant's proposed project  
16 schedule. So what we did was file an Application For  
17 Certification with the CEC. Several years prior to  
18 that we submitted an application for a land lease to  
19 the Bureau of Land Management. And this past May we  
20 were deemed adequate and we are here for scoping  
21 meetings and meetings with other agencies.

22 Our goal, again dependent upon the  
23 permitting process, is to receive permitting by third  
24 quarter of 2010. And if that is successful, then we  
25 would initiate construction by the fourth quarter of

1 2010. That would allow us to start producing power to  
2 the grid by the second quarter of 2011 with a full  
3 projected completion buildout by the fourth quarter of  
4 2014 for the full 850 megawatt project.

5 Some of the project's benefits we really  
6 feel strongly about are the increased revenue of tax  
7 sales, construction and permanent jobs, the low water  
8 use required for our technology. And as you saw in  
9 the video, minimal land disturbance.

10 So I would like to thank you for your time.  
11 We can answer any questions or take any comments that  
12 you may have. And there is our contact information  
13 for any additional questions you may have in the  
14 future. Thank you.

15 MR. KRAMER: Staff -- Mr. Meyer. Let me  
16 pass this mike down to you.

17 MR. MEYER: Good afternoon. My name is  
18 Christopher Meyer. I, as I said before, am the Energy  
19 Commission's project manager for this one. I'm a part  
20 of half of the team on this. Jim Strobaugh will be  
21 the project manager for the Bureau of Land Management  
22 side on the NEPA side. And we will be working  
23 together throughout this entire process. And also, we  
24 have Greg Miller here from the Bureau of Land  
25 Management who will be working with me on this

1 presentation to talk about specific issues with the  
2 Bureau of Land Management.

3 MR. MILLER: Thank you, Christopher.

4 I wanted to say that this is a public  
5 scoping meeting for the Bureau of Land Management's  
6 NEPA process; and also we are going to be using the  
7 NEPA commenting process with the public involvement  
8 process for Section 106 of the National Historic  
9 Preservation Act, as well.

10 The BLM's role is to administer public  
11 lands under the Federal Land Policy and Management Act  
12 (FLPMA). We are going to be reviewing our land use  
13 plans with the process of Land Use Plan Amendment  
14 under the California Desert Conservation Area Plan.  
15 The idea here is for Bureau of Land Management to  
16 issue a Right-of-Way Grant for the use of federal land  
17 to Tessera Solar, and we are the lead agency for the  
18 National Environmental Policy Act and, of course, the  
19 National Historic Preservation Act.

20 MR. MEYER: The Energy Commission -- our  
21 jurisdiction is over thermal power plants over 50  
22 megawatts, and related facilities. When we are  
23 talking about thermal power plants as related to  
24 solar, it's basically where you have a photovoltaic  
25 where it's taking the sun's energy directly to

1 electricity, not a solar/thermal, so it would not be  
2 under the Energy Commission's jurisdiction. But in  
3 the case of the Stirling project, it's converting  
4 solar energy into heat, which will move the pistons  
5 within the Stirling engine. That's being a thermal  
6 power plant under the jurisdiction of the Energy  
7 Commission.

8           We also look at the transmission lines,  
9 substations, all of the different infrastructure, if  
10 they need to bring water into the site, anything else  
11 related to the operation of the site as far as  
12 linears. And as Paul explained earlier, we are the  
13 CEQA lead agency. But as he said, the process that we  
14 go through is the CEQA equivalent process, so you may  
15 not see all of the exact terminology.

16           One of the things that we make a very  
17 strong point in the Energy Commission on is to work  
18 with all of the agencies, as the Bureau of Land  
19 Management does as well, since we are working on a  
20 joint process here. We have very close coordination  
21 between the Bureau of Land Management and Energy  
22 Commission. And both of our agencies will be working  
23 closely with other state, other federal and local  
24 agencies to make sure that all of their concerns are  
25 met.

1           And basically, this slide just gives you a  
2 little overview of the licensing process. The Data  
3 Adequacy portion has already been met. In that stage  
4 what the Energy Commission and Bureau of Land  
5 Management will be doing is looking to make sure that  
6 the application that's come in needs to meet the  
7 Energy Commission's minimum requirements, just to be  
8 considered a complete application. So we look to see  
9 if they have all the basic information for us to start  
10 doing a more in-depth analysis. Once they have met  
11 those requirements of minimum information, they are  
12 found data adequate, which starts our clock.

13           Then we move onto the discovery phase where  
14 we start getting really into the nitty-gritty of the  
15 project to find out what information we need  
16 clarification on, where we need more information,  
17 where the information that they presented raised  
18 questions where we want to get more information,  
19 clarification, and details.

20           And that you will see in formal data  
21 requests that will go out from the Bureau of Land  
22 Management and Energy Commission staff. We have  
23 already filed those and you will find those on our Web  
24 site. And we give the applicant 30 days to look at  
25 those and give us responses back to keep the process

1 going. And when we receive those, then we will have  
2 workshops on them.

3           And that's one of the other issues here.  
4 We issue an Identification Report. During that  
5 initial review of the project, we start making a list  
6 of things that we think could be potential issues on  
7 the project, concerns that our staff has, that the  
8 Bureau of Land Management staff has on the process.  
9 And the Energy Commission back on June 12th put out a  
10 report that talked about different issues. And I will  
11 get into that a little later.

12           And then once staff gets done with that  
13 discovery phase, we will put out our preliminary  
14 document. There will be a comment period on that and  
15 we will put out a final document, which will be a  
16 joint document between the agencies. And then we turn  
17 it over to the Siting Committee, and they take it  
18 through the remainder of the evidentiary hearings.  
19 And they will have a Proposed Decision, and then that  
20 Proposed Decision will go in front of the full  
21 Commission.

22           So this gives you a little bit of an idea  
23 of the events that we will go through that I talked  
24 about and the people that are involved. The  
25 pre-filing, of course, has happened already when the



1 petition was accepted. And it just goes down. So  
2 this is something in the future that gives you a  
3 chance to look at that. Those of you who didn't get a  
4 copy of this, this presentation will be put on our Web  
5 site and refer back to it through the entire process.

6 So I gave you a little bit of an idea of  
7 this, the discovery and analysis process. But as the  
8 slide points out, this is the laws, ordinances,  
9 regulations and standards where each of our technical  
10 staff through multiple disciplines looks at the  
11 regulations, laws, ordinances, standards of each area  
12 and determines where there were potential issues,  
13 pitfalls, or how the project either conformed or  
14 doesn't conform.

15 And really, meetings like this will go out  
16 throughout the process. This is a formal hearing.  
17 Staff, Bureau of Land Management and Energy Commission  
18 staff will be holding workshops either on specific  
19 issues or following the publication of documents to  
20 give the public a chance to hear what the Bureau of  
21 Land Management, Energy Commission staff and the  
22 applicant's staff are talking back and forth on.

23 As Commissioner Boyd talked about with the  
24 ex parte rule, we do not have substantive  
25 conversations between our staff and their staff

1 outside the public arena. So if we have serious  
2 issues we need to work out, we will send out a public  
3 notice and the public will have a chance, just like  
4 this, to sit and listen to the questions going back  
5 and forth and have a period at the end to comment and  
6 ask questions.

7           So basically, as we talked about, we will  
8 put out a preliminary and final document. That will  
9 be joint between the Bureau of Land Management and the  
10 Energy Commission, and those will basically, you know,  
11 be recommendations to the committee.

12           And then, as I said, we turn it over to the  
13 committee and the committee will conduct all the  
14 hearings. And that will be the deciding committee you  
15 see here with the hearing officer, Paul Kramer. And  
16 what they will be putting together is a Presiding  
17 Member's Proposed Decision, which will take our draft  
18 document and look at the evidence and put together a  
19 document that will go through and give weight to all  
20 the evidence and make findings on the different  
21 departmental impacts, compliance. It will do  
22 recommendation of conditions of certification, where  
23 if you may not be familiar with our process, it  
24 would -- these would be mitigation measures that would  
25 lessen the environmental impacts that may be

1 identified through the process.

2 And part of that will be recommendations to  
3 the full committee on whether or not the project  
4 should go forward. And then that would take it to the  
5 full Commission to make a decision on the process,  
6 either approve or deny. And if the project were to be  
7 approved, then it would be up to both, in this case  
8 the Energy Commission and Bureau of Land Management,  
9 to make sure that both the construction and operation  
10 of the facility would happen in accordance with all  
11 the conditions that are put forward in the license.

12 MR. MILLER: The Bureau of Land  
13 Management is working under two Executive Orders or  
14 Secretarial Orders at this point. One is 3283 which  
15 facilitates the DOI's efforts to achieve a goal of  
16 approving non-hydropower renewable energy projects on  
17 public lands in the tune of about minimum 10,000  
18 megawatts by the year 2015.

19 And then under Secretarial Order 3285, the  
20 Renewable Energy Development by Department of  
21 Interior. The purpose of this order was to establish  
22 development of a renewable energy priority for the  
23 Department of Interior and also establish a  
24 departmental Task Force For Energy and Climate Change.

25 The Bureau of Land Management Solar Energy

1 Development Policy and Instructional Memorandum of  
2 2007-097 facilitates the environmental response to  
3 commercial development for solar energy projects on  
4 public lands. The Right-of-Way applications are a  
5 high priority for BLM and are processed in a timely  
6 manner. And they are approved under Title 5 of the  
7 Federal Land Management Policy Act. Rents will be  
8 established through an appraisal process for the  
9 grants for the solar energy sites, and then you can  
10 find information on the solar energy technology at  
11 those Web sites there.

12 Bureau of Land Management also processes  
13 Right-of-Way grants under Regulations 43 CFR 2800.  
14 And there is an informational tool kit available if  
15 you would like to pursue that on the Web sites there  
16 listed there. Those are the regulations that Bureau  
17 of Land Management follows for these grants.

18 The Bureau of Land Management authorized  
19 officer's role in this is just as it says there, it's  
20 the initial response to the request, the proposal.  
21 There is preapplication meetings and screenings done,  
22 and the application is then accepted or rejected,  
23 depending on what is available. At this point in  
24 regard to Tessera Solar One, we are at the processing  
25 application and the Land Use Plan Amendment. This is

1 part of the formal scoping process which came out in  
2 the Notice on Intent and EIS on June 5, and it will go  
3 through July 7.

4 We will be preparing an EIS and Land Use  
5 Plan Amendment through our NEPA process. A decision  
6 will be made on the application, whether to approve or  
7 deny the Right-of-Way grants and approve the Land Use  
8 Plan Amendment. Then an authorization will be issued  
9 and then administration through termination, Bureau of  
10 Land Management will be monitor that through  
11 compliance.

12 The Bureau of Land Management's Land Use  
13 Plan and Environmental Scoping Process goes like this.  
14 The Notice of Intent was filed. The public scoping  
15 period is now between June 5 and July 7 for the Notice  
16 of Intent. A preparation of a draft EIS, Land Use  
17 Plan Amendment, which will give another 90-day comment  
18 period for the public to be able to comment on that  
19 Land Use Plan and the Environmental Impact Statement.

20 The Final Impact Statement will be  
21 developed, the Notice of Availability for the FEIS  
22 will come out, another 30-day review, and then a  
23 Record of Decision and then a Notice to Proceed.

24 That's pretty much the process for the NEPA  
25 process.

1                   MR. MEYER: One thing just to back up  
2 real slightly. You mentioned the compliance earlier.  
3 The Energy Commission has a compliance unit, and not  
4 to get too far ahead of ourselves because it's too  
5 early in the process to get an idea of what the  
6 project is, is going to be recommended for approval or  
7 not. But if it were approved, the Energy Commission  
8 has a dedicated unit to oversee the construction and  
9 compliance throughout the life of the project. And  
10 there will be a compliance project manager, if it's  
11 approved. Mary Disk (as pronounced), who is here, and  
12 she would be looking at this project through  
13 construction and through operations.

14                   So the Energy Commission is very serious  
15 about if any projects are approved, to make sure they  
16 are built CEQA compliant with the license issued and  
17 that they are operated in compliance with any  
18 conditions. So I would like basically -- you have  
19 already heard everyone talking about -- it's just  
20 something I wanted to put in the package to refer you  
21 back in the future with phone numbers and e-mails of  
22 the principals.

23                   Basically, the next slide is the exact same  
24 thing with the Bureau of Land Management that gives  
25 some comments. One thing to mention on the side where

1 it talks about the comments, the Energy Commission has  
2 a dedicated unit for docketing information on the  
3 projects. So we determined that if all of the  
4 information and comments, whether it's on the NEPA  
5 side or the CEQA side, if they all come to the Energy  
6 Commission, just send them to me with a note that it's  
7 on the Solar One project, and we will make sure that  
8 all your comments get put into the docket log and that  
9 I can distribute them.

10 And if you send comments in writing,  
11 nothing gets lost in translation whether it's an  
12 e-mail, whatever form. That way I can get them to all  
13 the parties, the Bureau of Land Management, the  
14 committee, the applicant, CURE, so that everyone knows  
15 what your comments are and we can address them  
16 throughout the process.

17 As I said before on the public  
18 participation information, our Public Advisor's Office  
19 gave you a very good overview of what is up there.  
20 This just says if we are going to have a notice go out  
21 there, we will give you 15 days, which is required  
22 within the NEPA process, before any hearings or  
23 workshops are held so that you have a chance to  
24 participate.

25 And other than sort of our standard

1 libraries that we put the applications throughout and  
2 our documents out at state, they have been placed at  
3 local libraries here in the area for you to look at.

4 As I said before, you can make comments  
5 both at workshops or send them in writing. Written  
6 comments are the easiest for us to track and make sure  
7 they get addressed throughout the process.

8 But the real value of your comments in  
9 whatever form you give them to us, you are in many  
10 cases the experts on this local area. We can assign  
11 staff that know the resources of this area. But as  
12 residents, as local officials, whatever format, you  
13 have information that is most beneficial to us as  
14 early in the process as possible so we can make sure  
15 that it gets addressed throughout the proceeding. So  
16 any help you can provide is very welcome to our staff.  
17 And as I say, the earlier the better so we don't get  
18 off on the wrong foot.

19 We already talked about becoming a formal  
20 intervenor. And the next slide just gives you an idea  
21 of what our Web site looks like. It has lots of good  
22 information. As I said, this presentation, issues, ID  
23 report, all of that will be on this Web site for you  
24 to review or download.

25 Bureau of Land Management also has



1 developed a Web site very similar to ours. And we  
2 have links back and forth, so I have to double-check  
3 to make sure that ours is active, but we should have a  
4 link so that if you look at our Web site, you should  
5 get a link and it will send you right to the BLM's Web  
6 site on this project as well.

7           Staff issues identification reports, and as  
8 I said, this is a very initial report. This is not  
9 based on our staff doing a lot of analysis. It's  
10 before the discovery phase. So this is just a first-  
11 blush look at things that are very obvious issues that  
12 we want to make sure that we carry throughout the  
13 process and get as much information as possible. And  
14 it gives you a few ideas of what we are looking for  
15 there. But I just wanted to say that the report is  
16 not all-encompassing of the issues that may come up on  
17 the process.

18           To start off on this project, we have a  
19 little bit of a list of the ones we will be talking  
20 about: Biological resources, cultural resources, land  
21 use, reliability, soil and water resources, visual  
22 resources, cumulative effects and alternatives.  
23 Cumulative impacts is basically what we're going to be  
24 looking at all of the other development that is  
25 possible in the desert. We are really going to try to

1 focus on products that are reasonable and not remote  
2 and speculative. But if we think there is a high  
3 probability of another project going out in the area,  
4 we will look at that project and the proposed project  
5 and the cumulative impacts.

6           Going on to biological resources, the  
7 reason we identify this one is primarily the sheer  
8 scope of the size, the lack of development at the  
9 site, and the known existence of federal and state  
10 protected species in the area. So our biological  
11 staff will be working very closely with the Bureau of  
12 Land Management's biological staff and the resource  
13 agencies, Fish and Game, Fish and Wildlife Service, to  
14 make sure we identify any species here and work  
15 through them to find mitigation or to fully analyze  
16 the potential impacts.

17           And we will be working with those agencies  
18 to develop mitigation, so it will not be mitigation  
19 just out of the staff. We will be working with the  
20 resource agencies, the local experts on these species  
21 to try to find the best way of dealing with the issues  
22 if the project goes forward. And once again, the  
23 cumulative impacts. We look at cumulative impacts on  
24 all the different areas, biological resources being  
25 one of them.

1 Cultural resources, once again we come to  
2 the fact that it's over an 8,000 acre site. There are  
3 archaeological resources in the area that have  
4 potential for being impacted by a site of this  
5 magnitude. So between the known sites and the  
6 potential for finding new sites, we decided it was  
7 something that we really needed to focus a lot of  
8 energy on.

9 Land use, once again, it's over 8,000 acres  
10 that could potentially be taken out of the public use  
11 and put into the use for an industrial facility. And  
12 that would be a potential land use impact. The  
13 permanent conversion of open space to an industrial  
14 use is another impact that will be very closely  
15 examined.

16 The reliability -- and that aspect we are  
17 looking at this -- this is a new technology we have  
18 not seen a project of this nature, of this volume, as  
19 they talked about before. You have the test units at  
20 Sandia, but nothing as far as something where you are  
21 looking at 34,000 of them working together to produce  
22 power for the grid. So since it's also a mechanical  
23 system, we are going to be looking very closely at the  
24 mechanical reliability of the system.

25 Visual is sort of an easy one: 34,000

1 SunCatchers on 8,000 plus acres. They are fairly  
2 concise units, 38 feet in diameter. And for those who  
3 are not familiar, visual resource management is a  
4 Bureau of Land Management terminology. We will be  
5 looking at the visual resource management  
6 classification for the area, and BLM will take the  
7 lead on that in determining what impacts this project  
8 would have based on the category it's in.

9 Cumulative impacts, I talked briefly about  
10 that. But both NEPA and CEQA are very clear that you  
11 have to look at the impacts of the proposed project in  
12 concert with anything else that is a reasonably  
13 similar project in the area. You can't just sort of  
14 look at a whole bunch of different projects  
15 discretely. If you are developing 8,000 acres and  
16 someone else is developing 5 and another person 3,  
17 altogether that's going to take up a large swath and  
18 you have to say that you can't look at the project in  
19 a vacuum is what the cumulative impact talks about.

20 And the alternatives analysis that we will  
21 be looking at on this project is looking at  
22 alternative technologies, looking at alternative  
23 sites, modifications of the sites. And also looking  
24 at a no-project alternative. And the CEC and Bureau  
25 of Land Management look at alternatives slightly

1 differently, and we will work that out through the  
2 process.

3           And the proposed schedule. It lines up  
4 fairly closely with the applicant. This is an  
5 idealized schedule. Changes to the project,  
6 unforeseen problems could impact us. But basically  
7 staff of the Energy Commission and Bureau of Land  
8 Management will be working hard to sort of keep this  
9 process moving along. But we will not focus on  
10 schedule to the detriment of the document. We do not  
11 want to rush through and very quickly produce a  
12 document that is severely lacking, that's not legally  
13 defensible.

14           So our primarily goal is to make sure that  
15 all the potential impacts of the project are  
16 disclosed, discussed and analyzed. And if we can do  
17 that within the schedule, that's wonderful. If it  
18 takes more time to get a very complete and dependable  
19 document, that's what we need to do. The TBD is  
20 basically "to be determined." Once staff finishes  
21 with our project, we turn it over to the committee,  
22 and they will take it through to the end of the  
23 process.

24           And you have to have caveats when you have  
25 a printed schedule. We just talked about basic things

1 that could slow it down. And some of the facts is  
2 that this is such a large site. When we give a  
3 traditional data request, the applicant has 30 days to  
4 look at it. When we give them a data request on  
5 archaeological or biological resources on 8,000 acres,  
6 it's hard. They will get a whole bunch of biologists  
7 and archeologists out there in 100 degree heat and  
8 work them in the heat until they drop, and they still  
9 may not be able to get it back in 30 days. And based  
10 on the complexity of the questions we have, it could  
11 take longer. That's why we say there may be delays  
12 here and there.

13 So if you are expecting a data response  
14 workshop right on August 6, if we discover that there  
15 are more complex issues that we need to get answered,  
16 that may slip a little bit. But we will make sure  
17 that you are noticed 15 days in advance. So that's  
18 why I say please take this schedule as a proposed  
19 schedule. Don't plan your vacations around it because  
20 dates may change here and there.

21 So that basically takes me to the end of my  
22 presentation. I am going to make sure the Bureau of  
23 Land Management doesn't have anything to add. Okay.  
24 Looks like staff is done with its presentation.

25 MR. KRAMER: Thank you. Does the

1 applicant wish to comment on the schedule proposed by  
2 the staff?

3 MS. CHAMPION: Not at this time.

4 MR. KRAMER: Next we will have the  
5 presentation from CURE. I don't know if the cord will  
6 reach all the way over there, so if you don't mind  
7 using the podium.

8 MS. MILES: CURE has done just a  
9 preliminary review of the AFC, and we have identified  
10 some issues, particularly with respect to biological  
11 impacts. We will be looking more in detail at  
12 reliability, water, transmission resources, and  
13 cumulative impacts and alternatives to the project  
14 site.

15 And we will be submitting data requests in  
16 about a week on biological resources. So in  
17 particular at this point, our preliminary review has  
18 found that there is not adequate information in the  
19 AFC or adequate analysis on the following biological  
20 impacts. For example, base line information regarding  
21 the Desert Tortoise. Mitigation for the Desert  
22 Tortoise. Impacts to the Burrowing Owl. Rare plant  
23 survey methods and base lane data. Rare plant impact  
24 assessment. Rare plant mitigation. And then impacts  
25 to potential jurisdictional waters on the site.

1 Impacts to the Mojave Fringe-toed Lizard and Nelson's  
2 Bighorn Sheep. Wildlife corridors and cumulative  
3 impacts, as well as impacts to nesting bird species,  
4 collision hazards for birds, wildlife mortality from  
5 evaporation ponds, and compliance generally with laws,  
6 ordinances, regulations and standards.

7 We do have an outline of our comments, of  
8 our preliminary comments, and I don't think I brought  
9 enough comments for everyone, but they should have  
10 been passed out. And please share them. And if you  
11 would like to get a copy, it's going to be docketed,  
12 or come up to me afterwards and I will e-mail the  
13 copy.

14 Our technical consultant Scott Cashen is  
15 here, and he is going to provide a summary of the  
16 issues of greatest concerns, so he is not going to go  
17 through everything in here.

18 MR. CASHEN: I will try to go fast. Our  
19 concerns basically revolve around the lack of any sort  
20 of scientific rigor that was devoted to establishing  
21 base line conditions at the site. And then  
22 subsequently doing a valid impact analysis and  
23 proposing mitigation that would actually be likely to  
24 be effective.

25 With respect to establishing base line



1 conditions, CEC requires that the applicant conduct  
2 surveys according to established protocols, if such  
3 protocols have been established. And they have been  
4 established for the Desert Tortoise. The AFC says  
5 that protocol surveys were followed. I did some  
6 calculations and just by doing the math, it appeared  
7 that each biologist would have had to walk 35  
8 kilometers a day during the Desert Tortoise survey.  
9 And as a frame of reference, there was a study cited  
10 in the AFC from which the applicant contained a  
11 detectability study. And in that study they averaged  
12 15 kilometers a day over an eight and a half hour a  
13 day period. So if my calculations are right, they  
14 went over two times faster than what was conducted in  
15 the study that they referenced. For other tasks,  
16 there simply wasn't an attempt to follow protocol.  
17 They didn't follow protocol for rare plant surveys and  
18 they didn't follow protocol for Burrowing Owls.

19 In doing impacts -- doing a valid impact  
20 assessment is difficult if you don't have valid base  
21 line data. And these errors tend to compound as you  
22 get further down the process. So we are concerned  
23 about the validity of the impact assessment in that  
24 it's based on non-protocol survey data. And in  
25 addition, many of the conclusions that were made just

1 simply aren't taken scientifically valid.

2 As an example, for the evaporation ponds,  
3 evaporation ponds at other facilities have been known  
4 to kill water birds. In this case, the applicant  
5 concluded that the project evaporation ponds wouldn't  
6 be a problem because most resident birds and wildlife  
7 wouldn't drink the water because they get water from  
8 their food. Hopefully you can see that there is not a  
9 lot of logic behind that.

10 With respect to -- as an example for the  
11 plants, there is absolutely no discussion of the  
12 local, regional, or rangewide significance of the  
13 project on rare plants that are known to occur on the  
14 site. There is one plant in particular, white margin  
15 beer tongue, that is a rear plant species in  
16 California and the only known occurrence of this plant  
17 species in California is within the project site in  
18 the cumulative impact area. The applicant's proposed  
19 mitigation for that is to propagate the species. But  
20 when I did some research on the species, the Santa Ana  
21 Botanical Gardens has attempted to propagate that  
22 species in the past, and all those efforts have  
23 resulted in failure.

24 Impacts to wetlands and jurisdictional  
25 waters: We are concerned that the AFC has concluded

1 that there are no channels or washes out at the site.  
2 If you look at -- for those of you who do have a copy  
3 of our handout, and I'm sorry that we don't have  
4 more -- the conclusion that there is no channels or  
5 washes is simply not consistent with what's out at the  
6 site. And I don't know if you can see from here, but  
7 there are clearly washes out there. I have been to  
8 the site and there are playas -- for those of you who  
9 don't know what that is, it's a seasonal lake, it's a  
10 low spot and forms a basin and when it rains if there  
11 is sufficient, the water will collect and form a  
12 temporary lake -- there are several places out at the  
13 site that have obvious playa-formation-type features  
14 with cracked mud and lack of any vegetation growing in  
15 the middle of them. It's pretty clear that those  
16 features were not addressed.

17 We are particularly concerned about the  
18 cumulative impacts. And if you look at -- if you  
19 looked at the AFC and you've looked at the map that  
20 shows the cumulative impacts, this project would  
21 contribute to almost a complete elimination of all  
22 sandy flats, basins and bajadas in the region, or at  
23 least a fragmentation of them. The impact that that  
24 may have on plant and wildlife species has a potential  
25 to be tremendous. And in particular, the ability of

1 wildlife to move between various patches of habitat is  
2 known to be an important dynamic in maintaining viable  
3 populations. And if you look at the cumulative impact  
4 map, this project is going to contribute to almost a  
5 complete blockage of the ability of animals to move  
6 between the area's ACECs and the Desert Wildlife  
7 Management Areas.

8           With respect to the mitigation that's been  
9 proposed, we are concerned about the complete lack of  
10 any specificity associated with what has been proposed  
11 so far. And we are concerned about the lack of  
12 scientific support for many of the proposed mitigation  
13 measures. I will give you a couple of examples. The  
14 only mitigation proposed for the impacts to wildlife  
15 corridors are not blocking the culverts that go under  
16 the railroad and highway, at which point the AFC  
17 concluded that animals could enter the site and travel  
18 down existing roads.

19           And the other proposed mitigation measure  
20 was maintain an east-west movement border along the  
21 northern boundary of the site where there will also be  
22 an access road. So roads are known to serve as high  
23 source of mortality for many species, and they act as  
24 a habitat sink. So we are concerned that the proposed  
25 mitigation for wildlife corridors may actually have

1 additional adverse effects.

2 Another example would be that the  
3 compensation mitigation for Desert Tortoise would also  
4 serve as mitigation for Mojave Fringe-Toed Lizard.  
5 There is not a lot of scientific backing for that.  
6 Desert Tortoises require soil that is firm enough so  
7 that it can build burrows that won't collapse.  
8 Whereas Mojave Fringe-Toed Lizards like fine, loose  
9 sand, so those two generally don't go together.

10 And then finally, we have, as Loulena  
11 mentioned -- we have concerns about the proposed  
12 project conforming to existing laws, ordinances, and  
13 regulations. In particular, there are several  
14 conservation strategies outlined in the West Mojave  
15 Plan that the project so far does not appear to comply  
16 with.

17 And we would be happy to answer any  
18 questions about this brief presentation after the  
19 meeting is over. Thank you.

20 MR. KRAMER: Do any of the public  
21 agencies wish to make a comment besides Mr. Blewett?  
22 Sir, if you would come to the podium.

23 MR. BRILL: Really quick. As I  
24 indicated earlier, my name is Kirby Brill. I'm the  
25 general manager with the Mojave Water Agency. And

1 really just two quick comments. One is to do exactly  
2 that, reintroduce myself and the agency.

3           The agency is created by the legislature of  
4 the State of California as a Special Act District.  
5 And we are responsible for managing the water  
6 resources just under 5,000 square miles. Our service  
7 area includes portions of the land, based on the  
8 preliminary information I have, go up to and abut  
9 almost next to the proposed project site but don't go  
10 across.

11           And second of all, I just want to offer our  
12 agency's assistance to the Commission. We are neither  
13 in favor or in opposition to the project. We consider  
14 ourselves neutral. We are a source of information.  
15 We do have a lot of information on the water resources  
16 in that area. So we certainly offer our agency's  
17 assistance to the Commission as you go through your  
18 deliberations. Thank you very much.

19           MR. KRAMER: You are saying that no part  
20 of the project site is in your territory?

21           MR. BRILL: Based on the information I  
22 have, I saw some recent maps, they may have some  
23 potential future phases that might extend in. I would  
24 have to look at that. But based on the preliminary  
25 information I have and looking at our maps, it looks

1 like our boundaries go close to or butt up against  
2 some of the proposed ownership.

3 MR. KRAMER: Thank you.

4 Mr. Blewett. We are beginning our public  
5 comment period. I have four more blue cards. Just  
6 with a show of hands, how many other people in the  
7 audience are going to want to make a public comment?  
8 Just two more. Three more. Four. Okay. Thank you.

9 MR. BLEWETT: Mr. Chairman, welcome to  
10 the high desert.

11 MR. KRAMER: Thank you.

12 MR. BLEWETT: I have to congratulate  
13 you. In business, politics, and I guess hearings,  
14 timing is everything. A week from now the temperature  
15 will be about 20 degrees hotter, so I have to  
16 congratulate you on that.

17 I'm here -- the Planning Commission and the  
18 County as far as I know has not taken a position on  
19 this, but I personally have taken a position on this.

20 I represent the First District, which to  
21 give you an idea of the scope of the desert as a  
22 Planning Commissioner that I cover, if you drive 65 --  
23 at 65 miles an hour for an hour in that direction or  
24 65 miles an hour in that direction or -- for an  
25 hour -- or an hour and a half south, or almost two

1 hours toward Vegas, you are -- all that is in our  
2 district in our desert. Over 2 million acres. This  
3 is an infinitesimal project in the scope of the vacant  
4 land that's in our desert.

5 I'm here because we need the electricity.  
6 A nation without cheap electricity is a nation that  
7 becomes second rate. We need the jobs. The  
8 unemployment rate in this particular area is over 15  
9 percent all throughout the high desert area, one of  
10 the highest in the country. Definitely the highest in  
11 the state.

12 And we need -- the technology of this  
13 project is outstanding because one of our major  
14 concerns always in the desert is water. And this  
15 project -- this thing uses virtually no water except  
16 for cleaning off the screens, which is amazing because  
17 as I have dealt with many solar projects that have  
18 come before us, many of them are heavy water users.  
19 And this is not one of them.

20 And I would really like to see this  
21 technology developed and used, particularly in our  
22 desert. It's very important because water is always a  
23 key issue. Again, thank you for coming, and I hope  
24 you enjoy your stay in our desert.

25 MR. KRAMER: Before you go, could you



1 spell your last name.

2 MR. BLEWETT: B-l-e-w-e-t-t, like I blew  
3 it.

4 MR. KRAMER: This is probably a good  
5 time for me to disclose on the record that back from  
6 1986 until 1991, I was actually the Deputy County  
7 Counsel that sat with the County Council in San  
8 Bernardino. I don't think there is anybody around  
9 that remembers me then.

10 MR. BLEWETT: No, I would think not.

11 MR. KRAMER: Mr. Orawczyk. Did I get  
12 close? He spells it O-r-a-w-c-z-y-k.

13 MR. ORAWCZYK: That's the way my father  
14 spells it too.

15 Mr. Commissioner, thank you. I suppose I  
16 should direct my questions and comments to you. Are  
17 you the mediator, or is it directly to the applicant?

18 MR. KRAMER: Direct them to us.

19 MR. ORAWCZYK: All right.

20 MR. KRAMER: Say your first name for us.  
21 I don't think we --

22 MR. ORAWCZYK: Joe.

23 MR. KRAMER: Thank you. Go ahead.

24 MR. ORAWCZYK: I got up yesterday on  
25 Father's Day kind of early, watching HBO or something.

1 I got caught in the movie which you may have heard of  
2 before called "Erin Brockovich." The people in this  
3 community, in the greater Barstow community, have a  
4 very earned suspect or reservation about energy  
5 companies in general based on past experiences. So I  
6 ask for your forgiveness if I sound a bit sarcastic in  
7 my comments and questions -- or cynical. I mean no  
8 offense.

9 I have like 10 or 12 pages of questions  
10 after reading the Application For Certification,  
11 specifically in particular with the topics of water  
12 and with future abandonment of the project. In an  
13 effort to save the time of the committee and everybody  
14 here, would it be acceptable for me to submit these in  
15 writing and let it go, and you guys can respond later?  
16 Or do you want me to read them here?

17 MR. KRAMER: If you submit them in  
18 writing, that's the easiest way to make sure they get  
19 passed on to the appropriate people. So I would say  
20 yes, bring them in writing.

21 MR. ORAWCZYK: To whom do I submit it?

22 MR. KRAMER: You can give them to me,  
23 and I will make sure that Mr. Meyer gets them and  
24 passed them on.

25 MR. ORAWCZYK: Thank you very much. I

1 have no further questions. I would like to reserve  
2 the ability to ask questions at some later time.

3 MR. KRAMER: I would suggest if you were  
4 interested and have the time, you come to the staff  
5 workshops because that will be an especially good  
6 place for you to talk to people during the formal part  
7 of the workshop and also during the milling about  
8 stage, you can get your questions answered.

9 MR. ORAWCZYK: Thank you,  
10 Mr. Commissioner.

11 I do have one question not in the notes,  
12 and that is one I asked while we were out at the site  
13 during the bus trip. And that is how will the aquifer  
14 be recharged. The answer from the applicant at that  
15 time is we really don't know right now. And I assume  
16 they want to get back to us on that.

17 Was there any other response to that  
18 question? Okay. So, yeah, my concern there is what  
19 is the sustainability of the project over the 20-year  
20 period, possibly 40 years? If they draw 36.2 acre  
21 feet of water, I'm real concerned as to how long that  
22 can actually last if its potable water.

23 MR. KRAMER: That's something that the  
24 staff normally analyzes as part of their analysis.  
25 They should be answering your question in their

1 reports.

2 MR. ORAWCZYK: Excellent. My only  
3 knowledge is through the Application For  
4 Certification. I haven't read through the staff's  
5 notes yet, so maybe I just missed it.

6 MR. KRAMER: I don't think the staff has  
7 put out anything on that question yet.

8 MR. MEYER: Our water quality staff will  
9 be addressing that in our preliminary documents.

10 MR. KRAMER: Next is Mr. Silliman from  
11 the Sierra Club, and followed by Irene James from the  
12 BIA.

13 MR. SILLIMAN: I'm a consultant from the  
14 San Gorgonio Chapter of the Sierra Club. I just have  
15 a quick question about the ex parte rule as it may or  
16 may not apply to the applicant with regard to two  
17 groups. Specifically, I'm interested to what extent  
18 must communication between the applicant and CEC and  
19 Bureau of Land Management staff be public; and second,  
20 to what extent must communication between the  
21 applicant and resource agencies such as California  
22 Fish and Game be public?

23 MR. KRAMER: Well, that is actually not  
24 the ex parte rule. But there is a regulation of the  
25 Commission. Ms. Holmes, are you still back there?

1 MS. HOLMES: I am.

2 MR. KRAMER: As the staff's attorney,  
3 would you care to address that?

4 MS. HOLMES: Would you repeat the  
5 question, please?

6 MR. SILLIMAN: Sure. What I am  
7 concerned about is the degree to which communication  
8 between the applicant and certain groups must or must  
9 not be made public. Specifically, must communication  
10 between the applicant and CEC and the Bureau of Land  
11 Management staff be public? Or/and to what extent  
12 must communication between the applicant and resource  
13 agencies such as California Fish and Game, Fish and  
14 Wildlife also be public, or may it not be public?

15 MS. HOLMES: There is a regulation that  
16 Mr. Kramer referred to that the staff is required to  
17 comply with which prohibits us from having unnoticed  
18 meeting with the project's developer. We can't have  
19 closed or behind-the-scenes meetings with developers.  
20 Just as decision makers have to meet with the parties  
21 in a noticed setting, we do not meet with the  
22 applicant on substantive matters unless the meeting is  
23 publicly noted.

24 MR. SILLIMAN: Who is "we"?

25 MS. HOLMES: The Energy Commission

1 staff. I represent the staff in this procedure.

2 MR. SILLIMAN: How about Fish and Game  
3 or Fish and Wildlife?

4 MS. HOLMES: I don't believe there is a  
5 rule that prohibits project proponents from meeting  
6 with them. This is our rule that applies to our  
7 Commission staff.

8 MR. KRAMER: Is that your only question?

9 THE WITNESS: Yes.

10 MR. KRAMER: Irene James.

11 MS. JAMES: Thank you. I would like to  
12 read a letter that was produced by the Building  
13 Industry Association, Local Chapter, which covers the  
14 high desert area, on behalf of someone who is on  
15 vacation.

16 "The Building Industry Association, Baldy  
17 View Chapter, recognizes the importance of new  
18 construction to our economy. Although we are in the  
19 midst of a historic recession, it's imperative that we  
20 continue planning for future residential, commercial,  
21 and industrial demands for California's ever-growing  
22 population. As such we seek to enhance  
23 business-friendly policies that maximize the  
24 opportunities for environmentally conscious  
25 development.

1                   "Clearly you are embarking on an important  
2 effort that will provide Californians with greater  
3 access to energy for both current and future  
4 consumers. We appreciate the effort of Tessera Solar,  
5 which has been and continues to be proactive in its  
6 approach to its new project here in San Bernardino  
7 County by meeting not only with BIA staff, but also  
8 with local governments, agencies, departments and  
9 groups to help explain and gather local input for its  
10 solar project, Calico Solar One. Since this type of  
11 project has proven to have both low water usage and a  
12 minimal land disturbance, from an environmental  
13 viewpoint, we can appreciate its technology" -- oops.

14                   MR. KRAMER: If you want, you could  
15 e-mail the letter to us.

16                   MS. JAMES: I will e-mail the letter.  
17 This is sent on behalf of Carlos Rodriguez, who is one  
18 of the governmental affairs for the Baldy View Chapter  
19 which is based in Rancho Cucamonga. He is on vacation  
20 this week, so I told him I would help out. But I will  
21 send it off to the Commission. Thank you.

22                   MR. KRAMER: Thank you.

23                   Jeff Aardahl, followed by Steve Marschke.

24                   MR. AARDAHL: Good afternoon. My name  
25 is Jeff Aardahl. I represent the Defenders of

1 Wildlife, a national wildlife conservation  
2 organization with headquarters in Washington, D.C. I  
3 personally work in the Sacramento office. And  
4 Defenders appreciate the opportunity to be here to  
5 today to participate in the field trip and also this  
6 informational meeting and scoping session.

7 We intend to provide detailed comments for  
8 the scoping process in preparation for the  
9 environmental review processes of both the Bureau of  
10 Land Management and the Energy Commission. So at this  
11 time, though, I would like to speak briefly about two  
12 species of interest to us that were disclosed in the  
13 Application For Certification filed by the consultants  
14 or the project applicant.

15 Those species are the Desert Tortoise and  
16 the Desert Bighorn Sheep. Briefly, what I have  
17 gleaned out of the application so far has resulted in  
18 some recommendations for further analysis by Energy  
19 Commission staff and the Bureau of Land Management  
20 during the environmental process.

21 Specifically with the Desert Tortoise, what  
22 I would like to recommend is that the age and sex of  
23 all Desert Tortoises encountered on the project site  
24 as a result of, shall we say, a sampling process be  
25 disclosed, and that a determination of their



1 ecological or biological significance be made rather  
2 than just simply a statement about, in this case, 43  
3 Desert Tortoises were observed during the sampling  
4 process, along with 30 active tortoise burrows. I  
5 think the data needs to be much more detailed and  
6 fully analyzed and disclosed to the public.

7           We would also like to see an analysis of  
8 the relationship of the Desert Tortoise population in  
9 the affected area of the project in relationship to  
10 more important Desert Tortoise populations in recovery  
11 units for the species, since it's a listed species,  
12 both federally and state. And those specific recovery  
13 areas I would like to see addressed in relationship to  
14 this particular site are the Ord-Rodman, Superior-  
15 Cronese and possibly the Piute-Fenner recovery units.

16           And I would like to have the document  
17 disclose and analyze the adequacy of the surveys for  
18 the Desert Tortoise in terms of its ability to detect  
19 hatchlings and juvenile individuals occupying the  
20 site.

21           With respect to Bighorn Sheep, my  
22 recommendation is fairly straightforward and simple.  
23 The analysis should disclose any seasonal use of the  
24 proposed project site by birds of prey as a foraging  
25 area where those birds may be coming out of the Cady

1 Mountains from nesting locations.

2 And that concludes my oral comments.

3 Again, we will follow up with more detailed written  
4 comments by the close of the scoping period. I thank  
5 you.

6 MR. KRAMER: Could you write out the  
7 names of those units on a piece of paper for the  
8 benefit of the court reporter?

9 Mr. Marschke, followed by April Sall.

10 MR. MARSCHKE: Hi. I'm Steve Marschke  
11 and I'm president of the Society For the Conservation  
12 of Bighorn Sheep. We are a local Southern California  
13 nonprofit organization, been around since the  
14 mid-sixties. And our purpose is to provide enhanced  
15 habitat and mitigation efforts for Bighorn Sheep.

16 We were very concerned with the scope of  
17 this project as it's stated now, and that particularly  
18 the northeast corner is definitely within Bighorn  
19 Sheep habitat. Sheep habitat is very important.  
20 There is a lot of I think historical knowledge that  
21 people think Bighorn Sheep live in the mountains and  
22 that's in a general part true, but they survive based  
23 on the desert washes and vegetation that grows down  
24 there. And this project would impact large amounts of  
25 habitat that's very close to a known Bighorn Sheep

1 population. And I think, furthermore, the science  
2 that I saw in the preliminary study is inadequate with  
3 regards to Bighorn Sheep, and it's very nebulous at  
4 best.

5 Thank you.

6 MR. KRAMER: Thank you. April Sall.

7 MS. SALL: Thank you, Commissioners,  
8 ladies and gentlemen, members of the panel, for the  
9 opportunity to speak today. I just have a few  
10 comments -- again April Sall from the Wildlands  
11 Conservancy. The Wildlands Conservancy is a 501(c)3  
12 nonprofit land conservation organization that  
13 conserves wild spaces in California and provides free  
14 outdoor education for Southern California's youth.

15 We are very supportive of renewable energy  
16 development and have several preserves that are off  
17 the grid and have renewable energy, both solar panels  
18 and winds, on those preserves to power our facilities.

19 We also partnered with Department of  
20 Interior and Senator Dianne Feinstein in the largest  
21 private land acquisition gifted to the American  
22 public. That was 600,000 acres in the Mojave Desert  
23 purchased with about 45 million dollars in private  
24 funds and 18 million land and conservation funds. And  
25 those lands were gifted to Department of Interior and

1 to the National Park Service where appropriate within  
2 their boundaries.

3           The project site does contain a couple of  
4 Catellus sections that were part of the Catellus land  
5 purchase. We have many concerns related to biological  
6 resources. First off, our feeling is the utility  
7 scale project should first be sited on disturbed land,  
8 public or private, instead of pristine lands. Many  
9 environmental groups, including the Wildlands  
10 Conservancy, have been working on a criteria document  
11 for siting renewable energy projects in more  
12 appropriate areas on both public and private lands,  
13 and that document is now public and given to industry.

14           We are concerned with the cumulative  
15 effects of these large industrial-scaled projects.  
16 The desert is very slow to recover, as many of you  
17 know, and once this land is blighted or there is  
18 significant surface disturbance, it permanently  
19 disrupts the microbiotic relationship of cryptobiotic  
20 soils.

21           The current Solar One site is adjacent to  
22 the new National Monument Proposal that Senator  
23 Feinstein will be introducing. It's also adjacent to  
24 the ACEC, and there are several endangered species,  
25 plant and animal, that would be affected by this

1 project. There is a rare penstemon that was found on  
2 the project site in a higher density than anticipated,  
3 as well as a possible new lizard to science that is  
4 the side-blotched lizard that is found only in the  
5 lava beds in the sands adjacent to the lava flow area.

6 And with regards to the recovery and the  
7 scale of this project, there is concern about the BLM  
8 Right-of-Way process being used for a permanent  
9 disturbance. And I have a couple of questions. I  
10 first wanted to ask BLM what is the anticipated action  
11 plan for the project site once the 20-year period is  
12 reached? Will that site be reused for another  
13 renewable energy site, or what is the anticipated plan  
14 at this point?

15 MR. MILLER: We can't answer that at  
16 this point because we don't know. We can't answer  
17 that unless we have approved it, so we won't know for  
18 a while.

19 MS. SALL: Okay. With regards to the  
20 applicant, will vegetation be mowed or trimmed? There  
21 was a little discussion about this on the tour, but  
22 can I get an official answer as to what the plan is  
23 for vegetation on the site?

24 MR. MAGDYCH: We are continuing to work  
25 out the details. There some vegetation below the

1 dishes. However, most of the vegetation on-site is  
2 less than three feet tall. So that is not much of a  
3 problem. But we are looking at the adjacent areas  
4 that will be left over, and we are trying very hard to  
5 maximize the preservation of vegetation in the future.

6 MS. SALL: Okay. Can I ask how the  
7 selection was made to begin construction on what you  
8 are calling Phase 1, the kind of northeastern section  
9 of the site, versus the area that you are calling  
10 Phase 2, which is closer to the highway and slightly  
11 more disturbed land?

12 MS. CHAMPION: So mainly, if you saw  
13 some of the maps, we tried to locate and begin  
14 construction closest to the transmission line and  
15 initiate construction there and then head west.

16 MS. SALL: Okay. According to the map  
17 in your packet, the transmission line also goes  
18 through Phase 2, and that's where the actual  
19 substation is currently?

20 MS. CHAMPION: Are you referring to the  
21 Pisgah substation?

22 MS. SALL: Yes, the current Pisgah  
23 substation.

24 MS. CHAMPION: Can you repeat your  
25 question?

1 MS. SALL: If there is still  
2 transmission access and the substation is located on  
3 what you are calling the Phase 2, which has slightly  
4 more impact or maybe significantly, depending on  
5 location, more impact, why did you choose to develop  
6 the more northeastern section first? If this is a new  
7 technology and new scale, why are you picking the most  
8 pristine habitat to begin your construction on,  
9 Phase 1?

10 MS. CHAMPION: I'm not exactly sure I  
11 fully understand your question, and I probably won't  
12 respond to the "most pristine habitat." But again,  
13 this is a preliminary construction plan that we have  
14 right now. As we go through the permitting phase and  
15 work through the agencies, if there is any need for us  
16 to change how we construct, we will definitely do  
17 that, working with the agencies. So again, we have  
18 preliminary. We are required to at least give some  
19 idea of how we plan to construct the project, but  
20 obviously, we are prepared to make any changes where  
21 necessary based on what the agencies tell us.

22 MS. SALL: Okay. And last question:  
23 What is the capacity of the largest SunCatcher site  
24 you currently have operating for commercial use?

25 MS. CHAMPION: We do not have a

1 commercial site today.

2 MS. SALL: Then what is the largest test  
3 site megawatt production?

4 MS. BELLOWS: We have 10 units running  
5 today, each one 25 megawatts.

6 COMMISSIONER BYRON: Ms. Sall, if I may  
7 ask a question. You indicated a criteria for siting  
8 renewables document that you are preparing. Is there  
9 anyone else you are collaborating with on that  
10 document?

11 MS. SALL: Yeah. I don't have the  
12 document in front of me, but some of the other  
13 organizations that signed on to that document are  
14 Nature Conservancy, Center for Wildlife, the  
15 Wilderness Society, Center for Biodiversity  
16 (inaudible), Sierra Club.

17 COMMISSIONER BYRON: Without anything in  
18 front of you, that's pretty good.

19 MR. KRAMER: I think Sierra Club filed  
20 something along those lines today.

21 Anyone else wishing to make a public  
22 comment?

23 MR. RAMOS: I just wondered, who the  
24 heck are you?

25 THE REPORTER: Excuse me. Excuse me. I



1 need to have your name.

2 MR. RAMOS: I beg your pardon. Al  
3 Ramos.

4 Hi. I'm a local desert rat. I live here  
5 and I'm not too smart. All I know is what I read in  
6 the papers.

7 Okay? Who is this company? Where do you  
8 come from? Who is the parent company? Houston  
9 Electric? General Electric? Bumbleberry? Who is it?  
10 It's enormous. And are all these machines going to be  
11 built out of locally USA manufactured? Or are they  
12 going to come from foreign countries?

13 MS. BELLOWS: First, our machinery is 90  
14 percent based in North America.

15 MR. RAMOS: Where is the other  
16 10 percent made in?

17 MR. KOSTOK: There will be various  
18 items, wires and cables, that haven't been sourced  
19 yet. So of the major components that have sourced for  
20 the Stirling SunCatcher unit itself, 90 percent is  
21 within North American. The engines are similar to  
22 like a quad's engine, same size, so the engine  
23 manufacturers are the same assembly or very similar  
24 assembly and same buildings that make the automobile  
25 engines make these engines.

1 MS. BELLOWS: On the SunCatcher, it's as  
2 if an engine were being built --

3 MR. RAMOS: Is this 10 percent money  
4 wise or 10 percent of the unit?

5 MS. BELLOWS: Ten percent of the unit.

6 MR. RAMOS: Well, moneywise the  
7 10 percent might be a princely sum and the rest of the  
8 junk is made here out of --

9 MS. BELLOWS: The majority of the  
10 machine is made in the United States.

11 MR. RAMOS: Yeah, but the value of it,  
12 10 percent.

13 MS. BELLOWS: 90 percent of the value of  
14 the equipment.

15 MR. RAMOS: The 90 percent is from here.  
16 Then who are you, by the way? What is your parents,  
17 Edison, General Electric, (unintelligible), Vickers?

18 MS. BELLOWS: None of the above.  
19 Actually, the story is that we are a renewable energy  
20 company. Our parent company is NTR.

21 MR. RAMOS: Who is NTR?

22 MS. BELLOWS: NTR stands for National  
23 Toll Roads. It's a company that --

24 THE WITNESS: Oh, Jeez, National Toll  
25 Roads. That's something that --

1 MR. BOYD: Let her finish.

2 MS. BELLOWS: National Toll Roads has a  
3 history of investing successfully in renewable energy.  
4 They have investments in biomass, in wind, in storage  
5 for solar facilities, in solar, and in ethanol  
6 facilities. So they are a renewable energy player.  
7 If you are to go to their site, you will see they have  
8 a very successful history, and they took a position in  
9 Stirling Systems in 2008.

10 MR. RAMOS: What is their capability?  
11 Do you have vast machine shops or what? What do you  
12 have? I'm sure you are financially capable. But say,  
13 do you have milling machines? Do you have vast  
14 machine shop foundries or what? How are you going to  
15 make these things? Are you going to farm them out to  
16 different people, or are you going to make them  
17 yourselves?

18 MS. BELLOWS: Absolutely. One of the  
19 things that NTR does very well is they hire people and  
20 they put the appropriate people in place. They have  
21 funding so that these projects can get done. And they  
22 have done a great job at taking our technology, which  
23 is the SunCatcher, from a technology level, and if you  
24 look at the SunCatcher, the Stirling engine has been  
25 played with, if you will, by McDonnell-Douglas, by

1 companies like Lockheed, by Boeing --

2 MR. RAMOS: But you are not that. You  
3 are a construction company making toll roads. You are  
4 not McDonnell-Douglas.

5 MS. BELLOWS: But we are very  
6 successful --

7 MR. RAMOS: So you say so. That's a  
8 self-serving statement. I can tell you how smart I  
9 am --

10 MS. BELLOWS: But if you will, go to the  
11 Web site and you will be able to see information on  
12 the successes we have had so far.

13 MR. RAMOS: Defense rests, I guess.

14 MR. KRAMER: Any other public comments?

15 MR. JACKSON: My name is Patrick  
16 Jackson. And I own land that's going to be completely  
17 surrounded by the Solar One project. I don't know if  
18 the people are familiar with the area, but according  
19 to the California Desert Conservation Area plan, it's  
20 an open area. That means the public and the private  
21 property owners can access their property.

22 A year ago, somebody put a gate across the  
23 Burlington-Northern crossing. For a year I have been  
24 writing letters trying to find out what Stirling's  
25 involvement in the gate was and have been misled up to

1 this point in time.

2 Now, right now I have learned that the  
3 Phase 2 of the project is optional. Yet we have a  
4 gate that blocks access to public lands and for people  
5 to access their own property. That to me is not  
6 right. If Stirling is not going to develop Phase 2,  
7 they should at least allow the public the right to  
8 access public lands. That's all I have to say.

9 MR. KRAMER: Thank you. Any other  
10 public comments? Okay.

11 On the agenda we had a couple housekeeping  
12 items. I think the parties can communicate with me  
13 privately if they have any changes to make to their  
14 addresses on the proof of service list, the latest  
15 version which is found on the Web site.

16 I'm trying to recall -- I may be confusing  
17 this project with another one -- but I do not believe  
18 that there are any pending petitions to intervene.  
19 Does anybody know otherwise? Okay.

20 I'm sorry. Commissioner Boyd reminds me  
21 Basin and Range Watch filed one, but I believe they  
22 had not originally served the applicant so I asked  
23 them to go back and take care of that, and they have  
24 done that. When we get a petition of this sort, we  
25 normally wait at least 10 days to see if any of the

1 parties want to object. And that time has not yet  
2 run. But I can ask today, does any party plan on  
3 filing any objections?

4 MS. McMAHON: I only have CURE that has  
5 applied. But I have been talking to other groups that  
6 are going to put paperwork in, they've told me.

7 MR. KRAMER: We do have the Basin and  
8 Range one, but I believe the problem originally was  
9 they didn't serve the applicant, which makes it  
10 incomplete.

11 MS. McMAHON: I have sent e-mails to  
12 them and I haven't heard back from them. There are  
13 other ones, too, besides that.

14 MR. KRAMER: We should expect more, you  
15 are saying?

16 MS. McMAHON: Yes.

17 MR. KRAMER: When a petition is made or  
18 a motion of some sort, we wait at least 10 days,  
19 depending on the motion. Sometimes the rules  
20 specifically require 14 or 15 days before we issue a  
21 ruling. And during that time, without us prodding the  
22 other parties, they are expected to decide if they  
23 want to file any kind of response and to do so. But  
24 every time something like that comes up, we don't  
25 issue a wakeup call and remind people of their

1 obligations. We are expecting them to remember them  
2 and speak up if they have a problem.

3 Are there any other matters that the party  
4 wishes to raise before we conclude? Seeing none,  
5 Commissioner Boyd?

6 COMMISSIONER BOYD: First, I want to  
7 thank everybody for being here today. And I welcome  
8 you to the beginning of this process. This is a good  
9 turnout, and we appreciate this. This is a very  
10 detailed public process. It was designed for you, the  
11 public, and believe me, we show up at some places and  
12 there were very few public. So we are glad you are  
13 interested. And this is a very interesting  
14 technology, very interesting area of California trying  
15 to address very interesting goals and objectives of  
16 the State of California with regard to energy, while  
17 at the same time observing the environmental laws,  
18 rules and regulations of the state.

19 And it also involves partnership with the  
20 federal government and the Bureau of Land Management,  
21 which is not totally new to us, but is going to be  
22 obviously -- this is not atypical. This is going to  
23 be typical hereinafter for all of the renewable  
24 projects that we will address throughout many parts of  
25 California that involve lands managed for the public

1 by the Bureau of Land Management. And we appreciate  
2 their participation and we look forward to seeing you  
3 in the future.

4 And my fellow Commissioner Byron indicates  
5 he would like to make a comment.

6 COMMISSIONER BYRON: Thank you,  
7 Commissioner Boyd.

8 Many of you may not be familiar with the  
9 Energy Commission. We do a number of different things  
10 in the state. This is one of the things that we do is  
11 permitting power plants, as was indicated earlier.  
12 And I would like to reiterate that I think it's one of  
13 the best things that the Energy Commission does. I  
14 can assure you that the staff will do a very thorough  
15 job on this.

16 Commissioner Boyd nor I have reached any  
17 predetermination of any kind about this. As I said  
18 earlier, we base the decision on the evidentiary  
19 record. There is a great deal of land involved here.  
20 I believe it's over 12 square miles of land. And even  
21 though renewables are the preferred source of energy  
22 in the state of California, there are some precious  
23 commodities here in the way of lands and species that  
24 we pay very close attention to.

25 I would also point out that on previous



1 siting cases or pending siting cases, we are well  
2 aware there are two processes here, the Energy  
3 Commission and the Bureau of Land Management. And we  
4 are doing our best to sync those processes up. It's  
5 time consuming, and they each have different  
6 requirements. And that will continue to be a  
7 challenge and heighten the applicant's awareness to  
8 that and being extremely responsive to the data  
9 requests that will come from our organization.

10 I think that's enough, except to say thank  
11 you very much for all of you that are here today. And  
12 I echo Commissioner Boyd's pleasure in seeing so many  
13 members of the public here. It's a great facility to  
14 be able to be here in the Barstow Community College,  
15 and I would like to conclude by thanking you for  
16 having us.

17 COMMISSIONER BOYD: Thank you, and if  
18 there is nothing more, we stand adjourned.

19 (The proceedings concluded at 3:49 p.m.)  
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R E P O R T E R ' S C E R T I F I C A T E

I, Judith W. Gillespie, a Certified Shorthand Reporter, No. 3710, for the State of California, do hereby certify that the foregoing pages comprise a full, true and correct transcription of the proceedings had and the testimony taken at the hearing in the hereinbefore-entitled matter of Monday, June 22, 2009.

Dated this 5th day of July, 2009, at Riverside, California.

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JUDITH W. GILLESPIE, CSR, RPR

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\*\* Worksheet \*\*

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)  
STIRLING ENERGY SYSTEMS TESSERA SOLAR,  
CALICO - SOLAR ONE POWER PROJECT (08-AFC-13)  
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Appearances:  
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**APPLICATION FOR CERTIFICATION  
For the SES SOLAR ONE PROJECT**

**Docket No. 08-AFC-13**

**PROOF OF SERVICE**

*(Revised 6/16/09)*

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**DECLARATION OF SERVICE**

I, Corinne Lytle, declare that on July 9, 2009, I served and filed copies of the attached Applicant's Request for Additional Time. 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/solartwo](http://www.energy.ca.gov/sitingcases/solartwo)]**. 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:

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1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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

Original Signed By:

Corinne Lytle