



Tessera Solar
power from stirring energy systems

May 6, 2010

DOCKET
08-AFC-13

DATE MAY 06 2010

RECD. MAY 10 2010

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

Mr. Jim Stobaugh
BLM Project Manager
Attn: Docket No. 08-AFC-13
Bureau of Land Management
P.O. Box 12000
Reno, NV 89520

RE: Calico Solar (formerly Solar One) Project (08-AFC-13)
Applicant's Submittal of Determination Regarding Requirement for Department of the Army
Permit

Dear Mr. Meyer and Mr. Stobaugh,

Tessera Solar hereby submits the Determination Regarding Requirement for Department of the Army Permit transmitted to the Applicant. Tessera Solar submitted a request (File No: SPL-2010-00382) to determine whether a Department of the Army Permit is required for the Calico Solar Project. Based on approved jurisdictional determination dated May 4, 2010, the Department of the Army determined the Calico Solar Project site does not contain waters of the United States and a Department of the Army Permit will not be required to construct and operate the proposed project.

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

Sincerely,

Felicia L. Bellows
Vice President of Development



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
PRADO DAM FIELD OFFICE
2493 POMONA-RINCON ROAD
CORONA, CALIFORNIA 92880

May 5, 2010

REPLY TO
ATTENTION OF

Office of the Chief
Regulatory Division

URS Corporation
Attn: Dr. Patrick Mock
1615 Murray Canyon Road
Suite 1000
San Diego, California 92180

SUBJECT: Determination regarding requirement for Department of the Army Permit

Dear Dr. Mock:

Reference is made to your request (File No. SPL-2010-00382), on behalf of Tessera Calico Solar, for clarification on whether a Department of the Army Permit is required for the Tessera Calico Solar Project (formerly Solar One and Three), near Pisgah, San Bernardino County, California. The proposed site is contained entirely in a closed basin, ultimately draining to Troy Dry Lake.

Based on the approved jurisdictional determination dated May 4, 2010, we have determined the Tessera Calico Solar Project site does not contain waters of the United States pursuant to 33 C.F.R. §325.9. As such, a Department of the Army Permit will not be required to construct and operate the proposed project. This does not eliminate the need for any other federal, state, or local permitting, as applicable.

If you have any questions, please contact me at 951.898.6163 or via e-mail at James.E.Mace@usace.army.mil. Please be advised that you can now comment on your experience with Regulatory Division by accessing the Corps web-based customer survey form at: <http://per2.nwp.usace.army.mil/survey.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "James E. Mace", written over a horizontal line.

James E. Mace
Senior Project Manager
South Coast Branch
Regulatory Division



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

APPLICATION FOR CERTIFICATION
For the CALICO SOLAR (Formerly SES, Solar One)

Docket No. 08-AFC-13

PROOF OF SERVICE
(Revised 2/8/10)

APPLICANT

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INTERVENORS

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*Jennifer Jennings
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DECLARATION OF SERVICE

I, Corinne Lytle, declare that on May 6, 2010, I served and filed copies of the attached Applicant's Submittal of Determination Regarding Requirement for Department of the Army Permit for Calico Solar Project. 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 [www.energy.ca.gov/sitingcases/solarone].

The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

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

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

AND

FOR FILING WITH THE ENERGY COMMISSION:

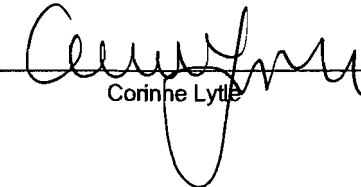
 X sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

OR

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

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-13
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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


Corinne Lytle