Notice of Decision by California Energy Commission

To: __Office of Planning and Research P.O. Box 3044 1400 Tenth Street, Room 222 Sacramento, CA 98512-3044

X California Resources Agency 1416 9th Street, Room 1311 Sacramento, CA 95814 Clearinghouse No: _____

From: California Energy Commission

Sacramento, CA 95814

1516 9th Street

DOCKET

07-AFC-5

DATE

09/23/10

RECD. 09/23/10

Subject: Filing of Notice of Decision in compliance with Public Resources Code Section 21080.5

and Title 20, California Code of Regulations, Section 1768

Project Title: IVANPAH SOLAR ELECTRIC GENERATING SYSTEM

Energy Commission Docket Number: 07-AFC-5

Energy Commission Contact Person: John Kessler Telephone: (916) 654-4679

<u>Project Location</u>: The proposed Ivanpah Solar Electric Generating System would be located on 3,582 acres of federal public land administered by U.S. Bureau of Land Management located 4.5 miles southwest of Primm, Nevada, and 0.5 mile west of the Primm Valley Golf Club, San Bernardino County, CA. The nearest cross streets are Yates Well Road and Interstate 15.

County: San Bernardino County

<u>Project Description</u>: Construction and operation of three concentrating solar thermal power plants with a combined capacity of 370MW, and each with a capacity as follows: Ivanpah 1-120 MW; Ivanpah 2-125 MW, and Ivanpah 3-125 MW. At each of the three power plants, the project would utilize one Rankine-cycle reheat steam turbine-generator (STG), an auxiliary natural gasfired boiler to provide additional heat for plant start-up and during temporary cloud cover, and an air-cooled condenser to minimize water use. The project would include a Construction Logistics Area, new substation, upgrades to Southern California Edison's El Dorado-Ivanpah Transmission Line and associated telecommunication facilities. On September 22, 2010, the California Energy Commission approved the above-described project pursuant to a regulatory program certified by the California Secretary of Resources under Section 21080.5 of the California Public Resources Code and has made the following determinations regarding the above described project:

- 1. The project will have a significant effect on the environment.
- 2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
- 3. Mitigation measures were made a condition of the approval of the project.
- 4. A mitigation reporting or monitoring plan was adopted for this project.
- 5. A statement of Overriding Considerations was adopted for this project.
- 6. Findings were made pursuant to the provisions of CEQA.

Based on the evidence and the conclusions drawn in this Decision, the Energy Commission has made the following findings and conclusions:

- 1. Climate change poses a serious threat to the economic well-being, public health, natural resources, and the environment of California.
- 2. The project would have a significant effect on the environment. The proposed project would have the following significant impacts which cannot be mitigated to insignificant levels:
 - a. The potential loss of habitat for the Mojave milkweed and desert pin cushion due to construction and operation of the project.
 - b. The cumulative loss of multiple use lands in the Ivanpah Valley and Mojave Desert due to the approval of this project.
 - c. A cumulative contribution to traffic levels on northbound I-15 on Friday afternoons and evenings, a time when I-15 is already overcrowded and congested.
 - d. The potential loss of special status plant species habitat during the removal and construction of a replacement transmission line on a 36 mile portion of the Eldorado Ivanpah leg of the existing Eldorado-Baker-Cool Water-Dunn Siding-Mountain Pass 115 kV transmission line.
 - e. Degradation of scenic vistas for motorists, recreationists, hikers, and others from various points in the Ivanpah Valley, Clark Mountains, Mojave Preserve, and Stateline Wilderness Area.
- 3. This Decision will result in mitigation of all direct project impacts for ISEGS, except as described immediately above, and imposes all feasible mitigation measures as conditions of approval to reduce the significant impacts of the project to the lowest possible, though still significant, levels.
- 4. The project will provide the following benefits:
 - a. 370 MW of renewable energy power will contribute in meeting California's Renewable Portfolio Standard;
 - b. Results in a significant reduction in greenhouse gas emissions over existing fossil fuelburning generating facilities;
 - c. Reduces California's dependence on fossil fuels;
 - d. Creation of construction jobs for an average and peak workforce of 474 and 959, respectively, and approximately 90 jobs during operations, most requiring highly trained workers; and
 - e. Expenditures of approximately \$1.8 billion of capital and annual expenditures of approximately \$ 5.7 million.
- 5. Of the identified Alternatives, only the no project alternative would reduce the impacts of the proposed project but it would also eliminate its benefits.

A statement of Overriding Considerations was adopted for the project concluding that the benefits outweigh the significant impacts.

The Commission docket files containing the final Commission Decision and other information regarding the project are available to the public at: California Energy Commission, 1516 9th Street, Sacramento, California, 95814. The final Decision and other information regarding the project is also available on the Commission's web site located at http://www.energy.ca.gov/sitingcases/ivanpah/index.html.

Signature $\frac{9/23/10}{\text{Date}}$ Project Manyer Title

Dates received for filing	FOR IV	ANPAH	56	=G	5	07-6	FC-5
OPR:		Resources:					
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Resources Agency of California

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613 SCH# For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814 Project Title: Ivanpah Solar Electric Generating System Lead Agency: California Energy Commission Contact Person: John Kessler - Project Manager Mailing Address: 1516 Ninth Street Phone: 916-654-4679 City: Sacramento Zip: 95814 County: Sacramento City/Nearest Community:Primm, NV Project Location: County:San Bernardino Cross Streets: Yates Well Road interchange with I-15 and Colosseum Road Zip Code: Lat. / Long.: 115 ° 28 ' 17.0 " N/ 35 ° 33 ' 33.5 " W Total Acres: 3,582 Assessor's Parcel No.: No APN - BLM Land Section: Various Twp.: 16/17N Range: 14E Base: San Bern Waterways: Ivanpah Dry Lake Within 2 Miles: State Hwy #: I-15 Airports: Schools: **Document Type:** □ Draft EIR□ Supplement/Subsequent EIR NEPA: NOI ☐ Joint Document CEQA: ☐ NOP Early Cons EA Final Document Draft EIS Neg Dec (Prior SCH No.) Other Mit Neg Dec Other Energy Commission Decision FONSI **Local Action Type:** General Plan Update Specific Plan Rezone Annexation Prezone Redevelopment General Plan Amendment Coastal Permit ☐ Planned Unit Development ☐ Use Permit General Plan Element ☐ Land Division (Subdivision, etc.) ☐ Other ___ ☐ Community Plan ☐ Site Plan Development Type: __ Acres Residential: Units ■ Water Facilities: Type ___ Transportation: Type _

Mining: Minera

Power: Type ⊆ Office: Sq.ft. Acres Employees Commercial: Sq.ft. Acres Employees Mineral Type Generation Plant MW 370 Industrial: Sq.ft. _ Acres Employees Waste Treatment: Type MGD Educational Hazardous Waste: Type___ ☐ Recreational Project Issues Discussed in Document: ✓ Aesthetic/Visual ✓ Recreation/Parks • ✓ Vegetation Water Quality ✓ Flood Plain/Flooding Schools/Universities ✓ Agricultural Land ✓ Water Supply/Groundwater ✓ Air Quality ✓ Forest Land/Fire Hazard Septic Systems Wetland/Riparian Sewer Capacity ✓ Archeological/Historical ✓ Geologic/Seismic Soil Erosion/Compaction/Grading **✓** Wildlife ☑ Biological Resources ✓ Minerals Growth Inducing Solid Waste ☐ Coastal Zone ✓ Noise Population/Housing Balance Toxic/Hazardous ✓ Land Use ✓ Drainage/Absorption ✓ Public Services/Facilities ✓ Economic/Jobs ✓ Traffic/Circulation Cumulative Effects Other Present Land Use/Zoning/General Plan Designation: BLM California Desert Conservation Area (CDCA) Plan - Multiple-Use Class L and Northern and Eastern Mojave Desert Management Plan Project Description: (please use a separate page if necessary) Construction and operation of three concentrating solar thermal power plants with a combined capacity of 370MW, and each with a capacity as follows: Ivanpah 1 - 120 MW; Ivanpah 2 - 125 MW, and Ivanpah 3 - 125 MW. At each of the three power plants, the project would utilize one Rankine-cycle reheat steam turbine-generator (STG), an auxiliary natural gas-fired boiler to provide additional heat for plant start-up and during

Note: The state Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

temporary cloud cover, and an air-cooled condenser to minimize water use. The project would include a Construction Logistics Area, new substation, upgrades to Southern California Edison's El Dorado-Ivanpah Transmission Line and associated telecommunication facilities.

Air Resources Board	Office of Historic Preservation
Boating & Waterways, Department of	Office of Public School Construction
California Highway Patrol	Parks & Recreation
Caltrans District #	Pesticide Regulation, Department of
Caltrans Division of Aeronautics	Public Utilities Commission
Caltrans Planning (Headquarters)	Reclamation Board
Coachella Valley Mountains Conservancy	Regional WQCB #
Coastal Commission	Resources Agency
Colorado River Board	S.F. Bay Conservation & Development Commission
Conservation, Department of	San Gabriel & Lower L.A. Rivers and Mtns Conservancy
Corrections, Department of	San Joaquin River Conservancy
Delta Protection Commission	Santa Monica Mountains Conservancy
Education, Department of	State Lands Commission
Energy Commission	SWRCB: Clean Water Grants
Fish & Game Region #	SWRCB: Water Quality
Food & Agriculture, Department of	SWRCB: Water Rights
Forestry & Fire Protection	Tahoe Regional Planning Agency
General Services, Department of	Toxic Substances Control, Department of
Health Services, Department of	Water Resources, Department of
Housing & Community Development	
Integrated Waste Management Board	S Other See Attached Agency List
Native American Heritage Commission	Other
Office of Emergency Services	
Local Public Review Period (to be filled in by lead ag	Ending Date 9/2/10
Lead Agency (Complete if applicable):	
Consulting Firm:	Applicant:
Address:	Address:
City/State/Zip:	City/State/Zip:
Contact:	Phone:
Phone:	

Reviewing Agencies Checklist

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Ivanpah Solar Electric Generating System (07-AFC-5) - Agency List

95655-4203 92363-4217 92252	76137-4298 92415	94298-2902	95814-5605	92311-2838	92415-0001	93003	92309-0460	95814-5511	92363-4217	92415-1001	92415-1002	92415-0182	92415-1018	92363-4217	92392-9501	92392-2310	92311-2838	92415-0001	81401	93552-5803	94105-3941	92401-1400	92415-1000	92415-0179	95825-1886	92415-1002	76137-4298	94105-3901
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MATHER NEEDLES JOSHUA TREE	FORT WORTH SAN BERNARDINO	SACRAMENTO	SACRAMENTO	BARSTOW	SAN BERNARDINO	VENTURA	BAKER	SACRAMENTO	NEEDLES	SAN BERNARDINO	SAN BERNARDINO	SAN BERNARDINO	SAN BERNARDINO	NEEDLES	VICTORVILLE	VICTORVILLE	BARSTOW	SAN BERNARDINO	MONTROSE	PALMDALE	SAN FRANCISCO	SAN BERNARDINO	SAN BERNARDINO	SAN BERNARDINO	SACRAMENTO	SAN BERNARDINO	FORT WORTH	SAN FRANCISCO
3650 SCHRIEVER AVE 1303 SOUTH HIGHWAY 95 PO BOX 953	2601 MEACHAM BLVD 620 SOUTH F STREET	P.O. BOX 942902	1120 N STREET MS-28	225 EAST MT VIEW	620 SOUTH E" STREET"	2493 PORTOLA RD STE B	P.O. BOX 460	1416 9TH STREET RM 1442-7	1303 SOUTH HIGHWAY 95	172 WEST 3RD STREET	385 N ARROWHEAD AVENUE 2ND FL	385 N ARROWHEAD AVE	351 N MT VIEW AVENUE	1303 SOUTH HIGHWAY 95	14440 CIVIC DRIVE SUITE 200	14306 PARK AVENEUE	225 EAST MT VIEW	620 SOUTH E" STREET"	2505 SOUTH TOWNSEND	36431 41ST ST E	75 HAWTHORNE ST	464 W 4TH ST 6TH FL	825 EAST THIRD STREET ROOM 108	620 E STREET	2800 COTTAGE WAY STE W1834	385 N ARROWHEAD AVENUE 1ST FL	2601 MEACHAM BLVD	75 HAWTHORNE STREET
OFFICE OF EMERGENCY SERVICES BUREAU OF LAND MGMT NEEDLES	FAA SOUTHWEST REGIONAL OFC, AJR-32 SAN BFRNARDINO FIRE DEPT HAZ MAT DIV	CALIFORNIA HIGHWAY PATROL	CALTRANS LANDSCAPE ARCH PROGRAM	SAN BERNARDINO CO SHERIFF'S DEPT	OFFICE OF FIRE MARSHAL	US FISH AND WILDLIFE SERVICE	BAKER VALLEY UNIFIED SCHOOL DISTR	OFFICE OF HISTORIC PRESERVATION	BUREAU OF LAND MGMT NEELES	SAN BERNARDINO CO ASSESSOR'S OFFICE	SAN BERNARDINO CO EHS	SAN BERNARDINO CO	SAN BERNARDINO CO DEPT OF PUB HLTH	BUREAU OF LAND MGMT NEEDLES	LAHONTAN RWQCB	MOJAVE DESERT AIR QUALITY MGMT DIST	SAN BERNARDINO CO SHERIFF'S DEPT	SAN BERNARDINO CO FIRE DPT HAZMAT DIV	BUREAU OF LAND MGMT	CALIF DEPT OF FISH & GAME - REG V	US EPA - AIR DIV - PERMITS OFFICE	CALTRANS DIST 8 - MS 725	CALTRANS - SAN BERNARDINO COUNTY	SAN BERNARDINO FIRE DEPT	BUREAU OF LAND MGMT - DOI	SAN BERNARDINO CO SAFETY SERVICES	FAA SOUTHWEST REGIONAL OFC AJR-32	ENVIRONMENTAL REVIEW OFFICE
MOUSTAFA ABOU-TALEB MIKE AHERNS D'ANNE ALBERS	ALEXANDER ASHBAKFR	BRECHER	CADD	CLARK	CRAWFORD	CROFT	DELEON	MILFORD W/ DONALDSON	DOWNING	ENDLER	FARRELL	FEREMENGA	FRYKMAN	GRANT	HAKAKIAN	HEASTON	HUBBARD	HULL	HURSHMAN	JONES	JORDAN	KOPULSKY	LOFGRAN	MANSILLA	MARTI	MCCUNE	MCDONALD	MCPHFRSON
MOUSTAFA MIKE D'ANNE	ROBERT P	LINDA	DENNIS	LANCE	DONG	BRIAN	YOLANDA	MILFORD W	KEN	ERIC	MIKE	DONG	ERIC	COLIN	MACK	ELDON	DONG	CARRIE	MOT	REBECCA	DEBORAH	DAN	-	NEAL	DUANE	ANDY	KAREN	ANA

BRAD	MITZELFELT MORITA	CO OF SAN BERNARDINO CALIF OCC & SAFETY ADMIN (CAL-OSHA)	385 N ARROWHEAD AVE 5TH FL 464 WEST 4TH STREET	SAN BERNARDINO SAN BERNARDINO	C A	92415-1002 92401-1429
GUETHER	MOSKAT	DEPT OF TOXIC SUBSTANCES CONTROL	PO BOX 806	SACRAMENTO	CA	95812-0806
JOHN	MURRAY	BUREAU OF LAND MGMT, NEEDLES FO	1303 SOUTH HIGHWAY 95	NEEDLES	CA	92363-4217
KATHLEEN	O'CONNELL	BUREAU OF LAND MGMT, NEEDLES FO	1303 SOUTH HIGHWAY 95	NEEDLES	S	92363-4217
SHANNON	PANKRATZ	US ARMY CORPS OF ENGINEERS	915 WILSHIRE BLVD SUITE 11095	LOS ANGELES	Š	90017-3409
ANTHONY A	ANTHONY M PARISI, PE	NAVAL AIR SYSTEMS COMMAND DIV	575 1 AVENUE STE 1	POINT MUGU NAWC	S	93042-5049
WILLIAM	PEREZ	SAN BERNARDINO, RIVERSIDE BLDG TRADE	1074 EAST LA CADENA DRIVE 8	RIVERSIDE	CA	92507-8601
SUSAN	PETERSON	NV DEPARTMENT OF TRANSPORTATION	1263 S. STEWART ST ROOM 102	CARSON CITY	N	89712-0002
MIKE	PLAZIAK	LAHONTAN RWQCB	14440 CIVIC DRIVE SUITE 200	VICTORVILLE	CA	92392-9501
DENYSE	RACINE	CALI DEPT OF FISH & GAME	407 WEST LINE STREET	BISHOP	CA	93514-3321
RICHARD	REISINGER	CA BOARD OF EQUALIZATION	3321 POWER INN ROAD SUITE 210	SACRAMENTO	CA	95826-3893
DAVID	REYNOLDS	NATIONAL PARK SERVICE	1111 JACKSON STREET STE 700	OAKLAND	S	94607-4807
GERARDO	RIOS	US EPA - AIR DIV - PERMITS OFFICE	75 HAWTHORNE ST	SAN FRANCISCO	CA	94105-3920
ALICIA	RUELAS		726 WATSON AVE	MODESTO	CA	95358-5725
JULIE	RYNERSON-ROCK	SAN BERNARDINO CO LUSD	385 N ARROWHEAD AVENUE 1ST FL	SAN BERNARDINO	CA	92415-1002
CURT	SHIFRER	LAHONTAN RWQCB	14440 CIVIC DRIVE STE 200	VICTORVILLE	CA	92392-9501
DAVE	SINGLETON	CA NATIVE AMER HERITAGE COMMISSION	P.O. BOX 942896	SACRAMENTO	CA	94296-0001
DONG	SNYDER	SAN BERNARDINO CO FIRE DPT HAZMAT DIV	620 SOUTH E" STREET"	SAN BERNARDINO	CA	92415-0001
MIC	SQUIRE	SAN BERNARDINO CO SAFETY SERVICES	385 N ARROWHEAD AVENUE 2ND FL	SAN BERNARDINO	S	92415-1002
RICK	STAMM	BUREAU OF LAND MGMT	1849C STREET NW	WASHINGTON	2	20240-9997
CHARLES	SULLIVAN	US BUREAU OF LAND MANAGEMENT	1303 SOUTH HIGHWAY 95	NEEDLES	S	92363-4217
CYNTHIA O	CYNTHIA OS SUSAN LONG	OFFICE OF ENVIRON HEALTH & HAZ ASSES	1001 I STREET	SACRAMENTO	S	95814-2828
GARY	TEEL	CAL/OSHA SANTA ANA PRES VESSEL UNIT	2000 EAST MCFADDEN AVENUE, SUITE 2' SANTA ANA	2' SANTA ANA	S	92705-4706
MIKE	TOLLSTROP	CALIFORNIA AIR RESOURCES BOARD	1001 I ST,	SACRAMENTO	S	95814-2828
JOE	TRUJILLO	SAN BERNARDINO CO LUSD	385 N ARROWHEAD AVENUE	SAN BERNARDINO	S	92415-1002
TIM	WESSEL	SAN BERNARDINO CO FIRE DEPT	17288 OLIVE STREET	HESPERIA	CA	92345
LAWRENCE WHALON	WHALON	NATIONAL PARK SERVICE	2701 BARSTOW ROAD	BARSTOW	S	92311
808	WRIGHT	SAN BERNARDINO CO AUD-CONTR-TREAS	222 WEST HOSPITALITY LANE	SAN BERNARDINO	S	92415-0001
PETER	WULFMAN	SOLID WASTE - DIV MANAGER	222 W HOSPITALITY LN FL 2	SAN BERNARDINO	S	92415-0017
		SOCIETY FOR CONV OF BIGHORN SHEEP	PO BOX 94182	PASSADENA	CA	91109-4182
CARRIE	HYKE	SAN BERNARDINO CO Land Use Services Dept	385 N ARROWHEAD AVENUE	SAN BERNARDINO	ζ	92415-1002
GEORGE	MECKFESSEL	BUREAU OF LAND MGMT, NEEDLES FO	1303 SOUTH HIGHWAY 95	NEEDLES	S,	92363-4217



State of California—The Resources Agency DEPARTMENT OF FISH AND GAME

2010 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#

394732

STATE CLEARING HOUSE # (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY		
LEADAGENCY Jacobinen to		DATE 9/23/10
country/state agency of filing J Fish and Gami		DOCUMENTNUMBER
PROJECT TITLE OT-PA FC-S-		
PROJECTAPPLICANTNAME pay 3: Du CEC Commission Ad	option	PHONE NUMBER ()
PROJECTAPPLICANTADDRESS ST Daklanding	STATE	ZIP CODE
PROJECT APPLICANT (Check appropriate box): ☐ Local Public Agency ☐ School District ☐ Other Special District	☐ State Age	ency Private Entity
CHECK APPLICABLE FEES:		•
☐ Environmental Impact Report (EIR)	\$2,792.25	5 \$
☐ Mitigated/Negative Declaration (ND)(MND)	·\$2,010.25	5 \$
Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	0 ' \$
Projects Subject to Certified Regulatory Programs (CRP)	\$949.50	0 s 949.00
County Administrative Fee	\$50.00	
☐ Project that is exempt from fees	\$30.00	• •
☐ Notice of Exemption		
DFG No Effect Determination (Form Attached)		•
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PAYMENT METHOD:		
☐ Cash ☐ Credit ☐ Check ☐ Other	TOTAL RECEIVED	D \$
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9935 Wells Fargo Bank, N.A. BrightSource Energy, Inc. (510) 550-8161 1999 Harrison Street, Suite 2150 Oakland, CA 94612 09/21/10 11-24-1210) THE 949.50 California Dept of Fish and Game RDER OF DOLLARS Nine Hundred Forty-Nine Dollars And Fifty Cents* California Dept of Fish and Game PO Box 944209 Sacramento, CA 94244-2090 EMO IPO09935# 3RIGHTSOURCE ENERGY, INC. 9935 Supplier #: 11093 Supplier: California Dept of Fish Check #: 9935 Check Date: 09/21/10 and Game Invoice Date Description Discount Payment

Jvanpah 3: Per CEC Commission Adoption

Order -09/1

Docket# 07-17FC-5

.00

Invoice Subtotal

Check Amount:

949.50

949.50

**949.50

Invoice #

Ckreq092010