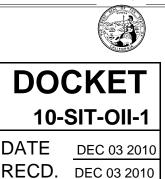
SACRAMENTO, CA 95814-5512



CALIFORNIA ENERGY COMMISSION 1516 NINTH STREET

December 3, 2010

To: Interested Parties

REQUEST FOR COMMENTS ON THE SITING COMMITTEE'S INFORMATIONAL PROCEEDING ON ISSUES THAT ARE CRITICAL TO THE LICENSING OF FUTURE POWER PLANTS

On December 1, 2010, the Energy Commission adopted the enclosed Order Instituting an Informational (OII) Proceeding on issues that are critical to the licensing of thermal power plants. The Siting Policy Committee (Committee) is initiating the proceeding by soliciting comments from stakeholders such as yourself on the licensing of power plants. Over the course of the next several months, this proceeding will examine the lessons learned in the review of both the American Recovery and Reinvestment Act (ARRA) solar projects, and the natural gas-fired power plants reviewed during 2009 and 2010. In the OII Proceeding, the Committee will assess the Energy Commission's siting processes, and examine critical issues common among solar-thermal and/or conventional power plants. Potentially critical common issues tentatively identified by the Committee include, but are not limited to, the timing and coordination with federal permits, local agency and public participation, land use constraints including availability of large tracts of developable land, water supply and transmission line constraints.

The Committee will use the information gathered during this proceeding to prepare a report which describes the topics examined, their significance in the licensing process, their priority of importance, and actions needed to avoid or address any problems identified. Based upon the outcome of the OII Proceeding, the Committee may recommend changes to its siting regulations through an Order Instituting Rulemaking (OIR) Proceeding beginning in 2011.

Please provide any comments identifying additional discussion topics to Mike Monasmith, Project Manager, at the address above, or mmonasmi@energy.state.ca.us. If possible, please provide your responses to the enclosed questionnaire prior to the initial Committee scoping Workshop, currently scheduled for the morning of December 14, 2010 (Notice attached). Otherwise, please submit your comments by January 3, 2011. If you have any questions regarding the proceeding, please contact Mike Monasmith at (916) 654-4894. Questions regarding public participation should be directed to the Public Adviser's Office at (916) 654-4489 or PAO@energy.state.ca.us. Information on this proceeding, staff papers and notices for future workshops can be found on the Energy Commission's website www.energy.ca.gov/siting_lessons/.

ROBERT WEISENMILLER Commissioner and Presiding Member **KAREN DOUGLAS** Chairman and Associate Member **NOTE**: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

Oll "Lessons Learned" Proceeding: Siting Policy/Process Issues - Check top 5 priorities

- ____ Timing/coordination with federal permits
- ____ Hydrological impacts and water supply reliability
- ____ Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies
- Transmission line constraints
- ____ Visual and/or Recreation/Open Space issues
- ____ Local agency and public participation
- ____ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination
- ___ Other:
- ____ Other:
- ___ Other:
- ___ Other:
- ____ Other:

Fold Here

(Affix Postage)

Gerald R. Zimmerman Adviser to the Chairman and Executive Director Colorado River Board of California 770 Fairmont Ave., Suite 100 Glendale, CA 91203

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

Fold Here

(Affix Postage)

Hello,

I'm not so sure what you want from us. I'll be honest with you when I say that I feel this is truly an exercise in futility. We have participated in 4 of these cases involving utility scale solar projects on public lands. I will give you my perspective and perhaps Laura would want to write her own. That's up to her. Here is my two cents on the whole intervening experience:

My first impression was that the CEC is generally better and more thorough than the BLM in these cases. There was no shortage of details and I do believe that many of the CEC employees are very good at what they do and I do not believe that all of them were planning on approving these projects from the beginning. I do, however, believe that approval of all renewable energy projects is a rubber stamp with the California Energy Commission. We have read many of your 1,500 page plus documents. We have spent days even weeks preparing comments in hopes that reason could appeal to the CEC. We have spent lot's of money on postage, computer ink and paper trying to conform to the Proof of Service list and all of the other bureaucracies. You always made us print 13 or 14 copies at a time. We live in a rural area where ink and post offices are rare things.

None of it was worth it! In all four of these cases, we have found serious flaws that the CEC has admitted could not be mitigated. This was due to the fact that these cases are all incompetent as far as planning and have been rushed to satisfy the political needs of a certain Governor. And yes, whenever a problem can not be resolved, the CEC simply "Overrides" the impacts. Now we are essentially the public and the public can generally not afford the big lawyers. So really, how is intervening a public process when the CEC simply overrides every problem that comes up?

CEC meetings are usually in Sacramento. Often these terrible projects will destroy something very personal to local people, but CEC rarely has a local meeting and when they do, they never explain the process in workable terms for the public opinion to make a difference. Please think about those things when you ask me to spend yet another of my days at one of your workshops.

I am now of the opinion that if you are simply going to override everything to pander to big solar developers, than there is not a need for the California Energy Commission. Why have the agency if it will always be "yes" to the energy developers? Why not just approve all the projects, abolish the agency and save the state some money?

So what lesson do you need to learn? I do not feel that it is worth it for the public to get involved in the intervener's process. If you want to submit the opinions on this message at your workshop, please do, but I really do not need to formally write up anymore over this.

Thank you,

Kevin Emmerich Basin and Range Watch P.O. Box 70 Beatty, NV 89003

Lori Hubba

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues – Check top 5 priorities Timing/coordination with federal permits

- _4_ Hydrological impacts and water supply reliability
- ____ Land use constraints including availability of large tracts of developable land
- <u>1</u> Impacts to biological and cultural resources, associated mitigation strategies
- _2 Transmission line constraints
- ____ Visual and/or Recreation/Open Space issues
- <u><u>5</u> Local agency and public participation</u>
- 3_Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination
- ___ Other:
- ___ Other:
- ____ Other:
- ___ Other:
- ___ Other:

Fold Here

(Affix Postage)

Duane McCloud – NextEra / Genesis

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues - Check top 5 priorities

- _X_ Timing/coordination with federal permits
- ____ Hydrological impacts and water supply reliability
- _X_ Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies Transmission line constraints
- X Visual and/or Recreation/Open Space issues
- _X_ Local agency and public participation
- _X_ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination

___ Other:

- ___ Other:
- ___ Other:
- ___ Other:

Fold Here

(Affix Postage)

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues - Check top 5 priorities

- _X_ Timing/coordination with federal permits
- ____ Hydrological impacts and water supply reliability
- _X_Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies Transmission line constraints
- X Visual and/or Recreation/Open Space issues
- _X_ Local agency and public participation
- _X_ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination
- ___ Other:
- ____ Other:
- ___ Other:
- ___ Other:
- ____ Other:

Fold Here

(Affix Postage)

Anthony M. Parisi, PE Head, Sustainability Office NAVAIR Ranges (805) 989-9209 FAX: (805) 989-7418 Cell: (805) 816-0935 anthony.parisi@navy.mil

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues – Check top 5 priorities Timing/coordination with federal permits

- _____ Hydrological impacts and water supply reliability
- ____ Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies
- ____Transmission line constraints
- ____ Visual and/or Recreation/Open Space issues
- ____ Local agency and public participation
- _____ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination

 \underline{X} Other: I only have one recommendation - Ensure consideration is given to the impacts a project will have on the military mission.

___ Other:

___ Other:

___ Other:

___ Other:

Fold Here

(Affix Postage)

California Energy Commission Attention: Mike Monasmith 1516 Ninth Street, MS-15 Sacramento, CA 95814-5512

Staple or Tape closed

Gerald R. Zimmerman Adviser to the Chairman and Executive Director Colorado River Board of California 770 Fairmont Ave., Suite 100 Glendale, CA 91203

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

Fold Here

(Affix Postage)

Hello,

I'm not so sure what you want from us. I'll be honest with you when I say that I feel this is truly an exercise in futility. We have participated in 4 of these cases involving utility scale solar projects on public lands. I will give you my perspective and perhaps Laura would want to write her own. That's up to her. Here is my two cents on the whole intervening experience:

My first impression was that the CEC is generally better and more thorough than the BLM in these cases. There was no shortage of details and I do believe that many of the CEC employees are very good at what they do and I do not believe that all of them were planning on approving these projects from the beginning. I do, however, believe that approval of all renewable energy projects is a rubber stamp with the California Energy Commission. We have read many of your 1,500 page plus documents. We have spent days even weeks preparing comments in hopes that reason could appeal to the CEC. We have spent lot's of money on postage, computer ink and paper trying to conform to the Proof of Service list and all of the other bureaucracies. You always made us print 13 or 14 copies at a time. We live in a rural area where ink and post offices are rare things.

None of it was worth it! In all four of these cases, we have found serious flaws that the CEC has admitted could not be mitigated. This was due to the fact that these cases are all incompetent as far as planning and have been rushed to satisfy the political needs of a certain Governor. And yes, whenever a problem can not be resolved, the CEC simply "Overrides" the impacts. Now we are essentially the public and the public can generally not afford the big lawyers. So really, how is intervening a public process when the CEC simply overrides every problem that comes up?

CEC meetings are usually in Sacramento. Often these terrible projects will destroy something very personal to local people, but CEC rarely has a local meeting and when they do, they never explain the process in workable terms for the public opinion to make a difference. Please think about those things when you ask me to spend yet another of my days at one of your workshops.

I am now of the opinion that if you are simply going to override everything to pander to big solar developers, than there is not a need for the California Energy Commission. Why have the agency if it will always be "yes" to the energy developers? Why not just approve all the projects, abolish the agency and save the state some money?

So what lesson do you need to learn? I do not feel that it is worth it for the public to get involved in the intervener's process. If you want to submit the opinions on this message at your workshop, please do, but I really do not need to formally write up anymore over this.

Thank you,

Kevin Emmerich Basin and Range Watch P.O. Box 70 Beatty, NV 89003

Lori Hubba

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues – Check top 5 priorities Timing/coordination with federal permits

- _4_ Hydrological impacts and water supply reliability
- ____ Land use constraints including availability of large tracts of developable land
- <u>1</u> Impacts to biological and cultural resources, associated mitigation strategies
- _2 Transmission line constraints
- ____ Visual and/or Recreation/Open Space issues
- <u><u>5</u> Local agency and public participation</u>
- 3_Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination
- ___ Other:
- ___ Other:
- ____ Other:
- ___ Other:
- ___ Other:

Fold Here

(Affix Postage)

Duane McCloud – NextEra / Genesis

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues - Check top 5 priorities

- _X_ Timing/coordination with federal permits
- ____ Hydrological impacts and water supply reliability
- _X_ Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies Transmission line constraints
- X Visual and/or Recreation/Open Space issues
- _X_ Local agency and public participation
- _X_ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination

___ Other:

- ___ Other:
- ___ Other:
- ___ Other:

Fold Here

(Affix Postage)

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues - Check top 5 priorities

- _X_ Timing/coordination with federal permits
- ____ Hydrological impacts and water supply reliability
- _X_ Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies Transmission line constraints
- X Visual and/or Recreation/Open Space issues
- _X_ Local agency and public participation
- _X_ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination

___ Other:

- ___ Other:
- ___ Other:
- ____ Other:

Fold Here

(Affix Postage)

Anthony M. Parisi, PE Head, Sustainability Office NAVAIR Ranges (805) 989-9209 FAX: (805) 989-7418 Cell: (805) 816-0935 anthony.parisi@navy.mil

NOTE: Please provide your issue priorities on the questionnaire below prior to the initial Siting Committee OII scoping Workshop on December 14, 2010. Otherwise, please submit your comments by January 3, 2011. You can either mail or submit this form electronically to: <u>mmonasmi@energy.state.ca.us</u>.

OII "Lessons Learned" Proceeding: Siting Policy/Process Issues – Check top 5 priorities Timing/coordination with federal permits

- _____ Hydrological impacts and water supply reliability
- ____ Land use constraints including availability of large tracts of developable land
- ____ Impacts to biological and cultural resources, associated mitigation strategies
- ____Transmission line constraints
- ____ Visual and/or Recreation/Open Space issues
- ____ Local agency and public participation
- _____ Siting Process consistency; cumulative analyses determinations/definitions
- ____ CEQA equivalency; Alternatives analyses and NEPA coordination

 \underline{X} Other: I only have one recommendation - Ensure consideration is given to the impacts a project will have on the military mission.

___ Other:

___ Other:

___ Other:

___ Other:

Fold Here

(Affix Postage)

California Energy Commission Attention: Mike Monasmith 1516 Ninth Street, MS-15 Sacramento, CA 95814-5512

Staple or Tape closed