CALIFORNIA ENERGY COMMISSION
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California Energy Commission
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June 28, 2012

Todd Stewart, Senior Director of Project Development
BrightSource Energy, Inc.
1999 Harrison Street, Ste. 2150
Oakland, CA 94612

RE: RIO MESA SOLAR ELECTRIC GENERATING FACILITY (11-AFC-4) ARCHAEOLOGICAL RESOURCES EVALUATION PHASE EXCAVATION AND STAFF COMMENTS TO APPLICANT RESPONSE TO DATA REQUEST NO. 96, GEOARCHAEOLOGICAL RESEARCH DESIGN

Dear Mr. Stewart:

Staff provides the following comments on your recent cultural resource submittals.

Archaeological Resources Evaluation Phase Excavation

Energy Commission Cultural Resources staff has reviewed the Rio Mesa AFC, the Cultural Resources Technical Report (Confidential Appendix F and G of the AFC) including the associated DPR forms, the revised Cultural Resources Technical Report submitted to BLM in June 2012, the Geoarchaeological Sensitivity Analysis, and the information in Applicant's Response to Data Requests, Set 1B (Nos. 85-154) for the Application for Certification.[1] Staff concludes that it will be necessary to excavate a relatively large subset of archaeological sites in the proposed project area to support the development of staff recommendations on the historical significance of these resources. In the revised Cultural Resources Technical Report, URS (Figure 7-1) proposes to conduct evaluation phase excavation at 61 sites. Staff is still in the process of evaluating these sites to determine if staff agrees that evaluation phase excavation should take place. The results of this determination will be the subject of a future response.

However, staff has identified a preliminary subset of sites that will be subject to direct impacts from project construction, using the applicant's Geoarchaeological Sensitivity Analysis, a coarse-resolution document that provides preliminary background information on the geomorphology of the proposed project area. Based on this document, all archaeological sites located within the Qa6 (low-to-high), Qa3 (low-to-moderate), Qa5 (low-to-moderate), Qs (moderate-to-high), Qm (moderate-to-high), and Qr (moderate-to-high) geological contexts, as shown on AFC Figure 5-2, have the potential to contain buried archaeological deposits. Evaluation phase excavation of these sites would be required for staff to develop reliable recommendations of resource significance, impact analyses, and appropriate mitigation.

[1] Submitted March 28, 2012 for the Rio Mesa Solar Electric Generating Facility (11-AFC-04)

PROOF OF SERVICE (REVISED 6/4/12) FILED WITH
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A provisional table (Recommended Archaeological Testing Sites) listing the 154 sites where evaluation phase excavation is recommended, based on currently available knowledge, is attached. This list was generated using the boundary of the project area, as originally proposed, (including Phase III). Staff has requested the applicant provide staff with a map that reflects the changes to the project that the applicant says are forthcoming in July 2012; however to date; we have not received the map. The total number of sites that need to be tested may be reduced after the new map is received. In addition, the separate, second stage of geoarchaeological fieldwork, which is intended to refine our understanding of the geological landforms in which buried archaeological deposits are likely to be discovered, may indicate the need to adjust, either up or down, the number of sites that require evaluation phase excavation.

Based on statements made by the applicant in the March 14 Reply Brief and at the March 19 Status Conference, Cultural Resources staff expected the applicant to immediately begin preparing a research design for the investigation of archaeological sites, as well as a geoarchaeological research design, and submit these research designs for staff approval within 30-60 days (no later than May 20, 2012). The research design for geoarchaeology was submitted on May 29, 2012; however, to date, no research design has been submitted for the prehistoric archaeological sites.

In order for staff to meet the Committee scheduling order, staff must receive from the applicant an evaluation phase research design for the subset of archaeological deposits listed in the attached table no later than July 10, 2012. Once staff approves the research design, fieldwork should begin as soon as possible, with the applicant returning results no later than October 1, 2012. This schedule will allow staff to incorporate the results of the evaluation phase excavations into the Final Staff Assessment (FSA).

<u>Staff Comments to Applicant's Response to Data Request No. 96, Geoarchaeological Research Design (and Subsequent Geoarchaeological Fieldwork)</u>

Energy Commission Cultural Resources staff has reviewed the May 29, 2012 submission of BrightSource's (applicant's) response to Data Request (DR) 96, Set 1B (February 28, 2012) for the Rio Mesa Solar Electric Generating Facility application for certification (11-AFC-04). DR 96 asked that the applicant prepare a research design to guide the investigation of landforms in the project area to develop an understanding of their age and origin, relative to the physical contexts of surface and subsurface archaeological deposits on the proposed project area. The data request defined the geographic scope of the research design as only those portions of the proposed project area where ground disturbance would exceed one meter in depth. This information is critical to the basic analysis of the proposed project's potential to destroy, in part or in whole, buried arachaeological deposits.

Staff has had the opportunity to review and consider the document that the applicant submitted in response to DR 96. That document was entitled *Geoarchaeological Research Design, BrightSource Energy, Inc., Rio Mesa Solar Project, Riverside County,*

California (Research Design) dated May 2012. Staff's comments on the document are provided below.

1. While relaying information on the different landforms tentatively thought to be in the project area, the Research Design does not explicitly develop a basic conceptual framework of the historical geomorphology of the landscape as a whole or the subject landforms that compose it. The absence of this framework leaves the reader with the burden of trying to piece together such a framework to reasonably understand the character of the local geomorphology. A preliminary reconstruction of the developmental chronology of local landforms should serve as the primary guide for field investigation, and should be revised in response to new information that is the result of such investigation. Staff requests that the applicant revise either subsections 2.1, *Physiography and Geology*, or 3.1, *Background*, to include an explicit reconstruction of the historical geomorphology of the project area landscape, as it is presently understood, and carry reference to that reconstruction throughout the balance of the Research Design.

2. The second key data set that should define the scope of the Research Design is information on the portions of the proposed project area where ground disturbance will exceed one meter in depth. A simple graphic overlay of these portions of the proposed project on the preliminary landform map should markedly narrow the geographic area under consideration. Staff is unable to find either this information or a graphic depiction of it in the Research Design and requests that the applicant provide both. Staff made prior data requests (DRs 91 and 92). The applicant responded with the submission of relatively early-stage design drawings and coarse-resolution statements on the anticipated physical extent of different project components. Staff had asked the applicant for information on what the applicant thought would be an appropriate geographic scope for the subject research, not the raw and incomplete means to derive that scope. Staff consequently still does not know where the construction and operation of the proposed project will disturb the ground beyond the one meter depth. If the applicant believes that the extraction of data from company plans, as they may now exist, is too burdensome, then the applicant also has the option of delimiting more approximate extents of the relevant portions of the proposed project area in a manner that would clearly encompass the relevant depths of ground disturbance. Staff requests that the applicant revise the Research Design, one way or the other, to specifically delineate the relevant scope for the subject study.

3. The formulation and presentation of the research questions in the *Research Issues* subsection of the Research Design is rather disjointed and provides almost no unifying rationale for the research. The present map of the landforms in the project area is the apparent result of both landform identifications that were made by Stone (2006) to the north of the project site and the applicant's southerly extrapolation of those identifications onto the project site. Ascriptions of dates to the landforms shown on the map appear to come from a number of sources (Bull 1991, Metzger et al. 1973, Stone 2006), none of which appear to have been subject to hard verification in the project area. The most basic concern of the upcoming phase of

field research should be to verify and refine the identifications and the geographic extents of the project area landscape's constituent landforms and, variably, to verify or document for the first time the genetic and historical relationships among them. Staff has been unable to find this described or shown anywhere in the Research Design. There are no explanations of which of the *particular* landforms under consideration had already been mapped and dated by others, and, if so, what those persons' evidence was. There are no explanations of which landforms the applicant mapped and the basis for the correlation of those landforms with the local and regional landforms mapped and analyzed by others (Bull 1991, Metzger et al. 1973). Staff has been unable to find any explicit sampling strategy in the Research Design. There is no landform by landform strategy for sampling that cites landform-specific research questions, data requirements to address those questions, or identification of and rationale for excavation unit placement. There does not appear to be an explicit sampling strategy to produce data to characterize the interfaces among the landforms or to provide chronological brackets to confirm or refute what now appear to be tentative landform ages.

Subsequent to the considerations of the basic identity, extent, geographic interrelationship, and approximate age of the project area landforms, the field research on the landforms ought to address, in an explicitly systematic way, the variability, across each pertinent landform, in landform structure, which reflects the depositional history and the particular energy trajectory that led to the formation of each landform, pertinent landforms being those young enough or of a processual origin where the potential exists for buried archaeological deposits. The investigation and documentation of those portions of project area landforms that have such potential is critical to determinations of which surface archaeological deposits can be evaluated for historical significance strictly on the basis of readily observable surface materials and which ones need to be subject to phase II archaeological investigations. This information is also critical to the basic analysis of the proposed project's potential to destroy, in part or in whole, buried archaeological deposits. The information is further critical to the formal assessment of the sensitivity of the various landforms across the proposed project area for buried archaeological deposits. That assessment may have significant bearings on the shape of the construction monitoring program and may indicate the need for the reconsideration of the design of various project components. Staff was unable to find in the Research Design any explicit research questions or sampling strategy to facilitate the development of these types of structural and historical refinements.

Staff requests that the applicant revise the Research Design to explicitly state:

a. the research questions and sampling strategies that the applicant will implement to verify and refine the identifications and the geographic extents of the project area landscape's constituent landforms and, variably, to verify or document for the first time the genetic and historical relationships among them; and

b. the research questions and sampling strategies that the applicant will implement to document each pertinent landform's particular stratigraphy, interpret the energy regimes that led to the sedimentary deposition of each landform and the chronology and duration of pedogenic processes that may have occurred there, and discern whether the deposition of particular landform components was synchronous or may have been time-transgressive.

4. The volume of the excavation proposed for the new field study, the methods proposed to observe and document the exposed stratigraphy of the subject landforms, and the provisions for specialized laboratory analyses in the Research Design are inadequate to meet the goals of the proposed study. The *Field Methods* subsection of the Research Design proposes to excavate nine, five meter-long trenches on the site of the proposed facility to a maximum depth of approximately four meters. That comes to a total of approximately 180 cubic meters of stratigraphic excavation for an approximately 4,490-acre project area that encompasses a complex mosaic of landforms, or approximately 7 linear meters of stratigraphic exposure for every square mile of the proposed project area. The proposed number of trenches would provide too miniscule of a sample of the stratigraphy of the project area to accurately document it. Staff therefore requests that the applicant revise the field methods to provide for the excavation of 36, 15–20 meter-long trenches, which would provide a more useful approximately 77–103 linear meters of stratigraphic exposure for every square mile of project area. The depth of these trenches on each landform need be no deeper than is necessary to document the maximum anticipated depth of construction disturbance on that landform.

   The *Field Methods* subsection of the Research Design appears to make conflicting statements about how the documentation of the exposed stratigraphic profiles will proceed. The description of the trench excavation methods first states that "trenches and excavated spoils will primarily be observed and documented from the surface." Up-close examination of exposed strata appears to be called for only when "pedogenic or archaeological features are observed." In apparent contradiction, later in the subsection, the statement is made that "one sidewall of each trench will be selected for profiling and a complete profile photograph with metric scale." It is not clear what exactly "profiling" entails. Staff requests that the applicant revise the field methods to clarify that the protocol for the observation and documentation of each trench will be to;

   a. produce a measured profile drawing of one sidewall from each excavated trench, where the drawings are produced on the basis of in-trench observation and the cleaning of trench sidewalls, as necessary, to accurately trace out stratigraphic contacts;

   b. produce reasonably detailed written descriptions, appropriate to the character of each type of stratigraphic unit, of each lithostratigraphic and pedostratigraphic unit down a one meter-wide, shaved profile section along the sidewall for which the measured profile drawing is made;

c. produce a photograph of the measured profile sidewall, with a metric scale and north arrow;

d. for every five linear meters of trench edge, screen a small (3, 5 gallon buckets) sample of sediment from the major lithostratigraphic units in the measured profile, or, where lithostratigraphic units are not apparent, from arbitrary levels in each measured profile, every 0.5 meters of depth, through 1/4 inch hardware cloth; and

e. collect enough soil humate samples, in the absence of other reliable chronometric data, to reliably assay and radiocarbon date the master stratigraphic column for each landform and each major landform feature, where the total number of such samples for the entirety of the subject phase of geoarchaeological field research will not exceed 75.

Staff believes that the revision of the Research Design to incorporate the above comments, and the execution of the resultant design, would provide the data necessary to refine the sample of surface archaeological sites that will require phase II archaeological investigation; adequately assess the potential impacts of the proposed project's construction and operation on archaeological resources buried beneath the surface of proposed project area; and refine the extent of construction monitoring that would be necessary, should the project be approved.[2]

In order to maintain the Committee's schedule, it is critical that the applicant revise the Research Design as requested in this letter in a timely manner and efficiently execute the Research Design upon its ultimate approval. For staff to have been able to incorporate the results of the proposed research into the Preliminary Staff Assessment and meet the Committee's schedule, the applicant would have had to return the Research Design, revised exactly as specified in this document and requiring no further revisions, by June 6, 2012, begin the requisite fieldwork by June 11, 2012, and return the research results to staff no later than July 2, 2012. As this schedule is no longer feasible, the applicant must now revise the Research Design, return it for approval,

[2] References Cited

Bull, W.B
1991 Geomorphic Responses to Climate Change. Oxford University Press, New York.

Metzger, D.G., O.J. Loeltz, and Burdge Irelna
1973 Geohydrology of the Parker-Blythe-Cibola Area, Arizona and California. Water Resources of Lower Colorado River-Salton Sea Area. Geological Survey Professional Paper 486-G. U.S. Geological Survey, Menlo Park, California.

Stone, Paul
2006 Geologic Map of the West Half of the Blythe 30' by 60' Quadrangle, Riverside County, California and La Paz County, Arizona. Scientific Investigations Map 2922. U.S. Geological Survey, Menlo Park, California.

implement the approved Research Design, and return the research results to staff no later than August 24, 2012 in order for staff to incorporate those results, and the results of any *subsequent phase II archaeological investigations* that the results of the *geoarchaeological research* may indicate, into the Final Staff Assessment (FSA). This deadline is predicated on the applicant's submission of the approval-ready Research Design by August 1, 2012. If the results of this geoarchaeological research ultimately indicate, to staff, the need to conduct additional phase II archaeological investigations, investigations subsequent to and distinct from the geoarchaeological research, then the August 24 date to submit the results of the geoarchaeological research would provide 11 days, to September 4, 2012, to begin the review process for the geoarchaeological report and discern whether additional archaeological sites would need phase II evaluative excavation, 30 days to prepare, submit, and receive approval of another phase II archaeological research design, 30 days to execute the related fieldwork, and 30 days to conduct requisite laboratory analyses and prepare the phase II archaeological report for submission to staff on December 3, 2012, approximately three weeks before staff's FSA would be due for internal review.

Deadlines for Completion of Fieldwork and Requested Submissions

The Energy Commission Committee for the Rio Mesa Solar Electric Generating Facility has set milestones for the licensing process. These include specific dates for publication of the Preliminary and Final Staff Assessments (PSA/FSA). Because the applicant has not provided the archaeological or geoarchaeological information within the timeframe committed to at the March 19th status conference, the identification of significant archaeological sites in the project area of analysis will be incomplete in the PSA. The absence of this data will also preclude staff's ability to adequately assess, in the PSA, the potential effects that the proposed project would have on archaeological resources buried beneath the present surface of the project area or to include a construction monitoring plan appropriate to the project.

For staff to meet the Committee's schedule for the FSA, the applicant must meet the following timetable:

Archaeological Resources Evaluation Phase Excavation

1. Energy Commission staff must receive from the applicant an evaluation phase research design for the subset of archaeological deposits listed in the attached table no later than **July 10, 2012**. Staff has committed to a two-week review. However, the applicant will need to expedite return of the revised Research Design, requiring no further substantive revisions, for final staff approval.

2. Once staff approves the research design, fieldwork can begin immediately. However, the applicant will need to complete the Evaluation Phase Excavation in time to return the results to staff, in a form consistent with the approved Research Design, no later than **October 1, 2012**.

Geoarchaeological Research Design (and Subsequent Geoarchaeological Fieldwork)

1. Energy Commission staff must receive from the applicant a revised Geoarchaeological Research Design that addresses all comments and concerns included in this letter, and requires no further substantive clarification or revision, no later than **August 1, 2012**.

2. Energy Commission staff must receive from the applicant the results of the geoarchaeological research to staff, in a form consistent with the approved Research Design, no later than **August 24, 2012**.

3. If the information provided results in the need to conduct additional phase II archaeological investigations, the August 24th due date will allow staff time to review the results and advise the Applicant of the need for further investigations by September 4, 2012. Should this be necessary, the applicant will need to meet the following timeline:

   a. 30 days to prepare, submit, and receive approval of a supplemental phase II archaeological research design;

   b. 30 days to execute the related fieldwork; and

   c. 30 days to conduct requisite laboratory analyses and prepare the phase II archaeological report.

   Energy Commission staff must receive from the applicant the final phase II archaeological report for the supplemental investigations to staff no later than **December 3, 2012.**

Once the research designs have been approved by staff, the geoarchaeological fieldwork and archaeological resources evaluation phase excavation can proceed simultaneously. These timelines are consistent with those proposed, and guaranteed reasonable and adequate, by the applicant in the March 14 Reply Brief and at the March 19 Status Conference. They reflect the minimum time staff will need to incorporate the resulting data into their analysis, adequately analyze the potential project-related impacts on cultural resources, and develop an appropriate mitigation plan for the project. Staff also requests the applicant provide regular, but at least monthly, status reports on the progress of these data requests.

If you have any questions, please call me at (916) 651-3765 or e-mail me at pierre.martinez@energy.ca.gov.

Sincerely,

Pierre Martinez, AICP
Project Manager

Attachment: Table of Recommended Archaeological Testing Sites

Table of Recommended Archaeological Testing Sites

Site No.	Resource Identifier	Geological Context
1	CA-RIV-10068	Qa6
2	CA-RIV-10072	Qa6
3	CA-RIV-10073	Qa6
4	CA-RIV-1095;P33-001095	Qa6
5	CA-RIV-1488; P33-001488	Qa3
6	CA-RIV-1490; P33-001490	Qa3, Qa6
7	CA-RIV-1745; P33-001745	Qa6
8	CA-RIV-1747; P33-001747	Qa3, Qa6
9	CA-RIV-1748; P33-001748	Qa3, QTmw
10	CA-RIV-1752; P33-001752	Qa6
11	CA-RIV-1819; P33-001819	Qa3, Qa6
12	CA-RIV-1819H UPDATE	Qa6
13	CA-RIV-1820; P33-001820	Qa6
14	CA-RIV-1822; P33-001822	Qa6, Qpv
15	CA-RIV-343; P33-000343	Qa6, Qpv
16	CA-RIV-6538; P33-010825	Qa6
17	CA-RIV-6539; P33-010826	Qa3
18	CA-RIV-6594; P33-010881	Qa3
19	CA-RIV-6596; P33-010882	Qa3
20	CA-RIV-6613; P33-010899	TRqm, Qa6
21	CA-RIV-6614; P33-010900	Qa6
22	CA-RIV-6615; P33-010901	Qa6
23	CA-RIV-6616; P33-010903	Qa6
24	CA-RIV-6677	Qa6, Qpv
25	CA-RIV-673; P33-000673	Qa6, Qpv
26	P33-013672	Qa6
27	P33-017952	Qa6
28	P-33-019764	Qa6
29	P-33-019766	Qa6
30	P-33-019770	Qa6
31	PVM-CB-006	Qa6
32	PVM-CB-008	Qa6
33	PVM-CB-021	Qa6, Qpv
34	PVM-CB-028	Qa6, Qpv
35	PVM-CB-030	Qa6, Qpv, Qw
36	PVM-CB-033	Qa6
37	PVM-CB-035	Qa6, Qw
38	PVM-CB-044	Qa6, Qw
39	PVM-DK-003	Qa6, Qpv
40	PVM-DK-027	Qa6
41	PVM-DK-047	Qa6

Site No.	Resource Identifier	Geological Context
42	PVM-DK-048	Qa6
43	PVM-DK-050	Qa6
44	PVM-DK-051	Qa6
45	PVM-EK-030	Qa6
46	PVM-EK-031	Qa3
47	PVM-EK-035	Qa6
48	PVM-EK-036	Qa5
49	PVM-EK-038	Qa6
50	PVM-EK-040	Qa6
51	PVM-EK-043	Qa6
52	PVM-EK-046	Qa6
53	PVM-EK-053	Qa3, Qa6
54	PVM-EK-058	Qa6
55	PVM-JR-001	Qa6
56	PVM-JR-005	Qa6
57	PVM-JR-007	Qa6
58	PVM-JR-008	Qa6
59	PVM-JR-012	Qa3, Qa6, Qw
60	PVM-JR-015	Qa6
61	PVM-JR-016	Qa6
62	PVM-JR-018	Qa6
63	PVM-JR-019	Qa6
64	PVM-JR-020	Qa6
65	PVM-JR-026	Qa6
66	PVM-JR-029	Qa6
67	PVM-JR-038	Qa6, Qpv
68	PVM-JR-057	Qa3, Qa6
69	PVM-JR-060	Qa3
70	PVM-JR-062	Qa3
71	PVM-JR-063	Qa3
72	PVM-MK-003	Qa3
73	PVM-MK-021	Qa6
74	PVM-MK-022	Qa6
75	PVM-MK-023	Qa6
76	PVM-MK-024	Qa6
77	PVM-MK-025	Qa6
78	PVM-MK-056	Qa6
79	PVM-MK-060	Qa6
80	PVM-MK-061	Qa6
81	PVM-MK-066	Qa6
82	PVM-MK-097	Qm, Qpv
83	PVM-MN-002	Qa6
84	PVM-MN-004	Qa6

Site No.	Resource Identifier	Geological Context
85	PVM-MN-013	Qa6
86	PVM-MN-015	Qa6
87	PVM-MN-016	Qa6, Qw
88	PVM-MN-031	Qa6
89	PVM-MN-034	Qa6
90	PVM-MN-035	Qa6
91	PVM-MN-036	Qa6
92	PVM-MN-039	Qa6
93	PVM-MN-060	Qa3
94	PVM-MN-062	Qa3
95	PVM-MN-066	Qa3
96	PVM-MN-069	Qa3
97	PVM-MN-074	Qa3
98	PVM-MN-075	TRqm, Qa3
99	PVM-MN-077	Qa3
100	PVM-MN-080	Qa3
101	PVM-MN-092	TRqm, Qa3
102	PVM-MN-094	TRqm, Qa3
103	PVM-MN-096	Qa3
104	PVM-MN-097	Qa3
105	PVM-MN-098	Qa3
106	PVM-MN-099	Qa3
107	PVM-MN-100	Qa3, QTmw
108	PVM-MN-101	Qa3
109	PVM-MN-108	Qa3
110	PVM-MN-124	Qa6
111	PVM-MN-127	Qa6
112	PVM-MN-133	Qa6, Qpv
113	PVM-MN-141	Qa6, Qpv
114	PVM-MN-156	Qa6
115	PVM-PM-001	Qa3
116	PVM-PM-002	Qa3
117	PVM-PM-003	Qa3
118	PVM-PM-004	Qa3
119	PVM-PM-023	Qa6
120	PVM-PM-024	Qa6
121	PVM-PM-025	Qa6
122	PVM-PM-026	Qa6
123	PVM-PM-027	Qa6
124	PVM-PM-064	Qa6
125	PVM-PM-066	Qa6
126	PVM-PM-069	Qa6
127	PVM-PM-114	Qm, Qpv

Site No.	Resource Identifier	Geological Context
128	PVM-PM-115	Qm, Qpv
129	PVM-PM-166	Qa6
130	PVM-SM-011	Qa6
131	PVM-SM-018	Qa3
132	PVM-SM-019	Qa3
133	PVM-SM-020	Qa3
134	PVM-SM-023	Qa3
135	PVM-SM-024	Qa3
136	PVM-SM-027	Qa3
137	PVM-SM-028	Qa6
138	PVM-SM-029	Qa3
139	PVM-SM-032	Qa6
140	PVM-SM-037	Qa5
141	PVM-SM-049	Qa3
142	PVM-SM-053	Qa3
143	PVM-SM-054	Qa5
144	PVM-SM-058	Qa5
145	PVM-SM-060	Qa5
146	PVM-SM-061	Qa5
147	PVM-SM-071	Qa6
148	PVM-SM-073	Qa3, Qa6
149	PVM-SM-075	Qa3
150	PVM-SM-076	Qa3
151	PVM-SM-077	Qa3
152	PVM-SM-079	Qa3
153	PVM-SM-084	Qa6
154	PVM-SM-087	Qa6

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APPLICATION FOR CERTIFICATION
FOR THE *RIO MESA SOLAR*
ELECTRIC GENERATING FACILITY

DOCKET NO. 11-AFC-04
PROOF OF SERVICE
(Revised 6/4/12)

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DECLARATION OF SERVICE

I, Diane Scott, declare that on June 28, 2012, I served and filed a copy of the attached document RIO MESA SOLAR ELECTRIC GENERATING FACILITY (11-AFC-4) ARCHAEOLOGICAL RESOURCES EVALUATION PHASE EXCAVATION AND STAFF COMMENTS TO APPLICANT RESPONSE TO DATA REQUEST NO. 96, GEOARCHAEOLOGICAL RESEARCH DESIGN, dated June 28, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: http://www.energy.ca.gov/sitingcases/riomesa/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(*Check all that Apply*)

For service to all other parties:

_X_ Served electronically to all e-mail addresses on the Proof of Service list;

_X_ Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses NOT marked "e-mail preferred."

AND

For filing with the Docket Unit at the Energy Commission:

_X_ by sending electronic copies to the e-mail address below (preferred method); *OR*

____ by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 11-AFC-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

____ Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Originally Signed
Diane Scott
Siting, Transmission and Environmental Protection Division

*indicates change