

Memorandum

Date: April 4, 2013
Telephone: (916) 654-4745
File: 09-AFC-7C

To: **Commissioner Karen Douglas**, Palen Amendment Presiding Member
Chairman Robert B. Weisenmiller, Palen Amendment Associate Member
Raoul Renard, Hearing Officer

From: **California Energy Commission** - **Christine Stora**, Compliance Project Manager
1516 Ninth Street Siting, Transmission and Environmental Protection Division
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Subject: **Palen Solar Electric Generating System Amendment (09-AFC-7C)**
STATUS UPDATE No. 1 (April 2013)

California Energy Commission

DOCKETED
09-AFC-7C

TN # 70209

APR. 04 2013

In the February 15, 2013 Palen Solar Electric Generating System (PSEGS) Issues Identification Report, staff indicated that monthly status reports would be provided beginning in April to keep the Committee and public apprised of the progress of the amendment review. The following bullet items outline the key activities on this project to date:

- December 18, 2012 - Palen Solar Holdings, LLC, (PSH) submitted a Petition to Amend requesting to replace the use of solar parabolic trough technology with BrightSource's LPT solar power tower technology. Staff has completed its review of this document and notes that the applicant subsequently provided a number of supplemental documents to create a complete petition.
- February 8, 2013 - The PSH submitted Supplement No. 1 containing information on Cultural Resources, Biological Resources, a construction phasing plan, a hydrology report, and limited visual simulations to staff.
- February 27, 2013 - PSH submitted Geographic Information System (GIS) data for Biological Resources to staff.
- February 15, 2013 - Staff published the Issues Identification Report, based on the information provided in the Petition and a limited review of Supplement No. 1.
- March 1, 2013 - Staff filed Data Request Set 1 (Nos. 1-18).
- March 13, 2013 - PSH submitted Supplement No. 2 containing the Air Quality and Public Health sections.
- March 15, 2013 - PSH submitted their relocated natural gas pipeline route.
- March 21, 2013 - PSH submitted their Preliminary Draft Construction Drainage, Erosion, and Sedimentation Control Plan/Stormwater Control Plan/Storm Water Pollution Prevention Plan to staff.
- March 26, 2013 - PSH submitted their Response to Energy Commission Data Request Set No. 1.

- March 27, 2013 - PSH submitted supplemental information to the Preliminary Draft Drainage, Erosion, and Sedimentation Control Plan/Stormwater Pollution Prevention Plan.
- March 22, 2013 – Staff and the BLM held an intertribal informational exchange meeting near and on the Palen Solar Power Project proposed site from 10:00 am to 4:00 pm. In attendance were representatives from, Colorado River Indian Tribes, San Manuel Band of Mission Indians, Morongo Band of Mission Indians, Agua Caliente Band of Mission Indians, Soboba Band of Mission Indians, and Quechan Tribe.
- April 10, 2013- Staff will be visiting the Palen Project Site with BLM and USFWS.
- April 17, 2013 - Workshop 1 will cover Soil and Water Resources, Biological Resources (except for issues associated with Solar Flux, which will be handled at a separate workshop), Cultural Resources, Traffic and Transportation, and Transmission System Engineering.

Data Requests

As mentioned above, staff issued Data Request Set 1 (Nos. 1-18) on March 1, 2013. Staff is preparing Data Request Set 2, based on the information provided in PSH's Supplement No.1, Supplement No. 2, and the additional information submitted on March 15, 2013, and March 21, 2013. Data Request Set 2 is anticipated to be filed in mid-April.

Staff Workshop

Workshop 1 is scheduled for April 17, 2013 and will cover issues discussed in Data Request Set 1 (Nos. 1-18) (Biological Resources, Soil and Water Resources, Traffic and Transportation, and Transmission System Engineering).

Staff Issues/Comments

Staff is concerned that the schedule proposed in the Issues Identification Report is slipping due to a number of factors. When the original schedule was projected, PSH proposed to submit one document containing all the needed supplemental information on February 8, 2013. To date, staff has received four additional documents containing key information needed to review the modified project. The last of these documents was submitted on March 21, 2013. Staff has still not received an analysis for Biological Resources, as required by Siting Regulations Section 1769 (a) (1) (E) and (F). This has significantly delayed staff's ability to review the modified project's potential impacts to Biological Resources.

Additionally, the priority of other projects, such as the Hidden Hills Solar Electric Generating System, has impacted technical staff's availability to review the PSEGS amendment. Also, unanticipated delays in obtaining contracts have hindered the use of consultants to augment staff in reviewing the amendment.

To compensate for the schedule slippage, staff is issuing data requests to PSH as supplemental information to the Petition to Amend is received and reviewed.

Staff also notes that the BLM kick-off meeting for their review of this project amendment occurred on March 26, 2013, and BLM expects to decide the project schedule by April 5, 2013. The BLM currently expects to publish a Record of Decision for the Palen Project Amendment in December 2013.

cc: Docket (09-AFC-7C)
Proof of Service List
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**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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**AMENDMENT
FOR THE PALEN SOLAR ELECTRIC
GENERATING SYSTEM**

**Docket No. 09-AFC-7C
PROOF OF SERVICE
(Revised 3/26/13)**

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DECLARATION OF SERVICE

I, Christine Stora, declare that on April 4, 2013, I served and filed copies of the attached Palen Status Report April 2013, dated April 4, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: <http://www.energy.ca.gov/sitingcases/palen/compliance/>.

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

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I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; **OR**

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: April 4, 2013

Christine Stora