

LAND USE

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SUMMARY OF CONCLUSIONS

The U.S. Bureau of Land Management (BLM) and Energy Commission staff (hereafter jointly referred to as staff) have reviewed the proposed project in light of the California Environmental Quality Act (CEQA) Guidelines' and the National Environmental Policy Act's (NEPA) criteria for a significant land use impact. The criteria include an assessment of whether a proposed project will conflict with any applicable land use plan. The key land use plan affecting this project is the BLM's California Desert Conservation Area (CDCA) Plan of 1980, as amended (BLM 1980). In the CDCA Plan, the location of the proposed Ivanpah Solar Electric Generating System (ISEGS) facility includes land that is classified as Multiple-Use Class L (Limited Use). The Plan states that solar power facilities may be allowed within Limited Use areas after NEPA requirements are met. This Environmental Impact Statement acts as the mechanism for complying with those NEPA requirements.

Because solar power facilities are an allowable use of the land as it is classified in the CDCA Plan, the proposed action does not conflict with the Plan. However, the Plan also requires that newly proposed power facilities that are not already included within the Plan be added to the Plan through the Plan Amendment process. The ISEGS facility is not currently included within the Plan, and therefore a Plan Amendment is required to include the facility as a recognized element with the Plan. The proposed Plan Amendment, and the corresponding analysis of the proposed Plan Amendment with respect to the analysis requirements contained within Chapter 7 of the Plan, is provided within Section A of this Environmental Impact Statement. The amendment decision would occur after publication of the Final Environmental Impact Statement.

Approximately 50 percent of the land area for Ivanpah 1, 2, and 3 and the administrative complex/logistics area are located within existing Utility Corridors D and BB. The land area for Ivanpah 3 would cover approximately 60% of the 2-mile width of Corridor D. Although the proposed ISEGS facility would result in limiting the available area within Corridor D, future linear facilities could still be placed in the remaining portion of this corridor.

Impacts of the ISEGS project would combine with impacts of present and reasonably foreseeable projects to result in a contribution to cumulative impacts in the Ivanpah Valley area related to land use which would be significant with respect to CEQA as well as NEPA significance criteria in 40 CFR 1508.27. Impacts of the ISEGS project would also combine with the potential impacts of reasonably foreseeable renewable energy projects in the southern California Mojave desert to result in significant and unmitigable regional cumulative impacts related to land use. .

In addition, staff concludes that the project would not conform with some of the applicable goals and policies of the San Bernardino General Plan Conservation and Open Space Elements as follows:

1. Conservation Element Goal D/CO 1, calling for preservation of scenic vistas in the County. Staff found that the project would have adverse effects on scenic vistas.
2. Open Space Element Goal OS 5, calling for the County to maintain and enhance the visual character of scenic routes in the County; and Policy OS 5.2, which states that “Development along scenic corridors will be required to demonstrate through visual analysis that proposed improvements are compatible with the scenic qualities present.” The visual analysis of the project found that it would not be compatible with the scenic qualities present in the viewshed of portions of Highway I-15 designated as a County scenic route.

Conditions of Certification referred to herein serve the purpose of both the Energy Commission’s Conditions of Certification for purposes of CEQA and BLM’s Mitigation Measures for purposes of NEPA.

INTRODUCTION

The land use analysis of the Ivanpah Solar Electric Generating System (ISEGS) Application for Certification (07-AFC-5) focuses on the project’s consistency with the land use laws, ordinances, regulations standards, plans and policies, and the project’s compatibility with existing and planned land uses. In general, a power plant and its related facilities have the potential to create land use impacts if they create unmitigated noise, dust, public health hazard or nuisance, traffic, or visual impacts. These individual resource areas are discussed in separate sections of this document. A power plant would also create a significant impact if it converts prime or unique farmland or farmland of statewide importance to non-agricultural uses. Because the power plant site and associated linear project features are located on public land managed by the BLM, the project will require federal environmental review before BLM can issue a right-of-way grant allowing the use of public land.

LAWS, ORDINANCES, REGULATIONS, AND STANDARDS

The following table contains all applicable land use laws, ordinances, regulations, and standards.

LAND USE Table 1
Laws, Ordinances, Regulations, and Standards (LORS)

<u>Applicable Law</u>	<u>Description</u>
Federal Bureau of Land Management	California Desert Conservation Area (CDCA) Plan Northern and Eastern Mojave (NEMO) Desert Management Plan Code of Federal Regulations Title 40; § 1508.27 Code of Federal Regulations Title 43; §1610.5-3, 2800 Federal Land Policy and Management Act (1976)
State	There are no state land use LORS for this project
Local	San Bernardino County General Plan San Bernardino County 2007 Development Code

SETTING

The Ivanpah Valley area has approximately 37,280 acres of land bounded by the Mojave National Preserve at Nipton Road on the south and southwest, a power line road parallel to and south of Interstate 15 (I-15) across Ivanpah Dry Lake on the northwest and north, and the Nevada border on the east. It is also adjacent to the Stateline and Mesquite Wilderness Areas. The easternmost portion of the valley includes extensive private land, and is undergoing substantial development at the Nevada border. This development includes casinos and associated hotels, restaurants, a golf course and other tourist attractions. Future development in the area would include solar facilities and a commercial service airport (Southern Nevada Supplemental Airport) north of Primm, Nevada.

The proposed ISEGS project would be located in the Mojave Desert, in San Bernardino County, 3.1 miles west of the California/Nevada border on public land managed by the BLM. The project would be west of Ivanpah Dry Lake, north of I-15. The project would be located entirely on public land and would be under federal jurisdiction. There are no schools, day-care facilities, convalescent centers, or hospitals within the immediate vicinity of the project study area. The project study area does include land that is designated for use as Utility Corridors (Corridors D and BB) in the CDCA Plan. The town of Primm, Nevada (population 436), is located about 4.5 miles northeast of the project site. Edwards Air Force Base is located 145 miles west-southwest of the site.

Interstate 15 provides access from southern California to Nevada. I-15 is located to the east of the project area and crosses into Nevada approximately 4 miles northeast of the project site. State Route (SR) 164 intersects I-15 just south of the project area. The I-15 Yates Well Road northbound and southbound off-ramps provide access to the project site by way of Colosseum Road, an existing road that is paved to the Primm Valley Golf Club, but unpaved the remainder of its length. Primm Valley Golf Club is located about 0.5 mile east of the Ivanpah 1 site boundary. The golf course is affiliated with the Primm Valley Casino Resorts located in Las Vegas, Nevada and is a public course.

The Ivanpah Dry Lake is located approximately 1.6 miles east of the project site and covers approximately 35 square miles. This area is open to non-motorized vehicles and

is a popular destination for recreational activities such as land sailing, archery, and kite buggies. The area also provides diverse recreational and scenic opportunities for off-highway vehicle use.

Proposed Project Description

The applicant proposes to develop the ISEGS project in three phases that are designed to generate a total of 400 megawatts (MW) of electricity. The first two phases of the project, Ivanpah 1 and 2 are designed to provide 100 MW of electricity and the third phase, Ivanpah 3, is designed to provide 200 MW of electricity. The 100 MW phases, Ivanpah 1 and 2, would each occupy approximately 914 acres and 921 acres respectively; the 200 MW phase, Ivanpah 3, would require occupy approximately 1,837 acres. All three phases would be developed on contiguous property, sharing an administration building, an operation and maintenance building and a substation within a common logistics area between Ivanpah 1 and 2 that would also be used for construction laydown and staging activities. The proposed project would cause permanent disturbance of about 3,713 acres, temporary disturbance of 321 acres, and including the existing transmission line corridor of about 39 acres within the Construction Logistics area, ISEGS would utilize about 4,073 acres (6.4 square miles) of federal land managed by BLM (CH2ML 2009f).

In addition to use the proposed right-of-way area, the applicant proposes some project-related activities to occur outside of the project fence, on land not included within the proposed right-of-way area. As presented in the applicant's Revised Project Description, a variety of project-related activities must be conducted outside of the project security fence, including:

- Inspection and maintenance of security fence and tortoise exclusion fence;
- Underground utility repairs;
- Installation of new underground pipeline;
- Maintenance of drainage systems, including removal of debris and sediment; and
- Installation of new stormwater drainage systems (CH2ML 2009f).

In addition to these activities, a roadway would need to be maintained outside of the project fence to allow vehicle and equipment access for these activities. The Revised Project Description does not define specific locations or acreages for these activities. Instead, it states that some activities, such as installation of new stormwater drainage systems, could disturb greater than one acre, with no upward bound placed on the projected disturbance.

Throughout most of the proposed right-of-way area, the applicant proposes that the security and tortoise exclusion fence be inset from the right-of-way boundary to allow access for these activities. These inset distances range from 65 feet where natural gas pipeline is buried to 12 feet in areas without pipeline. However, there are certain portions of the proposed facility where the security fence is proposed to be coincident with the right-of-way boundary. This includes the entire perimeter of Ivanpah 1, and the southern and western edge of Ivanpah 3. In these areas, all of the described maintenance and repair activities would have to occur on lands that are not included

within the proposed right-of-way grant. In addition, the total area of disturbance that would occur as a result of these activities is not defined. The potential area of disturbance associated with new stormwater drainage systems is defined as “one acre or more”. Since the buffer distance between the security fence and the right-of-way boundary in other areas is as low as 12 feet, the development of stormwater drainage systems that exceed one acre in size would likely extend outside of the right-of-way boundary (CH2ML2009e, Drainage, Erosion and Sediment Control Plan Figure 15 – Access Roadway Plan).

The ISEGS project would deliver power from Ivanpah 1, 2 and 3 via three separate 115-kilovolt (kV) transmission generation tie lines to a new Ivanpah substation that would be owned and operated by Southern California Edison (SCE) and located in the common construction logistics area between Ivanpah 1 and 2. Ivanpah 1 would initially be interconnected to an existing SCE 115kV transmission line at Ivanpah substation. Following upgrade of the existing 115-kV transmission line to double circuit 220 kV, Ivanpah 2 and 3, and ultimately Ivanpah 1 would be interconnected to SCE’s 220 kV transmission line at Ivanpah substation that would pass through the site in a northeast/southwest right-of-way. The new substation and the 220-kV upgrades would benefit ISEGS and other proposed interconnection customers in the region. SCE has filed an application for a Certificate of Public Convenience and Necessity from the California Public Utilities Commission (CPUC) for the transmission line upgrade. They have also filed an application for a right-of-way (ROW) from the BLM. The CPUC will serve as the lead agency for CEQA compliance for the approximately five-mile portion of the transmission line work within California. BLM will serve as the lead agency for National Environmental Policy Act compliance (CH2ML 2009f).

The applicant has defined the study area as the area within 1 mile of the project site boundary and within 0.25 mile of the centerline of proposed linear facilities. All project power plants, the substation, the administration/warehouse building, and the linear facilities are within the site boundary (minor exceptions are noted below). Please refer to the **Project Description** section of this document for further discussion of this topic. Other aspects of the ISEGS include the following:

- A small segment of water line that goes from the two wells to the northwest of Ivanpah 1 into the site;
- An administration and maintenance complex located within the logistics area between Ivanpah 1 and 2, near the entrance to the Ivanpah 1 power plant;
- A new 6-mile-long, 4- to 6-inch natural gas distribution pipeline that provides natural gas from the Kern River Gas Transmission (KRG T) line to each of the project sites;. From the Kern River Gas Transmission pipeline, the new pipeline would extend 0.5 miles south to the northern edge of Ivanpah 3. The ROW area required for this section of the pipeline would be 75 feet wide and 0.5 miles long. The line would then run east along the northern edge, and then south along the eastern edge, of Ivanpah 3 to a metering station near the southeast corner of Ivanpah 3. From there, a supply line would extend northwest into the Ivanpah 3 power block. The main pipeline would continue along the eastern edge of Ivanpah 2 to another metering station at its southeastern corner. Again, a branch supply line will extend northwestwards into the center of the Ivanpah 2 power block. From that station, the pipeline would follow

the paved access road from Colosseum Road past the administration/warehouse building to the Ivanpah 1 power block. The extensions of the pipeline into the power blocks would be located within the project fenceline. However, the sections of pipeline along the northern boundary of Ivanpah 3, and then the eastern boundaries of Ivanpah 3 and 2, would be located outside of the fenced heliostat area, in order to allow access to the pipeline for maintenance.

- Shared access roads, including a portion of the perimeter road on the southern and western edge of Ivanpah 2; and
- Temporary construction and laydown yard areas (CH2ML 2009f).

Land Use Table 2 gives the land use and general plan designations for each project component.

LAND USE Table 2
Existing Land Uses and General Plan Designations

Project Component	Existing Land Uses	Land Management or General Plan Land Use and Zoning Designations
Site Vicinity	SCE 115kV transmission line is located adjacent to the site boundary in a southwest to northeast orientation. The Kern River Gas Transmission Company line is located less than a half mile from the Ivanpah 3 boundary. Both utilities are within designated Utility Corridors for major utilities.	BLM Multiple-Use Class L Limited Use Designated Utility corridor San Bernardino County General Plan and Development Code Land Use Zones Resource Conservation (RC)
ISEGS Site	The project site is mostly undeveloped, vacant land. Existing transmission lines cross the project site in a southwest to northeast orientation between Ivanpah 1 and Ivanpah 2. These transmission lines exist within Utility Corridor BB, a two-mile wide corridor approved in the CDCA Plan for use for transmission lines, pipelines, and other linear utilities. The project site also covers portions of Utility Corridor D. Colosseum Road passes through the southeast portion of Ivanpah 2 and travels in a west to southwesterly direction. Unpaved dirt roads also cross the project site, some of which are located adjacent to the transmission lines. No additional development is present on the site.	BLM Multiple-Use Class L Limited Use Designated Utility corridor San Bernardino County General Plan and Development Code Land Use Districts Resource Management District and Resource Conservation (RC)
Gas Line	Onsite and offsite gas lines are located on structurally undeveloped land. The Ivanpah 1 gas line would cross under existing transmission lines. The gas lines would cross an existing unpaved road.	BLM Multiple-Use Class L Limited Use San Bernardino County General Plan and Development Code Land Use Districts Resource Management District and Resource Conservation (RC)
Transmission Lines	Onsite and offsite transmission lines would be located for the most part within the site boundary, those linears that extend outside of the site boundary are located within existing rights-of-way.	BLM Multiple-Use Class L Limited Use San Bernardino County– General Plan and Development Code Land Use Districts Resource Management District and Resource Conservation (RC)
Source: Ivanpah AFC		

ASSESSMENT OF IMPACTS AND DISCUSSION OF MITIGATION

METHOD AND THRESHOLD FOR DETERMINING SIGNIFICANCE

The analysis of proposed project effects must comply with both CEQA and NEPA requirements given the respective power plant licensing and land jurisdictions of the California Energy Commission and U.S. Bureau of Land Management (BLM). CEQA requires that the significance of individual effects be determined by the Lead Agency; however, the use of specific significance criteria is not required by NEPA.

Because this document is intended to meet the requirements of both NEPA and CEQA, the methodology used for determining environmental impacts of the proposed project, includes a consideration of guidance provided by both laws.

CEQA requires a list of criteria that are used to determine the significance of identified impacts. A significant impact is defined by CEQA as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (State CEQA Guidelines Section 15382).

In comparison, NEPA states that “‘Significantly’ as used in NEPA requires considerations of both context and intensity...” (40 CFR 1508.27). Therefore, thresholds serve as a benchmark for determining if a project action will result in a significant adverse environmental impact when evaluated against the baseline. NEPA requires that an EIS is prepared when the proposed federal action (project) as a whole has the potential to “significantly affect the quality of the human environment.”

Thresholds for determining significance in this section are based on Appendix G of the CEQA Guidelines (CCR 2006) and performance standards or thresholds identified by the Energy Commission staff. In addition, staff’s evaluation of the environmental effects of the proposed project on land uses (i.e., those listed below) includes an assessment of the context and intensity of the impacts, as defined in the NEPA implementing regulations 40 CFR Part 1508.27.

Federal/NEPA

Under federal law, BLM is responsible for processing requests for rights-of-way to authorize the projects and associated transmission lines and other appurtenant facilities to be constructed and operated on land it manages. In processing the applications, BLM must comply with NEPA and with Title 40, Code of Federal Regulations (CFR), § 1508.27, which requires that potential impacts be evaluated for significance, as defined and used in NEPA with consideration given to both context and intensity. BLM must also comply with 43 CFR §1610.5 Resource Management Plan that requires the proposed project to conform to an approved plan, which in this case is the CDCA Plan. BLM right-of-way regulations that govern the issuance of right-of-way grants are found at 43 CFR 2800. The land area included within the proposed right-of-way grant includes land designated as Multiple-Use Class L (Limited Use) within the CDCA Plan. The Plan allows the construction of solar power projects within Class L areas. However, BLM would have to amend the CDCA Plan to identify the specific use of this land for the ISEGS facility prior to approving the right-of-way grant.

Under BLM regulations under 43 CFR 2805, the right-of-way grant would authorize project activities only on the described lands included within the boundaries of the grant.

Conduct of project-related activities on land which is not included within the right-of-way grant boundaries would be considered a substantial deviation and would require supplemental authorization in the form of an amendment to the right-of-way grant. Unauthorized disturbances outside the right-of-way would constitute trespass as identified in 43 CFR 2808, and would be considered to be a significant impact under NEPA.

State/CEQA

Significance criteria used in this document are based on the CEQA Guidelines and performance standards or thresholds identified by the Energy Commission staff, based on applicable LORS and utilized by other governmental regulatory agencies. An impact may be considered significant if the project results in:

- Conversion of Farmland.
 - Converts Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency and the USDA Natural Resources Conservation Service Web Soil Survey, to non-agricultural uses.
 - Conflicts with existing zoning for agricultural use, or a Williamson Act Contract.
 - Involves other changes in the existing environment which, due to their location or nature could result in conversion of farmland to nonagricultural use.
- Physical disruption or division of an established community.
- Conflict with any applicable habitat conservation plan or natural community conservation plan.
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction, or that would normally have jurisdiction over the project. This includes, but is not limited to, a General Plan, community or specific plan, local coastal program, airport land use compatibility plan, or zoning ordinance.
- Individual environmental effects which, when considered with other impacts from the same project or in conjunction with impacts from other closely related past, present, and reasonably foreseeable future projects, are considerable or compound or increase other environmental impacts.

A power plant and its related facilities may also be incompatible with existing or planned land uses, resulting in potentially significant impacts if they create unmitigated noise, dust, public health or safety hazard or nuisance; result in adverse traffic or visual impacts; or preclude, interfere with, or unduly restrict existing or future uses.

DIRECT/INDIRECT IMPACTS AND MITIGATION

Proposed Project

U.S. Bureau of Land Management

In accordance with 43 CFR §1610.5-3, all actions on public lands must be in conformance with applicable BLM land use plans. Any proposals or actions determined not to be in conformance with these plans would require the analysis of a land use plan

amendment. The CDCA Plan states, "Sites associated with power generation or transmission not identified in the Plan will be considered through the Plan Amendment process. Because the existing BLM CDCA Plan does not specifically identify the ISEGS facility, BLM would have to amend the CDCA plan prior to approving the proposed right-of-way grant. The amendment decision would be part of the BLM Record of Decision for the issuance of a right-of-way grant and would occur after the Final Environmental Impact Statement. Prior to issuance of any right of way grant, the project owner would be required to submit a final Plan(s) of Development that describes in detail the construction, operation, maintenance, and termination of the right-of-way and its associated improvements and/or facilities in accordance with Condition of Certification **LAND-1**. **LAND-1** would also require the project owner to establish a bond for removal of all improvements and restoration of the right-of-way upon site closure.

As presented in the applicant's Revised Project Description (CH2MHILL 2009f), some project-related activities would occur outside of the proposed boundaries of the right-of-way grant. The acreage associated with these activities, and their technical scope, is not currently defined. In some areas (the perimeter in Ivanpah 1 and the southern and western boundaries of Ivanpah 3), all activities proposed to occur outside of the security fence would occur outside of the proposed right-of-way grant. In other areas, a buffer between the security fence and the right-of-way boundary is proposed, but may not be large enough to accommodate some of the described activities (such as new stormwater drainage structures). This use of land that is not authorized under the proposed right-of-way grant could not be considered without a supplemental analysis and subsequent amended right-of-way grant. Because the extent of proposed uses outside the boundaries of the right-of-way is not defined, and are not included within the right-of-grant application, unauthorized use of these lands would constitute a significant land use impact under NEPA. In addition, impacts on other resources associated with the proposed activities on these lands are not evaluated within the FSA/DEIS. Therefore, unauthorized use of the lands may have additional significant impacts that cannot currently be evaluated. To mitigate and address these potential impacts, **LAND-2** is proposed as a Condition of Certification to ensure that all proposed project activities occur within the boundaries of the right-of-way grant.

Conversion of Farmland

Based on the applicant's review of aerial photographs and field surveys and staff's independent review, there are no agricultural uses or properties within one mile of the proposed project site that are identified as Unique Farmland, or Farmland of Statewide Importance; there are no lands mapped as Important Farmlands, as defined for the Farmland Mapping and Monitoring Program (California Department of Conservation, 2004). No land within one mile of the proposed project site is subject to the restrictions of a Williamson Act contract.

Neither the construction nor operation of the proposed project would result in any impacts to existing agricultural operations or foreseeable future agricultural use. Therefore, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use or conflict with existing agricultural zoning or Williamson Act contracts. The project would have no impact with respect to farmland conversion. The project study area is part of

the existing BLM Clark Mountain Allotment Grazing Lease. An analysis of impacts related to the Clark Mountain Allotment is addressed under the **Livestock Grazing** section.

Physical Division of an Existing Community

The project would not physically divide an established community because the power plant project site and linear features would be located on undeveloped public lands in unincorporated San Bernardino County and would not be located within or near an established community. Neither the size nor the nature of the project would result in a physical division or disruption of an established community, no new physical barriers would be created by the project.

As discussed in the applicant's response to data request 44, 18 vehicle trails run through the proposed project site and three would be impacted by the project. To allow continued use and access of these trails, the applicant has proposed to reroute the three trails, including one trail that serves as an access to a mining claim (CH2ML2008b Figure DR44-1 and Table DR44-1). A complete analysis of vehicle trails, potential impacts, and proposed mitigation is provided in the **Recreation** section.

Because the applicant has agreed to reroute three trails, staff concludes that the ISEGS would not create new physical barriers and would not block existing roadways or pathways.

Conflict with any Applicable Habitat or Natural Community Conservation Plan

The project site is in the general area addressed by the United States Fish and Wildlife Service (USFWS) Desert Tortoise Recovery Plan and Critical Habitat designation. The recovery plan describes a strategy for recovery and delisting of the desert tortoise. Please refer to the **Biological Resources** section of this document for a thorough discussion of the project's potential impacts on biological resources and compliance with the Desert Tortoise Recovery Plan and Critical Habitat.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

The California Desert Conservation Area Plan

The California Desert Conservation Area (CDCA) was designated by Congress in 1976 through the Federal Land Policy and Management Act (FLPMA) and covers 25 million acres of land. For lands under the jurisdiction of the BLM, land use planning guidance for the area is found in the CDCA Plan of 1980, as amended. The FLPMA provides that the public lands in the California desert be managed within the framework of a program of multiple use and sustained yield, and the maintenance of environmental quality.

The ISEGS site includes areas in the CDCA that are designated Multiple Use Class L (Limited Use). According to BLM's CDCA, MUC L protects sensitive, natural, scenic, ecological, and cultural resource values. Public lands designated MUC L are managed to provide lower-intensity, carefully controlled multiple use of resources while ensuring that sensitive values (cultural, scenic, biological resource) are not significantly diminished. The CDCA Plan identifies the following guidelines (permitted uses) for MUC L lands in relation to the proposed ISEGS project:

- Solar facilities may be allowed after NEPA requirements are met;
- Distribution Facilities - New distribution facilities may be allowed and will be placed underground where feasible except where this would have greater impacts than a surface facility and within existing rights-of-way where available;

The Energy Production and Utility Corridors Element of the CDCA Plan includes the full implementation of a network of planning corridors to meet the projected utility needs to the year 2000, the identification of environmental constraints and siting procedures, and the identification of potential sites for geothermal development, wind energy parks, and power plants. Sixteen planning corridors were identified in the CDCA Plan, and the proposed ISEGS site is located near the junction of, and partially overlaps, two designated Utility Corridors (D and BB). The corridors are intended to include new electrical transmission lines of 161 kV or above, all pipelines with diameters greater than 12 inches, cables for interstate communications, and major aqueducts or canals for inter-basin transfers of water. The corridors vary in width from two to five miles.

Approximately 50 percent of the land area for Ivanpah 1, 2, and 3 and the administrative complex/logistics area are located within existing Utility Corridors D and BB. The land area for Ivanpah 3 would cover approximately 60% of the 2-mile width of Corridor D. Although the proposed ISEGS facility would result in limiting the available area within Corridor D, future linear facilities could still be placed in the remaining portion of this corridor.

For a short distance, Utility Corridor BB is split into a northern and southern portion, and the ISEGS site sits within the area between the southern and northern portions. The northern portion of corridor BB passes between Ivanpah 1 and 2, and the southern portion of Utility Corridor BB passes just south of Ivanpah 1. Construction of Ivanpah 1 would cover a small fraction (less than 5%) of the southern portion of Utility Corridor BB, and would not substantially limit future use of this portion of the corridor for other purposes. However, construction of Ivanpah 1, 2, and the construction logistics area would cover 100% of the two-mile width of the northern portion of Utility Corridor BB. This may result in eliminating potential future uses of this portion of Utility Corridor BB for linear right-of-way projects because buried or overhead utilities could not be constructed across heliostat fields without removing heliostats. It is possible that provision could be made for future linear right-of-way grants through the ISEGS logistics area without disturbing heliostat fields, but such a grant would be limited by the narrow width available within the corridor at that location, and by the need to avoid disturbance of the new Ivanpah Substation and ISEGS administrative facilities. Staff considers the 100% loss of Utility Corridor BB as attributable to ISEGS to be an adverse direct impact; however, that impact is less than significant since there would be some remaining opportunity to route future utility lines through the construction logistics area in Corridor BB and through remaining portions of Corridor D. It is foreseeable that several of the other potential generators in the vicinity of the Ivanpah Substation may need to locate generation tie lines into the Ivanpah Substation and this is achievable given the layout and temporary nature of most of the facilities in the construction logistics area.

As stated in the CDCA Plan, all land use actions and resource management activities on public lands within a MUC must meet the guidelines given for that Class. MUC

Guidelines for Distribution Facilities sited on MUC L lands provides that new distribution systems may be allowed and will be placed underground where feasible except where this would have a detrimental effect on the environment than surface alignment. In addition, new distribution facilities should be placed within existing rights-of-way where they are reasonably available.

As stated earlier, solar facilities may be allowed after NEPA requirements are met and BLM would have to issue a right-of-way grant to allow the proposed use on federally managed lands. However, development of the proposed project would generally preclude all of the existing uses on the 4,073 acres of affected public land designated as Multiple-Use Classes L.

The project's compliance with the CDCA Plan is further addressed in the **Biological, Cultural, Livestock Grazing, Recreation, and Visual Resources** sections of this FSA/DEIS.

San Bernardino County

As a response to recent applications for energy facilities on land in San Bernardino County managed by the BLM, San Bernardino County and the BLM have entered into a Memorandum of Understanding (MOU) (BLM Agreement No. 08-223). The purpose of the MOU is to establish an efficient and cooperative process for conducting environmental reviews of proposed projects located on BLM lands situated in San Bernardino County. Under the terms of the MOU, the BLM acts as the NEPA lead agency and the county acts as the CEQA lead agency. In cases where a project is a thermal energy project (50 MW or greater) the Energy Commission acts as the CEQA lead agency and the county acts as a cooperating agency. Because of the NEPA and CEQA requirements for the ISEGS project, Energy Commission staff has included a review of the applicable San Bernardino County land use LORS.

The ISEGS project would be located within San Bernardino County's Desert Region of the General Plan. The Desert Planning Region includes a significant portion of the Mojave Desert and contains 93 percent of land in the county. The San Bernardino County General Plan identifies the community's land use, transportation, environmental, economic, and social goals and policies as they relate to land use and development, forms the basis for local government decision-making, provides residents with opportunities to participate in the planning and decision-making processes of their community, and informs residents, developers, decision-makers, and other cities and counties of the rules that guide development within the community.

San Bernardino County has incorporated a one map approach to the general plan land use designations and zoning districts that allows the use of a single map showing both general plan land use designations and zoning classifications and assures consistency between both. These combined classifications are referred to as Land Use Zoning Designations in the General Plan and Land Use Zoning Districts in the County Development Code. The San Bernardino Development Code implements the San Bernardino General Plan by classifying and regulating the uses of land and structures within unincorporated San Bernardino County, preserving and protecting the county's important agricultural, cultural, natural, open space and scenic resources, and

protecting and promoting the public health, safety, and general welfare of residents and businesses in the county.

The Development Code provides standards and guidelines for the orderly growth and development of the county and its distinct communities, conserves and protects important agriculture, cultural, natural, open space and scenic resources, creates a comprehensive and stable pattern of land uses upon which to plan transportation, water supply, sewerage, energy, drainage/flood control and other public facilities and utilities, encourages appropriate uses of land to avoid undue concentration of population, and ensures compatibility between different types of development and land use. The Development Code identifies the ISEGS site as Resource Conservation (RC). Resource Conservation comprises the majority of the designated land uses in the county and covers over 1 million acres, or about 1,500 square miles of land. Most of the land within this designation is publicly owned (federal and state) and includes national parks, military bases, conservation areas, and lands owned by other federal and state agencies.

The RC land use zoning district provides sites for open space, and recreational, commercial and industrial activities including the following: residential uses, agricultural activities, mining, resource protection, offices, cemeteries, kennels, public safety, single-family homes on very large parcels, broadcasting facilities, electric power generation, transportation facilities, wind energy facilities, wireless communication facilities, similar and temporary structures, and special events. All of these uses are either allowed or subject to permit approval from the county. Prohibited uses in this district include: indoor

commercial entertainment, golf courses, schools, except for trade schools, sports or entertainment assemblies, homeless shelters, bed and breakfast inns, and solid waste disposal facilities.

Staff’s determination of the proposed project’s consistency with applicable land use LORS is summarized in **Land Use Table 3**.

**LAND USE Table 3
Applicable Federal and Local LORS Consistency**

LORS	Goals/Objectives/Policy	Consistency Determination
California Desert Conservation Area Plan (CDCA)	The CDCA plan is the land use guide for management of public lands and resources within the CDCA. Public lands designated MUC L are managed to provide lower-intensity, carefully controlled multiple use of resources while ensuring that sensitive values (cultural, scenic, biological resource) are not significantly diminished.	Consistent. The CDCA Plan allows for use of Multiple-Use Class L and M lands for solar power projects after NEPA requirements are met, and once the facility is identified as an element of the Plan through the Plan Amendment process. This Environmental Impact Statement acts as the mechanism for meeting NEPA requirements, and also provides the analysis required to support a Plan Amendment identifying the facility within the Plan.
San Bernardino County General Plan Applicable Conservation and Open Space Elements Goals, Objectives, Programs	<p>GOAL CO-8: The County will minimize energy consumption and promote safe energy extraction, uses and systems to benefit local regional and global environmental goals.</p> <p>CO 8.1: Maximize the beneficial effects and minimize the adverse effects associated with the siting of major energy facilities. The County will site energy facilities equitably in order to minimize net energy use and consumption of natural resources, and avoid inappropriately burdening certain communities. Energy planning should conserve energy and reduce peak load demands, reduce natural resource consumption, minimize environmental impacts, and treat local communities fairly in providing energy efficiency programs and locating energy facilities</p> <p>CO 8.3: Assist in efforts to develop</p>	<p>Consistent. Development of the project would result in a renewable (solar) source of energy that would avoid for the most part the consumption of fossil fuel natural resources for power production, and thereby comply with these goals and policies. The project would help the state meet its goals for renewable electricity generation.</p> <p>Consistent. The project would avoid burdening communities and would reduce natural gas consumption through use of renewable power.</p> <p>Consistent. The project would</p>

	<p>alternative energy technologies that have minimum adverse effect on the environment, and explore and promote newer opportunities for the use of alternative energy sources.</p> <p>CO 9.2: The County will work with utilities and generators to maximize the benefits and minimize the impacts associated with siting major energy facilities. It will be the goal of the County to site generation facilities in proximity to end-users in order to minimize net energy use and natural resource consumption, and avoid inappropriately burdening certain communities.</p> <p>GOAL D/CO 1. Preserve the unique environmental features and natural resources of the Desert Region, including native wildlife, vegetation, water and scenic vistas.</p> <p>POLICIES</p> <p>D/CO 1.2 Require future land development practices to be compatible with the existing topography and scenic vistas, and protect the natural vegetation.</p> <p>OS 5.1 Features meeting the following criteria will be considered for designation as scenic resources:</p> <ul style="list-style-type: none"> a. A roadway, vista point, or area that provides a vista of undisturbed natural areas. b. Includes a unique or unusual feature that comprises an important or dominant portion of the viewshed (the area within the field of view of the observer). c. Offers a distant vista that provides relief from less attractive views of nearby features (such as views of mountain backdrops from urban areas). <p>OS 5.2 Define the scenic corridor on either side of the designated route, measured from the outside edge of the right-of-way, trail, or path. Development along scenic corridors will be required to demonstrate through visual analysis that proposed improvements are compatible with the scenic qualities present.</p>	<p>assist the county in promoting an alternative energy project.</p> <p>Consistent. Development of the project would result in an alternative (solar) source of energy, located outside existing communities that would minimize the use of non-renewable natural resources.</p> <p>Inconsistent. The proposed project would intrude into scenic vistas in the Clark Mountains and would require removal of approximately 4 square miles of vegetation.</p> <p>Inconsistent. The project would not be compatible with existing scenic vistas, and would not substantially protect the natural vegetation.</p> <p>Inconsistent. The project would not maintain or enhance the visual character of the views on I-15 within its viewshed.</p> <p>Inconsistent. Visual analysis of the project concluded that the proposed project would not retain the existing scenic qualities of the viewshed.</p>
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	<p>OS 5.3 The County desires to retain the scenic character of visually important roadways throughout the County. A “scenic route” is a roadway that has scenic vistas and other scenic and aesthetic qualities that over time have been found to add beauty to the County. Therefore, the County designates the following routes as scenic highways and applies all applicable policies to development on these routes (see Figures 2-4A through 2-4C of the Circulation and Infrastructure Background Report):</p> <p>OS 5.3 The County desires to retain the scenic character of visually important roadways throughout the County. A “scenic route” is a roadway that has scenic vistas and other scenic and aesthetic qualities that over time have been found to add beauty to the County. Therefore, the County designates the following routes as scenic highways and applies all applicable policies to development on these routes (see Figures 2-4A through 2-4C of the Circulation and Infrastructure Background Report):</p> <p>(MULTIPLE REGIONS):</p> <p><i>c. Interstate 15 from the junction with Interstate 215 northeast to the Nevada state line, excepting those areas within the Barstow Planning Area and the community of Baker where there is commercial /industrial development; those portions within the Yermo area from Ghost Town Road to the East Yermo Road overcrossing on the south side only and from First Street to the East Yermo Road overcrossing on the north side; and all incorporated areas.</i></p>	
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Proposed Project – Closure and Decommissioning

Following the operational life of 50 years, the project owner would perform site closure activities to meet federal and state requirements for the rehabilitation and revegetation of the project site after decommissioning. The procedures to be used for project decommissioning and restoration are defined in the Applicant’s Draft Closure, Revegetation, and Rehabilitation Plan (CH2ML2009q). Under this plan, the applicant proposes that all aboveground structures and facilities would be removed to a depth of three feet below grade, and removed offsite for recycling or disposal. Concrete, piping, and other materials existing below three feet in depth would be left in place. Areas that had been graded would be restored to original contours.

Similar to project construction and facility operations, decommissioning would be performed in accordance with plans and mitigation measures that would assure the project conforms with applicable LORS and would avoid significant adverse impacts. Upon decommissioning, no further discretionary actions would be required by the Energy Commission or the BLM. It is possible that after on-site rehabilitation and revegetation have occurred, the land may be used again for multiple uses such as mining, grazing, recreation, or open space.

NO PROJECT/NO ACTION ALTERNATIVE

In the No Project/No Action Alternative, the proposed action would not be undertaken. The BLM land on which the project is proposed would continue to be managed within BLM's framework of a program of multiple use and sustained yield, and the maintenance of environmental quality [43 U.S.C. 1781 (b)] in conformance with applicable statutes, regulations, policy and land use plan.

The results of the No Project / No Action Alternative would be the following:

- The impacts of the proposed project would not occur. However, the land on which the project is proposed would become available to other uses that are consistent with BLM's land use plan, including another solar project.
- The benefits of the proposed project in reducing greenhouse gas emissions from gas-fired generation would not occur. Both State and Federal law support the increased use of renewable power generation.

If this project is not approved, renewable projects would likely be developed on other sites in the Mojave Desert or in adjacent states as developers strive to provide renewable power that complies with utility requirements and State/Federal mandates. For example, there are three large solar projects proposed on BLM land in Nevada within a few miles of the Ivanpah site and one solar project proposed on lands in California immediately east of ISEGS. In addition as of August 2009, there are currently 66 applications for solar projects covering 611,692 acres pending with BLM in the California Desert District.

RESPONSE TO AGENCY AND PUBLIC COMMENTS

The following letters (Sierra Club's California/Nevada Regional Conservation Desert Committee January 7, 2007 letter; US Department of the Interior National Park Service's March 11, 2008 letter; and National Parks Conservation Association April 28, 2008 letter) were received in response to the Notice of Intent (NOI) to prepare an Environmental Impact Statement/Final Staff Assessment (EIS/FSA) for the ISEGS. These letters included comments on visual, recreational, and biological resources, air quality, and water. Staff has addressed the comments concerning the cumulative effects of existing and foreseeable developments pertaining to land use in the **Cumulative Impacts** section.

CUMULATIVE IMPACTS

A project may result in a significant adverse cumulative impact where its effects are cumulatively considerable. "Cumulatively considerable" means that the incremental

effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (California Code Regulation, Title 14, section 15130). NEPA states that cumulative effects can result from individually minor but collectively significant actions taking place over a period of time” (40 CFR §1508.7).

There is the potential for substantial future development in the Ivanpah Valley area and throughout the southern California desert region. Analysis of cumulative impacts is based on data provided in the maps and tables in the **Cumulative Scenario** section of this document.

- Cumulative Scenario Figure 1, Regional Renewable Applications
- Cumulative Scenario Figure 2, Regional Renewable Applications (Detail)
- Cumulative Scenario Figure 3, Ivanpah Valley Existing and Future/Foreseeable Projects
- Cumulative Scenario Table 1, Renewable Energy Projects
- Cumulative Scenario Table 2, Existing Projects in the Ivanpah Valley
- Cumulative Scenario Table 3, Future Foreseeable Projects in the Ivanpah Valley Area.

The analysis in this section first defines the geographic area over which cumulative impacts related to land use could occur. The cumulative impact analysis itself describes the potential for cumulative impacts to occur as a result of implementation of the ISEGS project along with the listed local and regional projects.

Geographic Extent

Cumulative impacts would occur locally if ISEGS project impacts combined with impacts of projects located within the Ivanpah Valley. Cumulative impacts could also occur as a result of development of some of the many proposed solar and wind development projects that have been or are expected to be under consideration by the BLM and the Energy Commission in the near future. Many of these projects are located within the California Desert Conservation Area, as well as on BLM land in Nevada and Arizona. Local cumulative impacts would occur if ISEGS project impacts combined with impacts of projects located within the Ivanpah Valley. Due to the extent of other projects in this area, there exists the potential for local cumulative impacts. The Ivanpah region itself is currently experiencing rapid development, both in California and in Nevada, which will likely result in new residential, commercial, and industrial land uses (see **Cumulative Scenario Figure 3** and **Table 2 - Existing and Future Foreseeable Projects**). New development affects existing land uses (i.e., open space, recreation, low-density uses) within the project vicinity.

Regional cumulative impacts could occur as a result of implementation of the ISEGS project in conjunction with future solar and wind development projects that are currently proposed on over one million acres of the California Desert Conservation Area, as well as on BLM land in Nevada and Arizona. Therefore, cumulative impacts are also

evaluated for the desert areas of southeastern California, southern Nevada, and western Arizona, as shown on **Cumulative Scenario Figure 1 -Regional Renewable Applications**.

Cumulative Impact Analysis

Local Projects

The ISEGS project would not physically divide an established community or contribute to division of a community. The ISEGS project area would cover portions of Utility Corridors D and BB. To protect the public interest, BLM must optimize the use of utility corridors to best accommodate multiple existing and future projects, minimize adverse environmental impacts, and minimize duplication or proliferation of similar facilities. The establishment of the ISEGS project along with other future foreseeable projects, such as the 4,160-acre FirstSolar photovoltaic project immediately east of ISEGS, could conflict with or eliminate other future uses in the designated Utility Corridors D and BB.

Development of the ISEGS project would preclude and in some cases, unduly restrict existing and future multiple uses such as recreation, wildlife habitat, livestock grazing, and open space on 4,073 acres of public land designated MUC L. Land use impacts of the ISEGS project, when combined with impacts of the other foreseeable projects, the most significant of which include the FirstSolar photovoltaic project, the Primm Solar Generating Plant proposed on 2,500 acres south of Primm, Nevada, two wind power projects proposed on 2,330 and 3,360 acres sites on Mountain Pass, and the Southern Nevada Supplemental Airport proposed on 5,934 acres and having a 17,000-acre sphere of influence, would result in significant unmitigable cumulative land use impacts within the Ivanpah Valley. Please refer to **Cumulative Scenario Tables 2 - Existing Projects in the Ivanpah Valley** and **3 - Future Foreseeable Projects in the Ivanpah Valley Area** for a comprehensive list of existing and future local projects.

Regional Projects

The CEQA analysis of cumulative effects for land use includes consideration of the numerous solar and wind development applications in the southern California, Arizona, and Nevada Mojave Desert. The list of pending applications in Table 1 of the Cumulative Scenario is indicative of the interest in public lands for renewable energy generation at a regional level. Renewable solar and wind projects have also been proposed on public lands in Nevada and Arizona. The likelihood of these wind applications being constructed is quite small. Of the 61 wind applications in the California Desert District, only five of the applications are for wind development; the remaining proposals are for site testing and monitoring. BLM's experience is that a small percentage of applications for site testing, have resulted in wind development proposals. In regards to the solar applications filed with BLM in California, only approximately 10% of the proponents have prepared acceptable detailed Plans of Development required by BLM to begin a NEPA analysis. Although it is not likely that all of the future solar and wind development projects proposed in the region would be constructed, it is reasonable to assume that some of them will. The regional loss of additional land base currently available for multiple use management for renewable energy projects is expected to be highly controversial and would result in significant cumulative impacts to land use.

Cumulative Impact Conclusion

Impacts of the ISEGS project when combined with impacts of past, present, and reasonably foreseeable projects in the Ivanpah Valley would result in significant and unmitigable local cumulative land use impacts.

Impacts of the ISEGS project when combined with impacts of future renewable energy projects currently proposed in the southern California Mojave desert would result in significant and unmitigable cumulative land use impacts.

COMPLIANCE WITH LORS

In accordance with Title 43, Code of Federal Regulations §1610.5-3, all actions on public lands must be in conformance with applicable BLM land use plans. Any proposals or actions determined not to be in conformance with these plans would require the analysis of a land use plan amendment. Although the CDCA Plan allows the construction of solar power plant projects within Multiple-Use Classes L, it also requires that new projects that are not currently included within the plan be added to the Plan through the Plan Amendment process. Therefore, this Environmental Impact Statement also acts as the mechanism for analyzing a Plan Amendment that adds the ISEGS facility to the Plan. The Plan Amendment decision would be part of the BLM Record of Decision for the issuance of a right-of-way grant, and would occur after publication of the Final Environmental Impact Statement.

The proposed project, as described in the applicant's Revised Project Description (CH2ML 2009f), would not comply with BLM right-of-way regulations in 43 CFR 2800. As currently proposed, the project would include a variety of activities on public lands that are not included within the right-of-way grant. To address this, **LAND-2** is proposed as a Condition of Certification to ensure that all proposed project activities occur within the boundaries of the right-of-way grant.

The project would not conform with some of the applicable goals and policies of the San Bernardino County General Plan Conservation and Open Space Elements as follows:

1. Conservation Element Goal D/CO 1, calling for preservation of scenic vistas in the County. Staff found that the project would have adverse effects on scenic vistas.
2. Open Space Element Goal OS 5, calling for the County to maintain and enhance the visual character of scenic routes in the County; and Policy OS 5.2, which states that "Development along scenic corridors will be required to demonstrate through visual analysis that proposed improvements are compatible with the scenic qualities present." The visual analysis of the project found that it would not be compatible with the scenic qualities present in the viewshed of portions of Highway I-15 designated as a County scenic route.

CONCLUSIONS

BLM and CEC Staff conclude that the proposed project is in conformance with the CDCA plan of 1980, as amended, and with Title 43, Code of Federal Regulations §1610.5-3. Staff considers the 50% loss of Utility Corridor BB as attributable to ISEGS to be an adverse direct impact that is less than significant since there would be some remaining opportunity to route future utility lines through Corridor D. Staff also determines that the ISEGS project would contribute to significant and unavoidable cumulative land use impacts in the Ivanpah Valley attributable to the loss of public lands for other uses, which would be significant with respect to CEQA as well as NEPA significance criteria in 40 CFR 1508.27. When combined with impacts of the future solar and wind development projects that are currently proposed in the southern California Mojave desert, regional impacts of the ISEGS project to land use would be cumulatively significant and unavoidable.

In addition, staff concludes that the project would not conform with some of the applicable goals and policies of the San Bernardino General Plan Conservation and Open Space Elements as discussed in Land Use Table 3.

Should the Energy Commission and the BLM approve the project, the following measures are recommended as conditions of certification and approval.

MITIGATION MEASURES/PROPOSED CONDITIONS OF CERTIFICATION

- LAND-1** The project owner shall obtain a Right-of-Way Grant (ROW Grant) from the Bureau of Land Management (BLM). Among the conditions for obtaining the ROW grant, the applicant shall provide the following:
- A. Prior to issuance of any right of way grant, the project owner shall submit a final Plan(s) of Development that describes in detail the construction, operation, maintenance, and termination of the right-of-way and its associated improvements and/or facilities. The project owner shall construct, operate, and maintain the facilities, improvements, and structures within this right-of-way in strict conformity with the final approved Plan of Development. The degree and scope of these plans will vary depending upon (1) the complexity of the right-of-way or its associated improvements and/or facilities, (2) the anticipated conflicts that require mitigation, and (3) additional technical information required by BLM's Authorized Officer and the CPM. The plans will be reviewed, and if appropriate, modified by the project owner until acceptable, and approved by BLM's Authorized Officer and the CPM. An approved Plan of Development shall be made a part of the right-of-way grant. Any relocation, additional construction, or use that is not in accord with the approved Plan(s) of Development, shall not be initiated without the prior written approval of BLM's Authorized Officer and the CPM.

- B. A bond, acceptable to BLM's Authorized Officer, shall be furnished by the project owner prior to the issuance of a Notice to Proceed with construction or at such earlier date as may be specified by BLM's Authorized Officer. The amount of this bond shall be determined by BLM's Authorized Officer. This bond must be maintained in effect until removal of improvements and restoration of the right-of-way have been accepted by BLM's Authorized Officer and the CPM.

Verification: At least 30 days prior to the start of construction and prior to any Notice to Proceed with construction issued by BLM's Authorized Officer and the CPM, the project owner shall provide BLM's Authorized Officer and the CPM with documentation of the following:

- A. BLM's ROW Grant and final approved Plan of Development;
- B. The bond satisfactory to BLM's Authorized Officer;
- C. Certification that the project owner acknowledges that the ISEGS development and all related construction, operation, maintenance and closure activities are to be conducted in conformance with the approved Plan of Development and within the approved ROW boundaries for the life of the project.

LAND-2 The applicant's Project Description and associated construction plans shall be revised to allow a minimum 20-foot buffer between the security and tortoise exclusion fence, and the proposed ROW boundary. Once the fencing is constructed, all inspection, monitoring, and maintenance activities required outside of the fencing will occur on lands included within this buffer area and ROW boundaries. Should project activities requiring the use of an area larger than the buffer be required (such as installation of new drainage structures one acre or more in size), the project owner shall make application to BLM for a Temporary Use Permit (TUP) or additional ROW Grant, and to the Energy Commission for a license amendment prior to conducting any activities. Authorization of a TUP or additional ROW Grant may require additional environmental evaluation pursuant to the National Environmental Policy Act and the California Environmental Quality Act.

Verification: At least 60 days prior to the start of construction, the project owner shall provide BLM's Authorized Officer and the CPM with a revised project description and construction plans specifying the inclusion of the buffer zone within the ROW boundaries. The project owner shall also provide BLM's Authorized Officer and the CPM with certification acknowledging that the ISEGS development and all related construction, operation, maintenance and closure activities are to be conducted within the ROW boundaries for the life of the project.

REFERENCES

BLM 1980 – Bureau of Land Management. California Desert Conservation Area (CDCA) Plan of 1980, as amended.

- BLM2007b – Bureau of Land Management (tn: 42364).** Scoping Notification Letter. Dated on 9/6/2007. Submitted to CEC/ Docket Unit on 9/20/2007.
- BLM2008a – Bureau of Land Management (tn: 44070).** BLM Scoping Meeting Notice for Ivanpah SEGS. Dated on 1/9/2008. Submitted to CEC / Docket Unit on 1/10/2008.
- BSE2007a – Bright Source Energy/ Solar Partners I, LLC/ J. Woolard (tn: 42174).** Application for Certification, Volumes I and II, for the Ivanpah Solar Electric Generating System. Dated on 8/28/2007. Submitted to CEC/Docket Unit on 8/31/2007.
- BSE2007c – Bright Source Energy/ Solar Partners I, LLC/ J. Woolard (tn: 42176).** Appendix 5.14A, Phase I ESA Report. Dated on 8/28/2007. Submitted to CEC/Docket Unit on 8/31/2007.
- BSE2007d – Bright Source Energy/ Solar Partners I, LLC/ J. Woolard (tn: 42177).** Appendix 5.14B, Industrial SWPPP. Dated on 8/28/2007. Submitted to CEC/ Docket Unit on 8/31/2007.
- BSE2007e – Bright Source Energy/ Solar Partners I, LLC/ J. Woolard (tn: 42178).** Appendix 5.15A, Construction SWPPP. Dated on 8/28/2007. Submitted to CEC/ Docket Unit on 8/31/2007.
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- CH2ML2007b – CH2ML HILL/ J. Carrier (tn: 42916).** Data Adequacy and Supplement B. Dated on 10/19/2007. Submitted to CEC / Docket Unit on 10/19/2007.
- CH2ML2008a – CH2ML HILL/ J. Carrier (tn: 44310).** Data Response Set 1A. Dated on 1/14/2008. Submitted to CEC / Docket Unit on 1/14/2008.

CH2ML2008b – CH2ML HILL/ J. Carrier (tn: 45305). Data Response Set 1B. Dated on 2/11/2008. Submitted to CEC / Docket Unit on 2/11/2008.

CH2ML2008d – CH2ML HILL/ J. Carrier (tn: 45321). Attachment DR 57-1, Preliminary Draft Drainage, Erosion, and Sediment Control Plan. Dated on 2/11/2008. Submitted to CEC / Docket Unit on 2/11/2008.

CH2ML2008e – CH2ML HILL/ J. Carrier (tn: 45322). Attachment DR 93-1B, Final Interconnection System Impact Study for DPT. Dated on 2/11/2008. Submitted to CEC / Docket Unit on 2/11/2008.

CH2ML2008f – CH2ML HILL/ J. Carrier (tn: 45616). Data Response, Set 1C. Dated on 3/10/2008. Submitted to CEC / Docket Unit on 3/10/2008.

CH2ML2008g – CH2ML HILL/ J. Carrier (tn: 46239). Data Responses Set 1D. Dated on 5/09/2008. Submitted to CEC / Docket Unit on 5/09/2008.

CH2ML2008h – CH2ML HILL (tn: 46521). ISEGS Plan Development. Submitted to CEC / Docket Unit on 6/02/2008.

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DOPW2007a – Department Of Public Works/ J. Caswell (tn: 42769). Comment Letter from Department of Public Works. Dated on 10/3/2007. Submitted to CEC / Docket Unit on 10/12/2007.

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