

BUREAU OF LAND MANAGEMENT AND CALIFORNIA ENERGY COMMISSION

JOINT NEPA/CEQA PROCESS for SOLAR THERMAL POWER PLANTS

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January 10, 2009



PERMITTING AUTHORITIES

- **California Energy Commission**

- ❖ **Thermal power plants 50 megawatts or greater**

- ❖ **Related facilities**

- **transmission lines**
- **substations**
- **access roads**
- **water supply systems**
- **natural gas pipelines**
- **waste disposal facilities**

- **Bureau of Land Management**

Right-of-Way permit for project site and related facilities



PERMITTING/COMPLIANCE ROLE

- **Energy Commission is California Environmental Quality Act (CEQA) lead agency for large thermal power plants**
 - Commission certification/approval also functions as project building permit
 - Commission staff is responsible for ensuring compliance with conditions of certification
 - Compliance staff oversees project construction process and operation for the life of facility (i.e., 30-40 years)
 - Commission requires decommissioning plan
 - **BLM is lead Agency for National Environmental Policy Act**
- BLM Right-of-Way permit will require site restoration**



PERMITTING PROCESS OVERVIEW

■ CEC and BLM will consider:

- Public scoping
- Impacts / Mitigation / Alternatives
- Compliance with Legal Requirements
- Purpose and Need
- Tribal and agency consultation

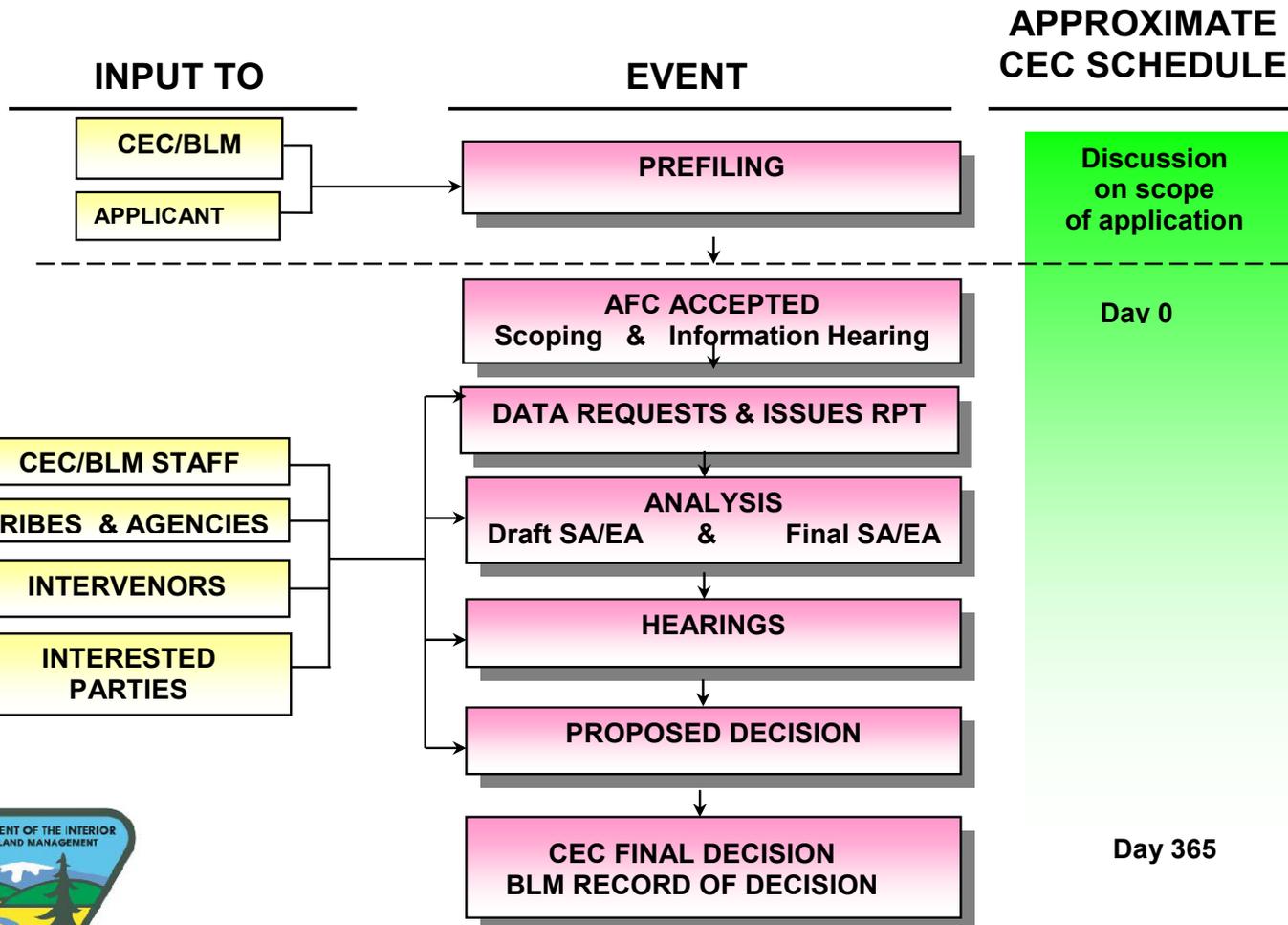
■ Results in:

- Coordinated federal and state NEPA/CEQA review
- Joint environmental documents
- Consolidated state & local permit

Conditions of construction & operation

- Closure plan and site restoration





OVERVIEW OF JOINT BLM & CEC PERMITTING PROCESS

■ PREFILING

- Application to BLM
- Application acceptance by BLM (5101)
- Applicant's Plan of Development to BLM
- Internal scoping
- Begin Tribal consultations and notify SHPO
- Information gathering
- Applicant's complete Transmission System Impact Study



OVERVIEW OF JOINT BLM & CEC PERMITTING PROCESS

DATA ADEQUACY

- Applicant files Application for Certification with CEC
- CEC issues notice of receipt and sends copy of application to agencies, tribes and interested parties
- BLM publishes Notice of Intent in Federal Register
- Staff reviews AFC for completeness with regulations
- Agencies comment on AFC completeness
- Staff provides completeness recommendation to CEC
- CEC accepts AFC when complete

CEC assigns a committee of two Commissioners to oversee proceeding.



OVERVIEW OF JOINT BLM & CEC PERMITTING PROCESS

■ DISCOVERY AND ANALYSES

- Staff prepares Issue Identification Report
- BLM/CEC Information Hearing, scoping and site visit
- Data requests and responses
- BLM initiates consultation with US Fish & Wildlife Service
- Agencies and CAISO issue findings
- Draft Environmental Assessment
- BLM issues Notice of Availability in Federal Register
- Public workshops

Final Environmental Assessment and response to comments

BLM issues Notice of Availability in Federal Register



Staff's Independent Assessment

- Air Quality
- Alternatives
- Biology
- Cultural Resources
- Efficiency
- Facility Design
 - Electrical
 - Mechanical
 - Structural
 - Civil
- Hazardous Materials
- Land Use
- Noise
- Public Health
- Reliability
- Safety
- Socioeconomics
- Soils
- Transmission Line Engineering
- Transmission Line Safety
- Traffic
- Visual
- Waste
- Water



OVERVIEW OF JOINT BLM & CEC PERMITTING PROCESS

■ EVIDENTIARY HEARINGS AND DECISION

- Committee holds prehearing conference
- Committee holds evidentiary hearings
- Committee issues Presiding Member's Proposed Decision
- Energy Commission Decision by full Commission
- BLM issues Record of Decision in Federal Register

■ POST CERTIFICATION AND COMPLIANCE

- Separate Federal and State Appeals
- Preconstruction surveys
- Construction monitoring
- Operation monitoring
- Closure plan for site restoration



OVERVIEW OF JOINT BLM & CEC PERMITTING PROCESS

- **Managing review process for each project**
 - **Energy Commission project manager will work closely with counterpart at BLM**
 - **Regular communication on:**
 - **applicant supplying key information for each agency's needs**
 - **early identification of key issues or controversial areas**
 - **progress completing joint CEQA/NEPA analysis**
 - **agency and public concerns**



OPEN AND TRANSPARENT PUBLIC PROCESS

- **Goals:**
 - Get public input
 - Gain public confidence
- **Public Adviser**
- **All hearings open**
- **All meetings and workshops open**
- **Most events held in community**
- **Formal notice to landowners and public**
- **Consultation with agencies and Tribes**
- **Ex-parte rule restricts private contacts**

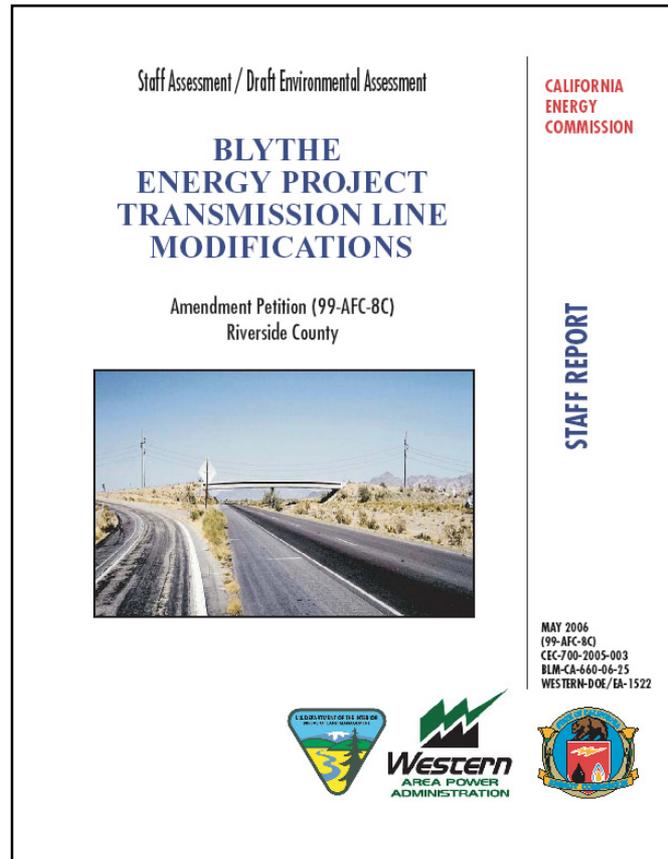


LOCAL, STATE and FEDERAL AGENCY COORDINATION

- **Staff works closely with local, state and federal agencies:**
 - **Local: City**
 - **County/Regional: County and regional air district**
 - **State: California Department of Fish and Game, Regional Water Quality Control Board, State Historic Preservation Office**
 - **Federal: Bureau of Land Management, Fish & Wildlife Service, National Park Service, Army Corps of Engineers, Environmental Protection Agency, Western Area Power, and Dept. of Defense land managers**



JOINT STATE/FEDERAL ENVIRONMENTAL DOCUMENT



CEC and BLM CONTACTS

■ California Energy Commission Staff

- Roger Johnson, Transmission Corridors Program Manager
 - (916) 654-5100 e-mail: rjohnson@energy.state.ca.us

■ BLM California State Office

- Robert Doyel, Lands Branch Chief
 - (916) 978-4649 e-mail: Robert_Doyel@ca.blm.gov

■ Renewable Energy Transmission Initiative (RETI)

- <http://www.energy.ca.gov/reti/index.html>

