

INFORMATIONAL HEARING
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Amendment for the Palen Solar) Docket No.
Electricity Generating System) 09-AFC-7C
)
_____)

COACHELLA VALLEY HISTORY MUSEUM
82-616 MILES AVENUE
INDIO, CALIFORNIA
WEDNESDAY, FEBRUARY 20, 2013
3:00 P.M.

Reported and by:
Martha L. Nelson, CERT

APPEARANCES

COMMITTEE MEMBERS

Karen Douglas, Commissioner and Presiding Member

HEARING OFFICER AND ADVISORS

Raoul Renaud, Hearing Officer

Galen Lemei, Advisor to Commissioner Douglas

Jennifer Nelson, Advisor

Eileen Allen, Siting and Compliance Office Manager

STAFF, CONSULTANTS AND STAFF WITNESSES

Christine Stora, Staff Counsel

Jennifer Martin-Gallardo, Compliance Project Manager

Blake Roberts, Assistant Public Advisor

APPLICANT

Scott Galati, Galati Blek LLP

Joseph Desmond, BrightSource Energy

Charlie Turlinski, Palen Solar Holdings

INTERVENERS

Ileene Anderson, Center for Biological Diversity

Kevin Emmerich, Basin and Range Watch

PUBLIC SPEAKERS

Adam Rush, County of Riverside

Dorian Cooley, Riverside County Fire Department

Frank McMenimen, Bureau of Land Management

APPEARANCES (Continued)

PUBLIC SPEAKERS

George Kline, Bureau of Land Management, Palm Springs

Mark Massar, Bureau of Land Management, Palm Springs

John Kalish, Bureau of Land Management, Palm Springs

Jody Fraser, Fish and Wildlife Service, Palm Springs

Mike Dea, Laborers Union 1184

Wendy Green

Shankar Sharma, Fish and Wildlife Service

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1 you. My name is Joseph Desmond. I'm Senior Vice President
2 for Marketing and Government Affairs at BrightSource Energy,
3 the applicant.

4 MR. GALATI: Scott Galati representing Palen Solar
5 Holdings.

6 MR. TURLINSKI: Charlie Turlinski, a project
7 manager at BrightSource Energy, and moving the development
8 for Palen Solar Holdings.

9 HEARING OFFICER RENAUD: And, Andrea, we're going
10 to need help with getting the projector running again. It
11 came unplugged.

12 COMMISSIONER DOUGLAS: Great. And let's have
13 staff -- if you could introduce yourselves.

14 MS. STORA: Good afternoon. My name is Christine
15 Stora, and I am the compliance project manager for the
16 Energy Commission on the Palen Solar Project.

17 MS. MARTIN-GALLARDO: I am Jennifer Martin-
18 Gallardo, staff counsel.

19 MR. ROBERTS: My name is Blake Roberts, and I'm
20 the assistant public adviser.

21 COMMISSIONER DOUGLAS: Thank you. Thank you. And
22 I was going to introduce Blake separately because he's the
23 public adviser. He's got a special role with the Energy
24 Commission in terms of working with the public and
25 facilitating public participation in the process. So he'll

1 have a presentation shortly in this informational hearing.

2 I'd like to ask -- we've got a sign-in sheet in
3 the back. So certainly, members of the public, if you would
4 like to speak we have blue cards.

5 Blake, you might want to hold one up.

6 So if you'd like us to get your card, kind of in
7 place, to speak in the public comment portion of the hearing
8 please -- please fill one out and Blake -- you can give them
9 to Blake and -- and he'll have it so that we can call on you
10 when we get to public comment.

11 So with that, let me turn this over to our hearing
12 officer.

13 HEARING OFFICER RENAUD: Okay. Thank you,
14 Commission Douglas. Let me ask, also, if we have any
15 interveners as other parties participating today, either in
16 person or on the phone.

17 Yes, please introduce yourself.

18 MS. ANDERSON: I'm Ileene Anderson. I'm with the
19 Center for Biological Diversity. And we were interveners on
20 the previous iteration, as well as on this iteration.

21 HEARING OFFICER RENAUD: Thank you, and welcome.
22 Any other interveners? All right.

23 Let me ask if there are any interveners
24 participating by telephone today.

25 MR. EMMERICH: Hello? Can you hear me?

1 HEARING OFFICER RENAUD: Yes, we can hear you.

2 MR. EMMERICH: Yeah. This is Kevin Emmerich with
3 Basin and Range Watch.

4 HEARING OFFICER RENAUD: All right. Thank you for
5 joining us.

6 Any other interveners participating by phone
7 today? All right.

8 COMMISSIONER DOUGLAS: I was going to ask and --
9 and go through public agencies that are represented here
10 today. But do we have or can we have representation from
11 Riverside County? If you guys could introduce yourselves,
12 that would be great.

13 MR. RUSH: Thank you, and thank you for the
14 opportunity. My name is Adam Rush. I'm a principal planner
15 with the Riverside County Planning Department. We have
16 Chief Dorian Cooley from Cal Fire, the Fire Department for
17 Riverside County; Tiffany Norte, County Counsel; and Denise
18 Harding from our executive office. So thank you for the
19 opportunity.

20 COMMISSIONER DOUGLAS: Thank you. Thanks for
21 being here.

22 Oh, one more. Sorry. And we have Mr. Rush here
23 from our county IT services, overseeing the site project.
24 And we have Lieutenant Briddick (phonetic) with the Sheriffs
25 Department, and Sergeant Joe Villa from the Sheriffs

1 Department. And our Sheriffs Department, as well.

2 COMMISSIONER DOUGLAS: Thank you very much. Thank
3 you for being here.

4 Do we have anyone here from the Bureau of Land
5 Management? Could you introduce yourself?

6 MR. MCMENIMEN: My name is --

7 COMMISSIONER DOUGLAS: If you could, speak in the
8 microphone.

9 MR. MCMENIMEN: Sure thing.

10 COMMISSIONER DOUGLAS: Your help is appreciated.
11 Sorry you've got to come up here.

12 MR. MCMENIMEN: Hi. Good afternoon. My name is
13 Frank McMenimen. I'm a project manager for BLM, assigned to
14 the Renewable Energy Group out of Palm Springs office. I'm
15 working on this project and carrying it through, hopefully
16 through fruition.

17 MR. KLINE: I'm George Kline from Palm Springs
18 Field Office, BLM. I'm an archeologist, and I'll be
19 following this through, even to the construction and
20 compliance.

21 COMMISSIONER DOUGLAS: Thank you. All right.
22 Thank you both for being here.

23 Do we have any other representatives of local,
24 state or federal government agencies here today? All right.
25 Thank you.

1 What about on the phone; do we have any
2 representatives of local, state or federal government
3 agencies on the phone?

4 MR. MASSAR: Yeah. This is Mark Massar with the
5 BLM in Palm Springs.

6 COMMISSIONER DOUGLAS: Thank you. Anyone else?
7 All yours.

8 This is Jody Fraser with the Fish and Wildlife
9 Service in Palm Springs.

10 HEARING OFFICER RENAUD: Okay.

11 MS. FRASER: And the audio is very challenging for
12 me. So pardon me if I don't respond if you ask me
13 something.

14 HEARING OFFICER RENAUD: You're doing pretty well.
15 And believe us, the audio is challenging here, too. So
16 hang in there. But we can hear you fine. Thank you.

17 MS. FRASER: Thanks.

18 HEARING OFFICER RENAUD: All right. Okay. So
19 we -- we're on the three o'clock part of our show. We're --
20 we started a little bit late, but I think we're -- we're
21 going to do okay and get to our public comment period by
22 around five o'clock.

23 Just a couple of housekeeping kind of matters.
24 The idea today is, of course, to provide the -- the public
25 and the parties and the committee, the commissioners, an

1 opportunity to learn more about the proposed amendment to
2 the Palen Solar Project. Let me see. How do I get this to
3 change here? All right. So you'll -- you'll have an
4 opportunity to learn about the proposed amendment. And when
5 we start the public comment period you'll be able to -- to
6 provide comments and ask questions. We're going to limit
7 questions and comments to three minutes, just in the
8 interest of making sure everybody has an opportunity to
9 speak today. And you're going to learn more about the
10 various ways you can participate in the power plant
11 licensing process.

12 As I indicated earlier, the Palen Solar Power
13 Project was licensed in 2010. And since that time ownership
14 of the project has changed, and the new owner, Palen Solar
15 Holdings, has filed this amendment requesting permission to
16 change the project technology. And the commission is now
17 going to undertake the process of reviewing the amendment to
18 determine the nature and extent of its environmental impacts
19 and whether or not to permit the amended project to be built
20 and operated.

21 The Energy Commission has permitting authority
22 over thermal power plants that are 50 megawatts or greater.

23 Sorry, I didn't mean to do that. I'm just trying
24 to get rid of that. All right.

25 The Energy Commission staff asks as an independent

1 party in this proceeding. This is a staff of scientists, as
2 well as other professions, who -- who specialize in this
3 type of environmental review. And they will prepare an
4 independent evaluation of the impacts of the proposed
5 amendment. The commission itself has five members. And the
6 committee of two commissions has been appointed to oversee
7 the licensing process for this amendment. The end product
8 of the committee's work will be a presiding members proposed
9 decision -- we call it PMPD -- which is a thorough
10 environmental analysis. It will be based upon the
11 evidentiary record.

12 The evidentiary record is developed in this
13 proceeding through a series of public hearings during which
14 the parties -- and that means the applicant, staff, and
15 interveners -- formal interveners, can present evidence and
16 testimony under oath which is put into the public record.
17 And that testimony and evidence forms the basis of the
18 decision. (Clears throat.) Excuse me.

19 That leads to the point that the -- it's important
20 that those decisions be based only on the basis of the
21 public record, so we have something called the Ex Parte Rule
22 which basically says that parties, interested persons, and
23 so forth are not able to have private discussions regarding
24 substantive issues in the case with the members of the -- of
25 the committee or their advisers or -- or me. Any such

1 discussions, and so on, must take place in a public forum,
2 such as this one, a meeting which has been noticed and the
3 public has an opportunity to participate. That just makes
4 sure that our proceedings are open, above board, and fully
5 transparent and available to the public for participation.

6 The -- today, if you want to participate in the
7 public comment period, please fill out a blue card. You can
8 obtain these from the Public Adviser, Blake who is sitting
9 here, and I'll ask you to fill out your name. And those
10 cards will then come to me and we'll call you when it's your
11 turn to speak.

12 We will also be allowing you the opportunity to
13 ask questions during the public comment period. But we
14 don't want to allow argument. This is not the forum for you
15 to argue with the applicant or the staff about the project.
16 If you have a question and they can assist you with an
17 answer, they'll provide that.

18 So I think with that I think we'll move into the
19 applicant's presentation. Charlie, is this going to be
20 yours?

21 MR. TURLINSKI: Yeah.

22 HEARING OFFICER RENAUD: Okay. Let me get your
23 slide show going.

24 (Colloquy Between Hearing Officer and Applicant)

25 MR. DESMOND: While Charlie pulls up the

1 presentation I'll just make a few opening remarks. And
2 hopefully by that time we'll -- we'll be back live with the
3 presentation.

4 First, I'd like to thank Commissioner Douglas, Mr.
5 Renaud, as well as CEC staff for coming out here today and
6 participating in this hearing. I'd also like to thank
7 members of the public. I know that for many of us here, we
8 do this; this is our job day in and day out. But to have
9 taken the time to come out and sit and listen and
10 participate, I do appreciate that. I'd also like to thank
11 my staff and the team, particularly Charlie. If you were on
12 the bus, I think he has a second career as a possible
13 Hollywood tour guide. Maybe not Hollywood, Charlie, but at
14 least a tour guide some place. And the rest of the people
15 who made the arrangements for the food and the bus.

16 So with that, let me just talk about -- a little
17 bit about Palen and why this project is important. First
18 off, California has made a very aggressive commitment, the
19 most aggressive in the country, to secure 33 percent of its
20 annual energy from renewable energy resources. It is
21 currently on track to do so. And this project will
22 contribute to helping the state meet that goal, as well as
23 its very aggressive greenhouse gas reduction goals.

24 But the project is important for other reasons.
25 It's located on federal land. The president, the agencies

1 have been working hard at promoting renewable energy
2 development on federal land. You can see the commitment in
3 the infrastructure and the dollars already being invested in
4 supporting infrastructure to deliver the power from these
5 renewable energy projects. And we have already heard from
6 the CEC that this project was permitted in 2010 as
7 concentrating solar thermal using trough technology.

8 So the reason it's important to us today is it
9 helps us, first, certainly to help the state satisfy its
10 requirements on the RPS (phonetic). But the project also
11 has access to transmission, which ensures this project can
12 achieve deliverability under the terms of the contract or
13 purchase agreements that we have that we competitively bid
14 for in California with public power utilities – investor-
15 owned utilities. I'm sorry.

16 The second is that the proposed schedule that
17 we've been talking about here for an amendment would allow
18 us to complete the construction in time to secure the 30
19 percent Federal Investment Tax Credit that runs through
20 December 31st of 2016. When I just mentioned that
21 investment tax credit, it's not a tax credit that flows to
22 the benefit. Those tax credits are factored into the prices
23 that were bid into the project. And so all of California
24 ratepayers benefit from the perspective that the projects
25 that they go forward with actually factor in that tax

1 credit.

2 And while I can't predict what happens beyond
3 2016, the thing I can tell you is that the world is changing
4 and that there are no more loan guarantee programs to speak
5 of, which means that we have to commercially finance these
6 projects. Commercial finance means you get private equity
7 on a project that you see here as equity investors, and then
8 you have to raise the debt. And going out and securing that
9 debt means that you have to be able to provide a schedule
10 that is of sufficient risk that can be managed, such that
11 the people lending the money have confidence in the
12 technology, but also confidence that the project will be in
13 service prior to the date on which they're factoring in that
14 30 percent investment tax credit. So I just want to help
15 you understand at least that these are all connected.

16 The other thing that's important about this
17 project, it helps us as a company continue to advance our
18 technology path towards improved efficiency and reduced
19 cost. And in the long run, as we move to adopting thermal
20 energy storage which further helps to reduce the cost, but
21 also provides greater flexibility to the grid as California
22 integrates more and more variable resources such as wind and
23 photovoltaic onto the grid.

24 And then lastly, as we've looked at this project
25 and the site and recognizing the work that's been done so

1 far, it provides us an opportunity to improve upon it in a
2 number of ways that Charlie and the rest of the team will
3 talk to here in a just a few moments. Thank you.

4 MR. TURLINSKI: Okay. Charlie Turlinski. For
5 those of you who were not on the bus tour, I am talking to
6 you today in my capacity as the lead developer for Palen
7 Solar Holdings. I'm going to cheat and look at this
8 computer. You can go to the next slide. I think you've got
9 the controls. There you go.

10 So I thought I would, before I get into the
11 project, quickly touch on the ownership of the project,
12 Palen Solar Holdings. The purpose of Palen Solar Holdings
13 was originally a joint venture between Caithness Energy and
14 BrightSource Energy. It was created with the sole purpose
15 of purchasing he Palen Project out of bankruptcy from Solar
16 Millennium. More recently, it is worth updating,
17 BrightSource Energy has purchased the balance of the energy
18 from Caithness Energy. So Palen Solar Holdings is currently
19 a 100 percent BrightSource Energy owned entity. And we did
20 want to update the team on it that will -- everybody here on
21 the -- on the concept that we are negotiating with another
22 third party to bring that into the partnership, somebody we
23 would call a strategic partner. That's not closed so we
24 can't really discuss it just yet, but we did want to inform
25 the commission of that. So that's who Palen Solar Holdings

1 is.

2 I think -- I'm moving mine. I think we can go to
3 the -- we can go to the next slide. So basically the --
4 the -- our objective today is to discuss what -- what we're
5 trying to -- what we're modifying. So we want to -- excuse
6 me a sec. We -- we want to modify 500 megawatts of
7 parabolic trough technology with 500 megawatts of solar
8 thermal power tower technology. So this slide -- I'm sort
9 of trying to keep up with the same slide so I can see what
10 they are -- this slide walks you through what -- how the
11 technology works. And while I think most of the commission
12 is fully aware, I'll just quickly walk through the basics of
13 power tower technology.

14 What is similar, what is similar to the -- the
15 previously approved project is that it's a thermal project.
16 It -- the solar field is a giant heat collection mechanism.
17 It creates steam, and that steam ultimately creates kinetic
18 energy which at the power block, up here, is turned into
19 electricity. That is what is similar about the two
20 projects, the project that was approved and the modification
21 that we are proposing.

22 What is different about the technology when you
23 look at the solar field here and the tower here, it's the
24 heat collection mechanism, essentially. Whereas it was a
25 parabolic trough in the approved project, it is -- we are

1 proposing -- we are proposing that it's a power tower. So
2 the different is that the heliostats essentially act as one
3 large parabolic trough. And the focal point is the top of
4 the tower. That parabolic trough creates steam directly on
5 top of the tower which runs the -- the thermal process. So
6 in a nutshell that's how a power tower works.

7 The reason, the objective behind a power tower,
8 and I think this is important to note, is maximizing thermal
9 efficiency. The concept of power towers, that you can do a
10 direct steam application, a direct steam application as
11 opposed to parabolic trough, which actually has a heat
12 transfer fluid mechanism, allows you to potentially achieve
13 higher efficiencies. And achieving higher efficiencies, as
14 Joe was walking through, allows us to achieve better
15 economies and allows us to sell at more reasonable and more
16 economically competitive rates to the California ratepayer.

17 So effectively we are proposing to replace the
18 solar thermal technology with what we would consider a
19 preferable solar thermal technology, due to the fact that we
20 consider it more efficient and more economically viable.

21 Do the next slide. Okay. I'm following along. A
22 lot of the -- a lot of you who were on the bus got used to
23 this map while we were driving. This gives you -- it's sort
24 of a step back. And I will walk through it just one more
25 time for those of you who were not on the bus. It gives you

1 a step back and gives you a concept of what the area looks
2 like.

3 What we're trying to show is essentially Riverside
4 County here. You can see on the northwest Joshua Tree. If
5 you were to run off the side, that's Blythe. The middle is
6 the I-10 corridor. What we're trying to highlight here is
7 there's the Palen Project, the permitted Palen Project, and
8 some other existing, what we're calling existing because
9 they're under construction, projects including Desert
10 Harvest, Desert Sunlight, and then all the way, way out to
11 the east, the Genesis Project.

12 Scattered within the area is what -- what this
13 says, the solar energy zone, the approved solar energy zone.
14 And a message with this slide is pretty simple. The Palen
15 Solar Project, along with those others, was approved, as
16 this says. There was a narrative that the state and the
17 federal agencies were creating their interest the state and
18 the federal agencies were following when they approved all
19 these projects. And Palen Solar Holdings is looking to
20 align with those interests. And we thought one of the best
21 ways we could align with those interests was to acquire the
22 interest of the Palen Solar Project, modify the project to a
23 power tower technology, and move on so that we can deliver
24 power by 2016.

25 So, again, I think, yeah, we can move to the next

1 slide. Okay. This is a snapshot of the approved project
2 and the modified project that we are proposing, approved
3 being on my right, modified being on my left. What we
4 wanted to highlight here is that it is within the same
5 footprint. We are not proposing from a disturbance
6 standpoint a radical deviation from what was already
7 approved.

8 What we are proposing is a couple of things. For
9 the 500 megawatts -- we were proposing, as I said earlier,
10 500 megawatts. But we have found some paths to improve from
11 a disturbance standpoint on that. Whereas what was
12 previously approved as 4,200 acres of disturbance area, as
13 you can see there in that footprint, you can see this
14 footprint is very similar but it's less. From a cut and
15 fill standpoint -- and I think this is kind of -- we tried
16 to highlight this, actually, from -- from an illustrator
17 standpoint, cut and fill is a big difference. Cut and fill
18 is 4.5 million yards for the approved project. Because of
19 the different technology and the lighter footprint of a
20 heliostat and a solar field, it's 200,000 cubic yards in the
21 proposed amended project. So I think that's a big
22 difference and worth highlighting.

23 Evaporation ponds; a small point but worth
24 pointing out. Whereas there were approved to be 4 at 16
25 acres, there's now 2 at 4 acres. And water use, finally --

1 and these are just sort of a couple of highlights -- water
2 use is a big one. Water -- water use is always a big one
3 out in the desert. Whereas they were both dry cooled the
4 difference is significant. The difference is, from an
5 operational standpoint, whereas a 300 acre feet was approved
6 for the -- for the approved project, it's -- we're asking to
7 be able to use 201 acre feet per year. And when you include
8 construction use, what was approved over 5,000 acre feet for
9 the construction period of -- of the -- of the approved
10 project, we're asking for a little over 1,000, a little over
11 1,100. The difference when you add it all up over a 30-year
12 period it's -- it's 50 percent of what was approved. And
13 that's -- we thought that was a significant modification
14 that we wanted to highlight.

15 So next slide. Okay. This is kind of a
16 snapshot -- I kind of want to stand up. I don't want to
17 pull this thing out though. All right. We were standing,
18 for those of you on the bus tour, right here today. We were
19 looking straight north, just to give you a sense of what the
20 project looks like. We were then -- for -- for those who --
21 who were using binoculars, looking at where we flagged the
22 Unit 1 Tower.

23 What you don't see here and what is sort of
24 highlighted over there and we -- what we drove by, the Red
25 Bluff Substation. There's a six-and-a-half mile gen-tie

1 that runs from the north side of the project along what was
2 an approved corridor, and then quickly it jots south to the
3 existing and almost commissioned Red Bluff Substation. We
4 talked about it a little bit on the bus but I wanted to
5 highlight it. This is a huge reason that Palen Solar
6 Holdings and we as the applicant have acquired this project
7 and are looking to repurpose this project and this
8 technology.

9 It is because there is existing -- and existing
10 substation, existing facilities, and along with the existing
11 upgrades that allows us to deliver on PPAs that we bring to
12 the table, PPAs for the utilities and such. So it is no
13 small reason. When you're developing in California you're
14 always looking at the transmission situation. And one of
15 the unique aspects of this project is that it is
16 deliverable. We can deliver the power that we create, and
17 that allows us to finance a project. That's a big deal. So
18 we have in a little corner Red Bluff Substation, six-and-a-
19 half miles. But the fact that that's existing, the fact
20 that that's not just proposed, it's -- it will be existing,
21 at least by the end of the year -- that's a really big deal
22 and it's what makes this project very, very unique in our
23 eyes. Without those upgrades you can't do things like --
24 these are site specifications. Without those upgrades and
25 all you can't deliver a contract if you don't have, in this

1 case, a 170,000 heliostats. These are general benefits with
2 a supply chain that goes along with 170,000 heliostats in
3 two solar fields, outgoing renewable energy for 200,000
4 homes. And this is just to give the general public a
5 general idea of the scale of these projects.

6 Jobs; we do talk about it in the -- in the
7 petition, amended, 2,300 at peak. I think the average is
8 just over 900 for a 33-month period. And operations jobs
9 for over 30 years, 100 permanent operation jobs. These
10 things don't happen without those upgrades. The tax
11 benefits and the federal royalties each are \$200 million
12 worth of value over the course of 30 years. That's
13 significant. That's significant socioeconomic activity that
14 we wanted to highlight.

15 I think Raoul actually mentioned what some of the
16 status was, and I did want to bring it back to a 30,000
17 view, what the status is. Palen -- I'm pointing up to the
18 far corner. Sorry. Palen status, the lines of BLM land,
19 there is an executed LGIA. That's easy to write in a bullet
20 point, but it actually takes a long time to get it done. So
21 that's an important asset to this project.

22 By the way, the update at the state level, as
23 Raoul said, there was a final decision on this project, the
24 approved project in 2010. And more recently we submitted,
25 in December of 2012, a petition amendment which I'm sort of

1 walking through. And at the federal level there was an FEIS
2 issued in 2011; I believe it was 2011. We've recently
3 submitted a revised POD at the guidance of the -- the BLM.

4 All of this, all these action items, they're all
5 there, I think to highlight an item that Joe was talking
6 about. The COD is 2016, 6/20/16. That is what we were back
7 from completely. The bullet above it, PPAs and PUC approved
8 and assigned, 6/16, I should say any time in 2016. Our
9 ability to achieve a COD in 2016 is critical to our ability
10 to deliver on PPAs. And then it comes back to why this
11 project works for the specific interest in place. Why the
12 upgrades that are in place at Red Bluff Substation, the
13 upgrades that are prescribed by the entire transition
14 cluster, the fact that the project was at one time literally
15 perfect for a timeline that we think will allow us to
16 deliver on PPAs and obligations that we have to the
17 utilities.

18 So we can go to the next slide.

19 HEARING OFFICER RENAUD: Charlie, before I change
20 that, you're using a lot of acronyms, initials. For the
21 benefit of people who don't know what they mean, maybe you
22 could --

23 MR. TURLINSKI: Sure.

24 HEARING OFFICER RENAUD: -- go back a little and
25 tell us what they mean, and then do that in the future too.

1 MR. TURLINSKI: Yeah. No problem.

2 HEARING OFFICER RENAUD: So PPA, COD. I don't
3 know what else you used but --

4 MS. ANDERSON: LGIA? What's LGIA?

5 MR. TURLINSKI: Yeah. I'm going to look it up
6 right here. So let's see, LGIA, that's up here. I was
7 talking about transmission and the ability to transmit power
8 to the grid. That's a large generator interconnection
9 agreement. That is the milestone that ends at the very end
10 of negotiating a spot, essentially, to interconnect to the
11 grid.

12 Another one I mentioned was PPAs. I'm sorry
13 for -- you get stuck in acronym world. Power purchase
14 agreements. And in the world of utility scale energy, power
15 purchase agreements are signed with the utilities, so Cal
16 Edison and PG&E, etcetera. Power purchase agreements are
17 essentially a reservation on all the power that is created
18 over the next 30 years. A power purchase agreement is
19 essential to a project to be able to be financed. Another
20 way to say it is a project isn't real unless it has sold its
21 power. You can go through the permitting, and you have to
22 go through the permitting, but at the end of the day you can
23 not finance a project, you can't pay for all the workers
24 that it takes to construct these projects, and you can't
25 operate that project without a power purchase agreement. So

1 it's an important item. I'm glad you asked.

2 And COD is the last one. COD is the -- the
3 commencement of delivery.

4 MR. GALATI: Commercial operation date.

5 MR. DESMOND: Commercial operation date.

6 MR. TURLINSKI: Commercial operation date. Okay.

7 I just made that up. It's the commercial operation --
8 operation date, that is the end of construction, the end of
9 development, essentially the end of my job as it pertains to
10 the project and the beginning of an actual operational
11 project. So, yeah, it's -- it's a key date. It's a key
12 date as it pertains to other milestones, as well. Okay.

13 So I wanted to back up real quickly and just talk
14 about the -- I think the three things -- we're talking about
15 impacts, and impacts that change, and impacts that will not
16 change or disturbances that will not change. They all come
17 back to the technology. The technology allows us to
18 decrease impacts in some cases, and it will force us to
19 increase in tax in others. What I wanted to say to the
20 technology on a generic level, there are three areas where
21 it's generally superior to other technologies, land
22 disturbance, water use, and power -- power quality. I
23 talked about water use already, so I won't hit that.

24 In the case of land disturbance, I think the
25 picture sort of says a thousand words. The one on the left

1 is a picture of the solar field that -- that we use, that
2 BrightSource power, the solar power tower uses, essentially
3 heliostats. On the right is a graded solar field for a
4 parabolic trough or a typical photovoltaic.

5 The -- the point that we want to make there is
6 that less disturbance is basically better. Less -- less
7 disturbance allows for existing vegetation and land
8 contours. The heliostats that we are proposing do not have
9 concrete foundations. That's just generally less
10 disturbance. And that's how we are able to get to the
11 numbers that we're starting to say this is why this is less
12 impact, this is why this is less disturbance. It's because
13 the technology has a lighter footprint than the solar field,
14 and so I wanted to highlight that.

15 One that we don't talk about and one that gets a
16 little technical is power quality, but it is worth noting
17 because the folks that sign the PPAs that I was just trying
18 to describe are the ones that care about what power quality.
19 The utilities care about power quality. And so when we talk
20 about thermal, thermal -- thermal processes, revolving that,
21 spinning that, I don't want to get too technical on it but
22 those -- there's a difference between thermal and non-
23 thermal projects. And the power quality of thermal projects
24 is typically considered to be better. So when we're -- when
25 we're preparing things to photovoltaic and grid integration

1 and we deal with -- here's and acronym, the CAISO, the
2 California --

3 MR. GALATI: Independent System.

4 MR. TURLINSKI: -- Independent System Operator.

5 Thank you, Scott. They -- they do care about the concept of
6 grid integration, voltage support, reactive power, frequency
7 response, all things that I probably couldn't explain to
8 how -- what they actually are properly.

9 But I can talk to you quickly about the last one,
10 reduced output and variability. One of the real benefits of
11 solar thermal technology, and specifically of the -- of the
12 modifications that we are proposing today is the ability to
13 back it up -- back it up with natural gas. That allows for
14 enhanced integration capabilities for the utility. They
15 like that. And that's pretty much the best way I can put
16 it. They like the ability to avoid intermittency that is
17 typically of photovoltaic, typical of wind, etcetera.

18 So we can go to the next slide. So as it pertains
19 to the topic of natural gas, and we did briefly talk about
20 it on the bus, this is one modification, the natural gas
21 corridor that is -- that expands upon the original
22 footprint. It's -- it's a natural gas corridor that is
23 running along the existing natural gas distribution line,
24 but we wanted to point that out, and runs largely along a
25 disturbed corridor. That is one -- that's one modification.

1 This -- the objective of this slide is really to walk
2 through the primary modifications that we are proposing.
3 That's the first.

4 The second is the solar field, as I talk about.
5 Whereas it was a parabolic trough in the past, we're
6 exchange that solar -- that parabolic trough solar field for
7 a heliostat -- solar heliostats. From an impact standpoint
8 it's pretty much -- I don't want to judge it but it provides
9 the opportunity to eliminate grading from the solar field.
10 It provides the opportunity to eliminate the need for
11 foundations in the solar field. And the solar field is the
12 dominant component of a solar project. So that ends up
13 being a fairly significant decrease in impacts.

14 The next one, the next modification, as I've
15 suggested, is the heat transfer or the heat diversion
16 system. Essentially this is a parabolic trough, which was
17 approved. That's a system of thermal or oil that runs
18 throughout the course of the solar field. And what that
19 does is that absorbs the heat energy, brings it back to a
20 power block, and that power block then creates steam with
21 that. We are omitting that, but in its place we are
22 proposing a power tower. The tower has a boiler at the very
23 top. So that is the focal point for the heliostats. That
24 is the focal point where all the sun is concentrated.

25 You've eliminated the need to run therminol

1 through the entire solar field. You've added a tower. So
2 you've added potential visual impacts and any impact
3 associated with the tower. So I think that was what we
4 wanted to point out. Primary component on the conversion
5 system does take away some things, it does add some things.

6 And lastly is the gen-tie. We didn't talk about
7 this on the bus. There is a slight modification here. I
8 would call it more of an adjustment. The approved corridor
9 is the one to the right. The proposed modification is this
10 jog that comes down to the left. The reason for this
11 adjustment is it's simply a common-sense adjustment. In the
12 time since this has been modified there is an existing
13 corridor, Desert Sunlight, a project that is being
14 constructed right now. It's building into the Red Bluff
15 Substation. Additionally, the plans for the Red Bluff
16 Substation that you all saw on the bus tour were changed a
17 little bit. So the -- the proposed modification of that
18 last mile of gen-tie, just a common-sense adjustment to co-
19 locate along a corridor that is already existing and allow
20 us to get into a bay that we -- was defined by CEC and
21 CAISO.

22 And one more set. Okay. I want to -- this is the
23 last slide, so I'll be quick. But I wanted to highlight
24 this last line in this schedule, and this is what -- one of
25 the things Joe was talking about and this is what we work

1 around. This is how we back -- back out everything. The
2 ITC, it's a federal -- as Joe explained, the federal tax
3 credit, expires in 2016. And that is built in to the power
4 purchase agreements that -- and the pricing that -- that we
5 have assigned to this particular project. So that sunset
6 date is what drives our commercial operation date, our COD
7 date.

8 Working back from there we see the construction
9 commencement needs to be able to start in a fairly short
10 time period for us to achieve that. That's aggressive, but
11 that's the schedule that works for a project that ends up
12 working for California. That's the Fall of 2013. So we
13 wanted to highlight the big picture milestones. And then
14 that puts an onus, and this is what our suggestions was the
15 permitting and CEC amendment complete by a certain date.
16 These were our suggestions, and we wanted to highlight why
17 we were making those suggestions originally.

18 I did want to talk to the map just very quickly.
19 Phase 1, we phased this out a little bit differently than
20 was the -- the originally proposed project. And we
21 suggested because we think that such an early start, such a
22 rapid start, where we need it the most is areas of -- common
23 area, mobilization, grading in the power block, that sort of
24 thing. So we've changed the nature of phasing. It's not a
25 huge issue, but we wanted to highlight the green and the

1 rose and magenta would be proposed as a Phase 1 as opposed
2 to, I think in the past the phases were specifically one
3 unit and a second unit. And we're proposing the balance of
4 the solar field as Phase 2. So that's one way that we're
5 put out there that we think might assist the schedule,
6 because we know it's an aggressive schedule. But that's why
7 we're out here.

8 And so that's pretty much all I've got to say.
9 Thanks for your time.

10 HEARING OFFICER RENAUD: Okay. Thank you. And
11 now we'll proceed to a presentation by the Project Manager
12 from Energy Commission staff, Christine Stora. Let me just
13 get her going here to her current slide.

14 MS. STORA: All right. Thank you. My first slide
15 this afternoon is a just a quick overview of the amendment
16 process. I'm going to kind of breeze through some of these
17 slides at the get-go so I can spend more time talking about
18 the specific issues that we've already identified on this
19 project. So the overview of the amendment process, as
20 mentioned already today, throughout the day, actually, this
21 project already has a license. It was licensed in 2010.

22 The committee must determine whether the impacts
23 will change as a result of this amendment. We're also going
24 to be doing staff discovery and analysis. We're going to be
25 identifying issues. We will have data requests that will go

1 to the applicant. We're going to be holding public
2 workshops. And then there's going to be two primary
3 documents that staff is going to produce on this. We're
4 going to be publishing a preliminary staff assessment and
5 then a final staff assessment.

6 And ultimately the committee evidentiary hearings
7 and decision will happen with evidentiary hearings on the
8 final staff assessment, the presiding members' proposed
9 decision, also known as a PMPD, and public comments, and
10 then there will be a hearing on that with a final commission
11 decision.

12 Next slide please. Energy Commission staff's rule
13 is to evaluate the consistency of the proposed changes of
14 this amendment with the Energy Commission decision that was
15 approved back in 2010. We will determine if the impacts as
16 modified will remain in compliance with all the applicable
17 LORS, ordinances, regulations and standards. And staff will
18 only review the proposed changes to the project, but not the
19 entire project.

20 Next slide please. For discovery and analysis
21 process we will determine if the proposed amendment complies
22 with all the LORS, as mentioned earlier. We will conduct an
23 engineering and environmental analysis where we, again,
24 identified issues. We're going to identify environmental
25 impacts and mitigation measures, and ultimately making

1 recommendations for conditions of certification.

2 We will facilitate public and agency participation
3 throughout this process. Again, there's the two primary
4 documents that we're going to be producing, the PSA and the
5 FSA, as I mentioned earlier. And ultimately we'll be making
6 recommendations to the committee for their decision on this
7 project.

8 This slide just shows a quick list of some of the
9 agencies that we've already identified that we will need to
10 coordinate this amendment process with. This is by no means
11 an exhaustive list but just a starting point. We've
12 identified Riverside County Airport Land Use Commission, the
13 Colorado River Basin Regional Water Quality Control Board,
14 the Department of Defense, the Bureau of Land Management,
15 the U.S. Fish and Wildlife Service, and various local Native
16 American tribes.

17 HEARING OFFICER RENAUD: Okay. Thanks. I think
18 I've already summarized this before. But at the -- the end
19 result of the discovery and analysis process is that the
20 committee conducts evidentiary hearings to create the
21 evidentiary record that will form the basis of the decision.
22 It's -- it's kind of like court. We do have witnesses. The
23 parties bring in scientists as witnesses. They're sworn in.
24 There's a court reporter. Cross-examine can take -- cross-
25 examination can take place.

1 And the -- at the end of those hearings the
2 evidentiary record is what the committee basis the PMPD, the
3 presiding members proposed decision, on. After that is
4 issued there's a public comment period, followed by
5 consideration of the PMPD by the full commission, which
6 eventually can issue a final decision.

7 After that the next step in the appeals process
8 would be either reconsideration by the full commission, and
9 then going to the California Supreme Court. The Energy
10 Commission continues to monitor compliance with all the
11 conditions of certification for the life of the project
12 until it closes.

13 MS. STORA: Thank you. Okay. Staff's issues
14 identification report. Last Friday Staff published the
15 issues identification report which identifies what staff
16 believes are the major potential issues associated with the
17 Palen Project. This is by no means an exhaustive list.
18 There is probably going to be lots of other issues and other
19 technical areas. But this is what we're identifying from
20 the very beginning of this project as areas of concern that
21 we're going to be focusing a lot of attention on.

22 First of all, those technical areas are biology,
23 cultural resources, soil and water resources, traffic and
24 transportation, and visual impacts. And I'll be going
25 through each one of these in a little bit more depth.

1 One thing I wanted to point out on this slide,
2 just to summarize, this is an amendment; the is not a new
3 licensing case. The Palen applicant must ensure that
4 compliance activities continue, not that anything is going
5 on out there, but they are currently bound by the license
6 that exists. During this process many new conditions of
7 certification will be required during the proposed -- if the
8 proposed amendment is approved. And there are also numerous
9 conditions of certification that already exist on that
10 project that are going to remain in place that may or may
11 not be changed. And I just wanted to highlight that for all
12 of you. Okay.

13 Biological issues. For biological issues Staff
14 has identified several potential issues for the Palen Solar
15 Project. First off, a revised biological assessment will
16 need to be submitted to the -- to the Bureau of Land
17 Management. I'll be calling the Bureau of Land Management
18 the BLM, for your information. If the BLM needs to
19 reinitiate a formal consultation with the U.S. Fish and
20 Wildlife Service this could have a significant affect on
21 schedule. CEC staff will coordinate closely with the U.S.
22 Fish and Wildlife Service and the BLM during this process.

23 And one of the other issues associated with
24 this project is the concern of solar flux. Solar flux is
25 concentrated ambient solar radiation that is generated

1 between the solar receiver and the steam generator located
2 at the top of power towers and reflecting mirrors on the
3 ground. Staff is reviewing the existing baseline data of
4 the original proceeding to determine if the data that is
5 existing is adequate to address the potential impacts of
6 solar flux and special status birds and bat species. More
7 survey data may need to be collected to evaluate that
8 impact.

9 A bird and bat conservation plan -- or, pardon me,
10 a bird and bat conservation strategy, formally known as Bird
11 and Bat Protection Plan, is necessary to achieve compliance
12 with the Migratory Bird Treaty Act prior to construction.
13 In addition, this also may require more survey data than we
14 currently have available. And Staff has identified that as
15 a potential issue.

16 And lastly for biology, the project could result
17 in the take of Bald and Golden Eagles. Multi-year surveys
18 may need to be conducted to acquire the required data to
19 evaluate the direct, indirect, and cumulative affects of
20 Bald and Golden Eagles. The U.S. Fish and Wildlife Service
21 recommends that an eagle conservation plan be completed for
22 this project.

23 Next slide please. For cultural resources, the
24 modified project may have visual impacts on cultural
25 resources on the local landscape. Little information is

1 currently available on the built-in ethnographic and
2 archeological resources that may be present within the view
3 of the modified project. Again, we may need to collect
4 additional data to evaluate these potential affects. Staff
5 will reinitiate agencies consultations -- consultations
6 within the local Native American tribes. We'll be
7 requesting new reconnaissant level surveys of the
8 environmental and archeological resources, and areas beyond
9 the project footprint that may be affected by the increase
10 in the project's visual profile. Additional surveys will
11 also be required for the new transmission line that's been
12 pointed out earlier, and the new gas line, where surveys
13 have not been previously done on the original project.

14 Next slide please. For soil and water resources,
15 the heliostat technology would not require an entirely flat
16 surface, as demonstrated earlier. Compared to the solar
17 trough technology -- pardon me. Although the modified
18 project would reduce impacts to water diversion and grading
19 compared to the approved project, the substantial changes in
20 hydrology could potentially create a new set of issues that
21 were not previously identified. A revised storm water
22 pollution prevention plan needs to be submitted. A delay in
23 receiving this information could also have project schedule
24 implications.

25 The modified project would reduce the amount of

1 processed waste water compared to the approved project.
2 Although this would be a reduction of impacts, it would
3 be -- it require a waste water discharge requirements, or
4 WDRs, to reflect the modified project. This needs to be
5 coordinated with the Colorado River Basin Regional Water
6 Quality Control Board, including formal adoption of the WDSs
7 prior to operation. Again, we're -- here we're concerned
8 about schedule.

9 Next slide please. Traffic and transportation.
10 Staff is concerned that glint and glare from the proposed
11 project could pose safety hazards to nearby motorists along
12 I-10 and other local roads. Pilots, including military
13 pilots flying nearby training routes may also be affected.
14 Staff is requesting a glint and glare study to assess these
15 potential impacts.

16 Also, due to the height of these projects, they
17 are going to be requiring FAA lighting, Federal Aviation
18 Administration lighting. The FAA must do a review of this
19 project, and Staff needs to take a look at that before we
20 can finalize our analysis, just as a side note on that to --
21 with transportation and traffic.

22 So on these issues, Staff is going to be working
23 closely with the Department of Defense and Riverside County
24 Airport Land Use Commission to evaluate the impacts to
25 aviation.

1 Next slide please. Provisional resources. In
2 addition to the traffic and transportation impacts of visual
3 resources, Staff is also concerned about the glare impacts
4 to recreational visitors and nearby recreational
5 destinations, such as the Palen McCoy Wilderness Area, the
6 Chuckwalla Mountain Wilderness Area, and Palen Dry Lake.

7 And that concludes my portion.

8 HEARING OFFICER RENAUD: Okay. Thank you. Up now
9 is the schedule for the review of the project proposed by
10 Staff. The applicant has filed a response the other day
11 which -- which they indicate that they like the schedule, it
12 looks -- it looks good. The committee will consider it and
13 we'll issue a scheduling order the next couple of weeks,
14 setting forth the schedule for the review of the project.
15 The committee will also ask that the parties keep the
16 committee informed of any issues that come up that might
17 result in delay or schedule slippage.

18 So now we'll turn to presentation by Blake
19 Roberts, our Public Adviser. He'll help you with how to
20 participate in the process.

21 MR. ROBERTS: Thank you, Raoul. So my name is
22 Blake Roberts, and I'm the assistant public adviser.

23 Next slide, actually. So I'm the assistant public
24 adviser. There is a public adviser, but right now that
25 position is vacant and, hopefully, will be appointed by --

1 appointed very soon. But I just wanted to kind of give you
2 some background on -- on what we do.

3 We're -- we're sort of -- we serve as an
4 independent office within the Energy Commission. And so our
5 role is to help the public understand this process. As you
6 might have been able to tell, it's a little complicated.
7 So -- so we're here to provide that assistance. And also we
8 wanted to let you know what's the best way for you to be
9 involved, which I'll be talking about a little bit more in a
10 second. And then also making sure that the proceedings that
11 we have are fully open to the public.

12 Next slide. So in terms of -- of getting the
13 voice -- getting the word out that there is this project out
14 here, we're trying to contact -- you know, the commission
15 has contacted numerous people from city and county officials
16 from the area, also, of course, federal and other state
17 agencies, travel officials and members. And then we have,
18 you know, a whole list of -- of people that -- that should
19 know about it, people that have contacted our office, city
20 and county civic leaders, nonprofits, hospitals, law
21 enforcement, etcetera. And then there is local news
22 advertisement that gets out. And then we have information
23 at local libraries, and for local TV and radio.

24 So there's two types of public participation in
25 Energy Commission proceedings. The first level is public

1 comment, and it's more than informal participation. You can
2 have -- and, you know, the blue cards that I had earlier,
3 which you're more than welcome to fill -- fill out right
4 now, that's a chance for you to talk at -- at a public
5 meeting. There's also written comments which you can submit
6 to our dockets' unit. And I have an email address for that,
7 as well. And don't worry; this presentation will be up on
8 the website, as well.

9 And then also, just to kind of give you some
10 context. Public comments are part of a record and they're
11 considered by the commissioners. But public comments can
12 not solely be -- be the sole basis of a decision, and they
13 can't be considered evidence within the evidentiary
14 hearings.

15 Next slide. So the second level is more of a
16 formal participation, and that's intervening. We have -- we
17 have Ileene Anderson and Kevin Emmerich who are examples of
18 interveners on this process right now. Anyone can file a
19 petition to intervene in a commission proceeding. But,
20 obviously, the earlier you do it the better because you
21 have -- you're going to have a little bit earlier say and
22 you can be more effective. And then the petition is
23 considered by the commissioners that make up the siting
24 committee.

25 If you are approved then you become a party, much

1 like you become a party in the legal sense. So interveners
2 can present evidence at the hearings. They can question the
3 staff and applicant, witnesses, cross-examination, just like
4 you would see in a court. But you do not have to be or you
5 do not have to have an attorney to participate in this -- in
6 this process. And so that's part of what our role is as the
7 public adviser is to provide you with guidance on how you
8 can participate and how you can become an intervener.

9 So there's several things that you can do at this
10 point if you want to become more involved. And, obviously,
11 you're already here, so you want to be involved. You can
12 sign up on the list server to receive notice of upcoming
13 events. The website is up there. You can also submit
14 written comments, provide oral comments today, and then
15 continue to attend public events. If you can't make it
16 here, if you can't make it to a meeting in person you can do
17 it through a WebEx which is our conference system. And
18 also, of course, you know, this is -- this is a complicated
19 process, but we want to make sure that people who do not
20 speak English can participate, so we really encourage that
21 involvement. And for those who have disabilities we have
22 contact information for those.

23 Next one. So if you want to go onto the website
24 and get a little bit more information about the Palen
25 Project, if you go to the www.energy.ca.gov and then click

1 on power plants, and then power plant cases under review --
2 next slide please -- then there will be a list of all the --
3 the power plant licensing case that are under review at the
4 Energy Commission. Right now at the bottom is the -- is the
5 Palen Solar Power Project. So that's a way to get more
6 information on that site. There's information about the
7 project, including documents, notices about what's going on.
8 And then also at that site is an opportunity to sign up for
9 the list server, as well.

10 And my contact information is here. Again, this
11 information will be up on the website, so feel free to
12 contact me. I also have a few cards on me, as well, so if
13 you prefer that instead. Thank you.

14 HEARING OFFICER RENAUD: Great. Okay. Thank you.
15 Thank you, Blake.

16 The -- the amendment itself is a document, a big
17 thick one, several hundred pages, I think, and it's
18 available on the website. If you want to see a written
19 paper copy of it, it's available at a number of libraries
20 that are listed there on the slide for you. And on the --
21 on the website where Blake was just telling you about
22 there's -- every document that is filed in this case is
23 shown here and made available to the public.

24 Okay. Let's see. All right. So this -- this
25 just to list the -- the contact information for key -- key

1 players in the -- in the case from the commission, the two
2 commissioners, myself, the project manager, and the public
3 adviser. And I believe that concludes the presentations.

4 We have scheduled at five o'clock the public
5 comment period. If you want to participate in that, I
6 encourage you to fill out a blue card. Give it to Blake.
7 And then we'll be calling you one by one to come to the
8 podium and address the committee.

9 Before we get to that I understand Commission
10 Douglas has a question or two.

11 COMMISSIONER DOUGLAS: Thank you, Raoul.

12 So I do have a couple questions and a couple
13 comments. First of all, I was pleased to see that the staff
14 and applicant have agreement on a proposed schedule for
15 moving forward. I think it's really important that we use
16 our every effort to stay on that schedule. And I've been
17 sort of looking through the issues identification report and
18 the response by the applicant with an eye to staying on
19 schedule and how we do that.

20 Of course, as both Staff and Applicant have noted,
21 we have approved a project in this location. It was --
22 there are, as the applicant's and staff's presentations
23 outline, there are differences, and in some cases very
24 substantial differences between the projects. But we have
25 an understanding of the site. We have information from that

1 site and from other project sites that have been proposed
2 or, you know, are under review in the area. And so I think
3 that's very helpful.

4 It's clear to me that we're going to need to have
5 a focused proceeding and be able to focus in on what has
6 changed in this proposal versus the original project that
7 the commission has voted on. So I was pleased to hear Staff
8 in particular mention several times, I think, the -- their
9 interest in having a focused proceeding. We're also
10 potentially going to need some constructive problem solving
11 around issues that do arise around some of the project
12 changes. And so, you know, Mr. Galati, some of what you
13 indicated in your response, I think, is helpful. And the
14 committee will definitely be looking to both Staff and
15 Applicant and Interveners to engage proactively and
16 constructively around issues that do arise.

17 I would definitely be looking for efficient
18 exchange of information throughout the proceeding and
19 discovery and throughout the proceedings. So where data
20 needs to be submitted, if it's available it should come in
21 ASAP. And where there is disagreement over what data the
22 parties believe is important, it's really important to have
23 those discussions early so that -- so that you can resolve
24 them. So I'd ask you to certainly focus on that. And I
25 also want to acknowledge the -- the fact that this is a

1 project that, has been noted, requires both state and
2 federal approvals of the amendment to move forward. So I
3 guess I have a question for Staff and a question for the
4 applicant on that.

5 For the applicant, what is your timing on
6 submitting the revised project application to BLM?

7 MR. GALATI: Commissioner Douglas, I can do that
8 as a revised 299, which was filed in December.

9 COMMISSIONER DOUGLAS: Okay.

10 MR. GALATI: And a revised plan of development
11 which was filed last week.

12 COMMISSIONER DOUGLAS: Okay.

13 MR. GALATI: So we are already onboard with that.
14 As you know, a revised plan of development at the BLM stage
15 is a living document. So there will be subsequent,
16 probably, versions of that plan of development. But that --
17 that will be our contract there.

18 COMMISSIONER DOUGLAS: Great. Thank you. I'm
19 very glad to hear that's underway. I appreciate BLM and
20 Fish and Wildlife Service, you know, BLM being in the room,
21 and Fish and Wildlife Service being on the phone. Feel free
22 to speak up as I ask these questions and as you hear the
23 answers to these questions.

24 For Staff, my question is: How are we
25 coordinating with BLM in terms of the public process? I saw

1 very clearly that there is an intent to have separate
2 decision documents on the project. But in terms of public
3 workshops, in terms of whether members of the public can
4 submit comments to a centralized location or whether they
5 need to submit their comments separately to -- to the Energy
6 Commission and BLM, how is that -- how are you thinking
7 about approaching that in this process?

8 MS. STORA: At this point these documents will be
9 separate with separate comments, submitted to each agency
10 separately. I do know that the -- the BLM is here today.
11 We have been coordinating. That's one of the reasons why
12 they're in the room today. They just go their POD, so
13 they're a little behind us in schedule. I would have liked
14 to have had a joint scoping with them -- meeting with them
15 today. But since they just got their document we'll be
16 having to do that separately. But we will be ultimately
17 doing separate documents. And Staff will -- or the public
18 will need to comment directly to them on their document.

19 COMMISSIONER DOUGLAS: Thank you. All right.
20 Thank you. I just want to make the request that as this go
21 forward Energy Commission staff and BLM be, you know, very
22 clear and make it easy on members of the public who want to
23 participate in any way that you can. And also just make
24 clear to people how they should do that effectively, given
25 that this is a process that needs to be undergone at the

1 state and the federal level. We worked very hard to do that
2 the first time we had a project proposed here. The
3 circumstances here, as you know, are -- are somewhat
4 different. But the need to have a usable process for the
5 public that, where we can, is user, you know, is absolutely
6 as user friendly as we can make it, is very much there. So
7 I'll just encourage that you do that.

8 With that, those are my comments at this stage.
9 I'm looking forward to getting to the public comments. So,
10 I guess, shall we start with that? I'll note, Riverside
11 County is here, you know, with a number of representatives.
12 Maybe we could start with the county if they would like to
13 make comments.

14 MR. RUSH: Hello. My name is Adam Rush, and I'm
15 with Riverside County Information Technology Department.
16 I'm currently working on a public safety enterprise
17 communication project. It's \$148 million radio project for
18 the County of Riverside. We submitted our concerns already
19 in -- in the form of a letter, but we wanted to come here
20 and talk about it a little bit.

21 As we were at the site today, when we got off the
22 freeway and went north, if you would have gotten off the
23 freeway and gone south, we have a brand new radio
24 communications facility there. And one of our concerns
25 is -- and it's nothing that can't be resolved -- but the

1 reflections of the mirrors is getting into our microwave
2 dishes and causing path page on the microwave. Those radio
3 sites, they support Cal Fire and Riverside County Sheriff in
4 emergency responses. So our concern is losing that site due
5 to a reflection getting in the microwave dish. That site
6 also supports a site further down the road on Highway 177.

7 So our concern is that during either construction
8 of during production, that something happen to the path.
9 And we just want you guys to be aware of that, that in the
10 event that that happens it will need to be fixed.

11 COMMISSIONER DOUGLAS: Thank you.

12 HEARING OFFICER RENAUD: Thank you.

13 COMMISSIONER DOUGLAS: Others?

14 HEARING OFFICER RENAUD: Okay.

15 COMMISSIONER DOUGLAS: Thank you. Other
16 representatives from Riverside County who would like to
17 speak? Oh, he needs the mike back.

18 I'm going to see if this is adequate beyond here.
19 Let me know if it's -- if it's not. Okay. Good afternoon,
20 Commissioners. My name is Dorian Cooley. I'm a Deputy
21 Chief of Riverside County Fire Department. I wanted to
22 speak just briefly on -- on the worker safety portion of --
23 of the project. You'll have to excuse me. I'm going to
24 read some of my notes here. I normally don't like to read
25 in public here, but it will make it a little -- a little

1 easier and a little quicker, I think.

2 We've reviewed the petition to amend submitted by
3 Palen. While the change in technology has reduced the
4 presence of flammable products on site, there still exists
5 significant site hazard and worker safety risk. There
6 remain numerous sources of fires and explosions, in addition
7 to medical emergencies and, more critically, technical
8 rescues. The ultimate responsibility for response and
9 mitigation of an emergency rests on Riverside County Fire.
10 Riverside County Fire must take a proactive position in the
11 planning, staffing, equipping, training, response, and
12 overall preparation for these potential and likely
13 emergencies. This project will still have significant on
14 Riverside County Fire.

15 If we look at the original Commission decision,
16 there's a note in there that I find very relevant. It says
17 that,

18 "Industrial environments are potentially dangerous
19 during construction, operation, and demolition activities.
20 Workers at the Palen Solar Project will be exposed to
21 excessive heat, loud noises, moving equipment, trenches,
22 defined space entry and egress problems" -- I'm sorry --
23 "and those problems. Potential injuries and death could
24 result from falling, tripping, burns, lacerations, falling
25 equipment or structures, chemical spills, hazardous waste,

1 fires, explosions, electrical sparks, and electrocution.”

2 And, again, this is from the original Commission
3 decision.

4 Most of those emergencies and -- and hazards
5 remain, regardless of the change of technology. In
6 addition, we have these -- these large towers that are going
7 to be built and all the associated construction hazards, and
8 then ongoing maintenance and operational hazards with both
9 the towers and the multi-tower -- multi-story power blocks.

10 Backing up a little bit, you have to understand
11 that this is a rural area out here. We provide professional
12 fire services. But what we provide is a basic level of fire
13 protection in the eastern portion of Riverside County. And
14 what this means is we provide fire trucks with three persons
15 onboard that are trained to what we consider our basic
16 standard, and that does include a paramedic.

17 Throughout Riverside County, the industrial areas,
18 the more specific hazardous technical rescues are performed
19 by what we call truck companies. To the general public you
20 see what you would call a hook and ladder truck around town.
21 Although the ladder on top can be important at times, what
22 really is important to understand is that these trucks have
23 our highest trained personnel. We might equate to them like
24 a SWAT department in the fire department, or if you're a
25 football fan, maybe the special teams or something. So

1 these -- each of those ladder trucks has four persons that
2 are highly trained.

3 And more critically, what's inside that ladder
4 truck is a lot of specialized equipment that allow us to do
5 trench rescues, allow us to have all the communications,
6 safety and recovery gear for confined space. So all those
7 kind of things exist on truck companies. Unfortunately, the
8 closest truck company to this project is in Indio, which is
9 roughly an hour away.

10 So our concern with this project, what we -- we
11 are still -- still maintaining and what may increase with
12 the -- the tower project is these sort of technical rescues.
13 What Riverside County Fire is working to mitigate this and
14 other projects across the eastern county is a rescue
15 response capability. So as we move forward it's important
16 that each of these projects work to mitigate their
17 proportional -- probably proportional, a portion of that
18 mitigation that we're having to do. I hope that makes
19 sense.

20 So that -- that in a nutshell is our -- our real
21 feeling on -- on the change in this project. Yes, we reduce
22 flammables. The basic engine company deals with things that
23 are burning. What we really still remain concerned about is
24 technical rescue and some of the other hazards going on
25 there.

1 I think that the worker safety conditions that
2 were adopted originally, most of those can still stand.
3 Worker Safety 1 through 4 we continue to support. Worker
4 Safety 5 addresses, just for quick review, the need to have
5 an AED or an automatic external defibrillator onsite. While
6 we think that that's a worthy thing to have, we think it
7 really understates the potential emergencies out there.
8 While it is possible to have a heart attack, I think that
9 more often what you're going to have is, again, back to that
10 statement of -- of worker injuries.

11 So we would suggest that these be expanded a
12 little bit. And we have, in addition to AED training, we
13 also have one more advanced first aid training, so that your
14 foreman and some of your folks onsite have first aid
15 training and have some basic equipment so they can deal with
16 some of those emergencies before we arrive. Again, that's
17 under Worker Safety 5.

18 Worker Safety 6 talks about secondary access. And
19 though we, again, agree that there is a change in
20 technology, it is important that we can get onsite. And so
21 we need to continue to have two accesses into the project.
22 And so we need to work with the applicant and make sure that
23 our access can be guaranteed, regardless of what may happen
24 around the project.

25 Worker Safety 7 deals more with financial

1 mitigation of the impacts to the fire department. The
2 applicant is proposing to eliminate that, which, of course,
3 we would strongly object to. I think that they would like
4 to negotiate something. And I can't speak for the
5 applicant. Obviously, they would like to start at zero and
6 work up, and we would like to start somewhere higher and
7 come to something in the middle. But I know that we need to
8 have some discussions with -- with the applicant on that, as
9 well as the CEC. But again, we just -- we know that there
10 are impacts to the department. Those impacts need to be
11 mitigated. And we would request that the commission require
12 the applicant to assist with the proportional portion of
13 that -- of that mitigation for the fire department.

14 That's' all I have. Any questions of me?

15 HEARING OFFICER RENAUD: Okay. Good.

16 COMMISSIONER DOUGLAS: Can I have the mike back?

17 Thank you.

18 All right. Well, thank you for that comment. And
19 we'll keep going with Riverside County. Thanks.

20 MR. RUSH: Again, thank you, Commissioner, and we
21 appreciate the opportunity to get our comments out first and
22 foremost. And we appreciate the opportunity to be involved
23 here, and we understand that the schedule is key. In that
24 regard, the county is going to be primarily focusing our
25 comments on the petition. And we're glad to see that there

1 is going to be a PSA and a final -- or a final staff
2 assessment produced as part of this process specifically on
3 those changes from the technology, and we understand that
4 that is a key point. In that, though, you have some
5 concerns from our information technology department, as well
6 as our fire department.

7 And just building upon that a little bit, those
8 categories, transportation, circulation, kind of the general
9 overall services that may need to be provided are the
10 primary matters that the County of Riverside is going to be
11 focusing on. We do think that in the change of technology
12 it will generate or possibly will generate some of these
13 items. And so we'll be bringing those to the commission and
14 to the applicant in a more formal setting, both in oral and
15 written comments. We would like to be engaged in this
16 process and meet with the applicant and the commission at
17 any time, or commission staff, and be part of this process,
18 because we do know that the schedule is key with respect to
19 timing on the -- on the project.

20 We have representatives from our law enforcement
21 and our public safety departments here. And the county does
22 understand that this project is on BLM land, that the CEC
23 has primary jurisdiction. But our overall direction is
24 coming from the perspective that the project is -- is
25 residing within the boundaries of Riverside County. And so

1 we are going to have some relationship with the project
2 during construction and throughout the, you know, decades of
3 operation. It is going to be in the county for that period
4 of time. And so the relationship and the integration that
5 the county is going to have with the project is going to be
6 long term, and we want to make sure that our -- our concerns
7 are put out there.

8 So I'll stop my comments with that and be brief.
9 I know there's a lot of other folks that would like to
10 speak, but we appreciate the opportunity to comment during
11 this process. Thank you.

12 COMMISSIONER DOUGLAS: So thank you very much. We
13 appreciate the comments from Riverside County. I certainly
14 encourage the county to work closely with staff, the
15 applicant, closely and early to raise issues of importance
16 to the county as -- as they have just done.

17 Let me ask now if the representatives from the
18 Bureau of Land Management would like to or could come
19 forward and say anything about their schedule for reviewing
20 the amendment?

21 MR. KALISH: Yes. My name is John Kalish. I'm
22 the field manager for the Bureau of Land Management in the
23 Palm Springs Field Office. Presently we have not developed
24 a schedule for the processing of this application. So
25 that's the total of my comments today. Thank you.

1 COMMISSIONER DOUGLAS: Great. So with that, thank
2 you, BLM, for being here and for offering comments on the
3 schedule.

4 Let me -- let me turn this over to the hearing
5 officer to see -- to go through the comment list, and also
6 see if there are any other agency representatives that want
7 to speak on the phone, for example, that we haven't heard
8 from.

9 HEARING OFFICER RENAUD: Okay. Thank you,
10 Commission Douglas.

11 So are there other agency, government agency
12 representatives here in the room who would like to make a
13 comment. Okay.

14 Let me ask the same for our participants by
15 telephone, agency representatives participating by phone,
16 would you like to speak? All right.

17 Hearing none -- oh, go ahead.

18 MS. FRASER: Sorry. Hi, this is Jody Fraser with
19 the Fish and Wildlife Service.

20 HEARING OFFICER RENAUD: Good. Good.

21 MS. FRASER: And real quickly, I just wanted to
22 say that, you know, our agency has been involved with
23 several BrightSource projects. And all of our sister
24 agencies and partner agencies working on these projects, as
25 well as BrightSource, I think recognize that there are

1 outstanding biological resource issues that we have not
2 really been able to resolve through the other processes for
3 the other projects. And so that's why, I think Christine
4 mentioned that we are -- the service is recommending that
5 additional avian species and eagle surveys be conducted,
6 largely because of the change of technology and the -- the
7 unknowns associated with the impacts of these species from
8 power-tower technology.

9 So given that, recognizing that the schedule is
10 very aggressive and we are trying to work very closely with
11 the Bureau of Land Management and other renewable energy
12 action team agencies through regular conference calls,
13 usually, trying to figure out how to get these surveys done
14 in this timeframe. And I'm not sure if that can happen, but
15 we just wanted to let everyone there know that we are
16 working very closely together on this and other BrightSource
17 projects.

18 One thing of note is that we're working on the --
19 for the Ivanhoe project on a monitoring program, an avian
20 species monitoring program on that project, and we're hoping
21 we can carry over to the Hidden Hills Project, and
22 potentially this project, as well. So we're in close
23 contact and trying to keep up. So --

24 HEARING OFFICER RENAUD: All right. Thank you.

25 Any other -- sorry.

1 MR. GALATI: Can I get an opportunity to address
2 the schedule? I never got an opportunity for the
3 information identification report.

4 HEARING OFFICER RENAUD: Sure.

5 MR. GALATI: I have a few things, maybe. I don't
6 know, before public comment or after, whatever is fine. I'd
7 just -- I'd like to raise --

8 HEARING OFFICER RENAUD: It's been coming up.

9 MR. GALATI: -- my hand like this.

10 HEARING OFFICER RENAUD: Let's do it now. Go
11 ahead.

12 MR. GALATI: We -- we appreciate that -- that the
13 schedule was challenging. And the schedule was challenging
14 when you think of it as a new project. We think it is not
15 as challenging when you think of it as what's the focused
16 difference. But I would like to let the committee know, we
17 filed the supplement last week. And in that supplement we
18 took a very proactive approach and proposed three conditions
19 of certification that address avian species, bat species.
20 They have enhancement of conservation measures, ideas out of
21 the DRACP (phonetic) alternatives analysis. We tried to be
22 very, very proactive and commit early on. Right now, rather
23 than collect a lot of data about how many birds and which
24 birds, we've decided to put forth a comprehensive mitigation
25 and enhancement program that says no matter how many or

1 which, here is what we will do about it.

2 So we really look forward to being able to change
3 the dialogue a little bit, talk about what do we do about
4 these issues, how do we build on what has been going on in
5 Ivanhoe compliance programs, and how we can actually solve
6 the problem. So we look forward to being able to do that in
7 our first workshops. We're very, very supportive that Staff
8 has two workshops right away. And that's the kind of
9 dialogue that we would like to engage in. The same thing
10 with the county. We have no intention of deleting a
11 requirement that would compensate the county for the impacts
12 associated with the fire departments. We believe that we
13 should negotiate that agreement with the county, which we're
14 available any day, any time to do so.

15 What we do just want to understand is that the
16 project is slightly different. And so -- so what was the
17 basis for Worker Safety 7 and 8 before were based a lot on
18 the fact that there were millions of gallons of therminol.
19 It doesn't mean that there are no impacts, but they are
20 different. However, how they're different, let's sit down
21 and let's talk about them. If we have to do a fire needs
22 assessment, we'll do that. The applicant is committed in
23 this situation to do the work necessary to keep the
24 schedule. And that's why what you see in front of you in
25 the petition and in the supplement is a completely suite of

1 which conditions need to change and why, and new conditions
2 that address the new technology.

3 So without that knowledge you may get the
4 impression that the schedule is difficult. But with that
5 knowledge and that commitment, we hope that you understand
6 the schedule is achievable. Thank you.

7 HEARING OFFICER RENAUD: Okay. Thank you. Now
8 I -- we -- I've received a number of blue cards. But I see
9 the first one on my stack is from Ileene Anderson with
10 Center for Biological Diversity. You're actually a party,
11 an intervener, so I'm going to call you first. And why
12 don't you come up and address -- address us.

13 MS. ANDERSON: Thank you. Thank you very much. I
14 wanted to thank BrightSource for the tour today, and just
15 note that it was great to get out to the site. It's a pity
16 we didn't have a little more time to actually walk out on
17 the site, because where you pull off the freeway is kind of
18 trashed, but most of the habitat out there is pretty good.

19 And I actually had a couple of questions. Is that
20 okay to ask these two? Yeah?

21 With regards to -- I was wondering if you're
22 planning on doing any thermal storage associated with this
23 project.

24 MR. GALATI: The answer to that question is, no.

25 MS. ANDERSON: Oh, I guess I need to offer you the

1 mike.

2 MR. GALATI: I'm going to stand right next to you.

3

4 MS. ANDERSON: Yeah. Good idea.

5 MR. GALATI: The answer is no. The PPAs that are
6 assigned to the project do not require or allow for thermal
7 storage. This technology is the next step in the technology
8 for us to develop storage, which we are planning to do in
9 the future.

10 MS. ANDERSON: And then my second question is I
11 actually didn't see or read today how tall the towers are
12 going to be.

13 MR. GALATI: As said in the petition and in the
14 supplement, the towers are 750 feet tall.

15 MS. ANDERSON: Okay. And then just -- those are
16 my questions. I have a couple of comments.

17 So I was disappointed to see, actually, that it
18 looks like the project is re-encroaching into the Sand
19 Transport Corridor, which is something that we worked really
20 hard on with Staff with regards to minimizing the impacts to
21 the Sand Transport Corridor. It appears that the project
22 definitely sticks out beyond the boundary of what the
23 permitted project had. And I just -- you know, that's going
24 to be an issue for us. So I'd like to just flag that up
25 front.

1 The other thing, and I'm not sure that I heard
2 this specifically being discussed with regards to biological
3 issues, but I know in the original project condition of
4 certification, there wasn't a whole lot there with regard to
5 the Desert Kit Fox. And there's been a lot of developments,
6 unfortunately, that have impacted the Kit Fox in the general
7 project area including, you know, die off from canine
8 distemper that's now spread, you know, 40 miles away from
9 the origin of that outbreak, which was the Genesis Project.
10 So I think there's going to have to be issues addressed
11 there with regards to Desert Kit Fox.

12 And then the last thing is I'm really happy to see
13 that the avian impact issues are going to be taken up here, as
14 well, because I know we're all struggling with what the
15 impacts are going to be from these large power towers. And
16 I look forward to working with the applicant and staff to
17 address those. Thank you.

18 HEARING OFFICER RENAUD: Okay. Thank you. We
19 have another intervener on the phone who phoned in from
20 Basin and Range Watch. Are you still there and would you
21 like to speak?

22 MR. EMMERICH: Hi, can you hear me?

23 HEARING OFFICER RENAUD: Yes. State your name and
24 go ahead.

25 MR. EMMERICH: Okay. I haven't been able to hear

1 a lot of the goings on here because we've got kind of a bad
2 connection, but I can just give you some comments about some
3 of the things that we're concerned about still.

4 We were interveners when they were doing the
5 reconfiguration. And I know the project reduced the
6 footprint a little bit. But there still are issues that
7 we're concerned about including there's still quite a bit of
8 Mojave Fringe Toed Lizard habitat that will be removed on
9 this project, even without sand fencing, they're still be
10 blocking the Sand Transport Corridor. We're also concerned
11 about the Kit Fox distemper breakout.

12 Also, the water use has been reduced, but there's
13 still concerns about the (inaudible) and the (inaudible) and
14 the other trees in the area.

15 As far as visual resources go, the new
16 configuration may have even more impacts than the old one,
17 just because it's vertical, it's three dimensional. And
18 from areas like the Palen McCoy Wilderness Area, it's going
19 to be very visible. And as mentioned before, it will be
20 very visible at nighttime. So that will be a fairly large
21 impact.

22 And then the recent incident involving some of the
23 cultural sites on the Genesis Project, these give us
24 concerns of how the project's very big footprint could
25 impact those resources. And, of course, we concerned about

1 the solar flux.

2 So there are still some things that are going on
3 here. So I guess those would be my comments.

4 HEARING OFFICER RENAUD: Okay. Thank you. And
5 for the record, this is Kevin Emmerich speaking; correct?

6 MR. EMMERICH: Yeah, Kevin Emmerich, Basin and
7 Range Watch.

8 HEARING OFFICER RENAUD: Thank you, sir. Okay.

9 On the phone, are there any other interveners?

10 And let me ask once more in the room, are there
11 any interveners that wish to speak? Yes, would you come
12 forward? Who do you represent?

13 MS. GREEN: I'm just a citizen.

14 HEARING OFFICER RENAUD: Okay. We're just
15 checking to make sure we have any other formal parties, the
16 interveners first, and then we'll go to citizens.

17 MS. GREEN: Okay. My fault.

18 HEARING OFFICER RENAUD: Okay. We're almost to
19 you.

20 MS. GREEN: Okay.

21 HEARING OFFICER RENAUD: Okay. It doesn't sound
22 like we have any more parties. So let me start through my
23 blue cards. My first one, and I'm just taking this in the
24 order they were received, Mike Dea, Laborers Union 1184.

25 MR. DEA: Good afternoon. I like to thank the

1 commission and BrightSource for the opportunity to speak
2 today. We want to support this project. We feel that we've
3 got about 3,900 members out here we feel can do a good job
4 of building -- help building this project. But at the same
5 time we're pleased that the commission is reviewing some of
6 the environmental issues. Because, after all, we do have
7 members out here that work and will be working in that area.

8 So just a brief comment about that. And I'd like
9 to give thanks for the opportunity to speak today. Thank
10 you.

11 HEARING OFFICER RENAUD: Okay. Next -- next
12 speaker is Gabriel Villareal.

13 MR. ROBERTS: He's outside.

14 HEARING OFFICER RENAUD: He's outside. Okay.
15 We'll come back. Adam Rush?

16 MR. RUSH: I spoke.

17 HEARING OFFICER RENAUD: Okay. And Wendy Green.

18 MS. GREEN: Yes. Thank you. I'm a native of the
19 Coachella Valley. Well, not really. I've been here since
20 2005. But I've always been concerned about wildlife, and
21 also political agendas and whatnot. And nobody has
22 mentioned yet the Desert Tortoise, which is endangered, and
23 how the environment will affect the Desert Tortoise.

24 So I just think this was very interesting. And,
25 you know, it was really great to talk with Charlie and, you

1 know, see the site. But the truth is, this solar energy
2 thing I think is overblown, because look at the giant
3 footprint it leaves when it's not even that efficient.

4 I really think we should do that oil pipeline from
5 Canada to the United States and develop the Dakotas oil, and
6 whatnot. It's so much more efficient in gas. We should put
7 our resources, money into that and just, you know,
8 controlling the emissions and all of that. But I just think
9 this is all political posturing with this solar stuff. I
10 mean, some of it's okay.

11 HEARING OFFICER RENAUD: Okay. Is Gabriel
12 Villareal back yet?

13 Anyone else who would like to speak that didn't
14 turn in a blue card?

15 HEARING OFFICER RENAUD: Okay. Now we have a
16 number of people who have been listening on the phone. And
17 if you're a member of the public on the phone, if you'd like
18 to -- to speak, this is your opportunity. Just go ahead.
19 If you're going to speak, just state your name and then
20 start.

21 Not hearing -- not hearing anyone on the phone.
22 It looks like we may have another -- no. Okay.

23 Mr. Villareal?

24 MR. ROBERTS: He's not coming back.

25 HEARING OFFICER RENAUD: He's not coming back.

1 All right. Okay.

2 Let me just check one more time for speakers who
3 are on the phone or participants who are on the phone who
4 might wish to address the committee at this time?

5 Hello. My name is Dr. Sharma. Can you hear me?

6 HEARING OFFICER RENAUD: Yes. Could you spell
7 your name for us please?

8 Yes. My name is Dr. Shankar Sharma. I am an
9 environmental scientist for the Renewable Energy Program
10 from the California Department of Fish and Wildlife. I have
11 been -- as I have been listening to the communications.

12 I'm wondering about the issue of the energy flux
13 and its impact on the avian species and any potential risk
14 assessment. And we had been concerned why (inaudible). And
15 I know that we have a very tight deadline here. So I'm
16 interested in knowing how the risk and the energy flux
17 issues will be addressed for the CFP. That is a concern for
18 solar technology. Thank you.

19 HEARING OFFICER RENAUD: Is there a particular
20 party you wish to answer your question, Staff or Applicant?
21 Do you have anyone in mind?

22 COMMISSIONER DOUGLAS: Go with staff.

23 HEARING OFFICER RENAUD: Okay. Let's try Staff.
24 Christine, you want to address the flux question? Do you
25 have anything you might be able to offer?

1 MS. STORA: Yeah. I guess I had a little trouble
2 understand the question.

3 COMMISSIONER DOUGLAS: I think the question was:
4 How is solar flux going to be addressed in this process?
5 Maybe you should talk about whether it will be covered --
6 when it will be covered in workshops, and that sort of
7 thing.

8 MS. STORA: Yes. The -- the solar flux issue will
9 be addressed. I can't tell you specifically at this time
10 which specific workshop we will take that up at, but it will
11 most likely be the first one. And I think the solar flux
12 issue is probably the biggest issue that Staff was concerned
13 about on this project. It's not the most important issue or
14 anything by any means, but it is definitely one of the top
15 issues that we're looking at. So I imagine that the solar
16 flux discussion will be happening in that first workshop,
17 which is scheduled for March 6th at this time. If there's
18 any changes in the schedule, we'll obviously be posting
19 that. But currently that's the target date.

20 COMMISSIONER DOUGLAS: All right. Thank you for
21 that.

22 Let me just ask, was that responsive to your
23 question? I thought that it probably was, but let me just
24 verify that.

25 DR. SHARMA: Actually, we do have a very poor

1 audio connection, and I'm having difficulty in hearing
2 everything you are saying. But I did catch the March 6th
3 that you said.

4 And the point I'm trying to address there is -- by
5 the way, I am the lead scientist for CDFW for the
6 (inaudible) project. And the solar flux issue has bordered
7 on -- on the (inaudible) and the, of course, (inaudible)
8 CEC. And now that can not be resolved just for one night.
9 There are (inaudible). And particularly what is the impact
10 and what are the risks on the avian species and etcetera?
11 We did have numerous workshops in the past for the project.

12 So since I'm seeing here we are going to apply the
13 CSP technology. And so I was going to request that the
14 applicant and everyone else to consider at least doing some
15 kind of risk assessment and do a complete analysis based on
16 quantitative data so that you can quantify what is the
17 potential risk in a short timeframe, as well as over the
18 life of your project. And I know Dr. Greenberg is also one
19 of the risk scientists. I saw his name on WebEx (phonetic),
20 also. See if he would like to make any comment on that.
21 Thank you.

22 COMMISSIONER DOUGLAS: Thank you for that comment.
23 And, you know, we'll certainly look forward to that issue
24 being addressed in the workshops and in the public process.

25 Other comments from the phone? Other comments

1 from the room?

2 Mr. Galati?

3 MR. GALATI: I just want to -- I broke that. I
4 just wanted to clarify one thing. I just want to clarify
5 one thing to the committee.

6 COMMISSIONER DOUGLAS: You can turn that
7 projector. Well, okay, go ahead. Sorry.

8 MR. GALATI: I can't see anything now.

9 COMMISSIONER DOUGLAS: There you go.

10 MR. GALATI: Okay. Thank you. I just want to
11 clarify one thing. The layout of the project was designed
12 by taking reconfigured Alternative 2 and 3, which were
13 approved by the commission, and drawing a line such that
14 nothing outside that boundary would be used except for gas
15 line and the extension of the transmission line.

16 COMMISSIONER DOUGLAS: Okay.

17 MR. GALATI: So there is no encroachment on this
18 project past the disturbance area that is approved by the
19 commission in the Sand Transport Corridor.

20 COMMISSIONER DOUGLAS: Okay.

21 MR. GALATI: In addition, the new fence is already
22 moved. We have not reduced the mitigation, except for the
23 57 acres of additional and indirect impact. There's a small
24 little piece in the chunk out of the private land that's not
25 being used, we are choosing to mitigate as if it were

1 impacting that.

2 So, again, the difference between this project is
3 17 acres of less indirect impact. We are not reopening the
4 Sand Transport Corridor issue. It was resolved. And we
5 haven't moved anywhere closer.

6 COMMISSIONER DOUGLAS: Great. All right. Thank
7 you, Mr. Galati, for that clarification.

8 Now, with that I want to thank everybody for being
9 here. The applicant, certainly, is very helpful. These --
10 these site visits and informational hearings are really
11 helpful to the committee and to public, I think really to
12 everybody to start off a proceeding like this. I very much
13 hear you on schedule. And I think we -- we are all
14 interested in staying on schedule, highly interested in
15 staying on schedule. So let's -- let's make it happen.

16 But, you know, thank you for the thorough issues
17 identification report. I want to thank the interveners for
18 being here or on the phone, Riverside County, members of the
19 public. It's -- I think this has been a good beginning to
20 the process. And I'm glad to see that we've got workshops
21 in the schedule coming up in short order.

22 So with that the informational hearing is
23 adjourned.

24 (Thereupon the California Energy Commission, Palen
25 Solar Electricity Generating System, Prehearing

Conference adjourned at 5:27 p.m.)

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CERTIFICATE OF REPORTER

I, MARTHA L. NELSON, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Informational Hearing; that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said hearing, nor in any way interested in outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of February, 2013.

/s/ Martha L. Nelson

MARTHA L. NELSON - CERT 00367

CERTIFICATE OF TRANSCRIBER

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.

/s/ Martha L. Nelson

February 27, 2013

MARTHA L. NELSON - CERT 00367