United States Department of the Interior

BUREAU OF LAND MANAGEMENT

California Desert District
22835 Calle San Juan De Los Lagos
Moreno Valley CA 92553-9046
www.ca.blm.gov

DOCKET
07-AFC-5
DATE JAN 21 2009
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January 21, 2009

In Reply Refer To:
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CACA-48497
CACA-48669
(CA-610)

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Alicia Torre, Manager Project Development
Bright Source Energy
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Wayne Hoffman
OptiSolar, Inc.
31302 Huntwood Ave.
Hayward, CA 94554

Dear Sirs and Madam:

The Bureau of Land Management (BLM) California Desert District is currently in the process of preparing Draft Environmental Impact Statements (EISs) that will analyze impacts associated with right-of-way (ROW) applications filed by your three companies. In the Ivanpah Valley, your ROW applications overlap on public land. The DesertXpress Segment 4B Alternative route crosses through portions of power blocks one and two for the Ivanpah Solar Electric Generating System (ISEGS) project. Maps depicting both projects are enclosed. The proposed DesertXpress route may also cross a portion of the project area for a solar energy generating project proposed (Stateline) by Optisolar, Inc.

At this time, none of the three projects have published a notice of availability for a Draft EIS, however, the administrative draft EIS's for the DesertXpress and ISEGS projects discuss the other project as reasonably foreseeable. BLM encourages your companies to consult together to determine if there is a mutually agreeable solution so that both projects could co-exist. Possible

PROOF OF SERVICE (REVISED 2/10/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 2/11/09
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solutions could include route adjustments for the rail line or modifications to the solar project footprint. The filing of an application on BLM-administered public land does not confer any preference rights for the use of those lands. All land use decisions would be the result of a reasoned analysis of alternatives considered pursuant to the National Environmental Policy Act of 1969 (NEPA) and its implementing regulations, including public involvement. The result of your companies not being able to reach a resolution of the conflict in advance of BLM's environmental analysis and publication of a draft EIS could adversely affect one or both of your projects' implementation schedules. Clearly, such an unresolved conflict will complicate BLM's ability to seek meaningful public involvement in the NEPA process on both projects.

In addition to the ISEGS application in the Ivanpah Valley, BLM has a pending ROW application for a photovoltaic solar energy generation project from OptiSolar, Inc. The OptiSolar application is immediately adjacent to the eastern boundary of a portion of the ISEGS project. The DesertXpress Segment 4B Alternative currently bisects the proposed OptiSolar development. To date BLM has not accepted a complete Plan of Development to formally initiate NEPA proceedings for the OptiSolar project, so it is earlier in the process than ISEGS. But DesertXpress should recognize that once this solar application moves forward, a similar interaction between DesertXpress and Optisolar will need to be resolved. As a result, this letter is also being sent to OptiSolar.

BLM strongly encourages DesertXpress to meet both Brightsource and OptiSolar to discuss possible solutions to these potentially conflicting land use applications and then report the results of your discussions, and any resulting amendments to your right-of-way applications, to BLM. If you desire, BLM would be willing to participate in discussions between your companies on this matter. DesertXpress should review their proposed route and initiate discussions to resolve other interactions with any renewable energy projects, including transmission lines, that overlap the proposed rail route.

Please contact Tom Hurshman, BLM ISEGS Project Manager, at 970-240-5345 or Richard Rotte, DesertXpress Project Manager at 760-252-6026 if you have any questions.

Sincerely,

for Steven J. Borchard
District Manager

Enclosures - 2 maps

cc: see attached

cc: David Valenstein
Environmental Program Manager
Office of Railroad Development
USDOT Federal Railroad Administration
1200 New Jersey Avenue S
Washington, D.C. 20590

Che McFarlin
Project Manager
California Energy Commission
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17N14E S8
17N14E S9
17N14E S10
17N14E S11
17N14E S12
17N14E S17
17N14E S16
17N14E S15
17N14E S14
17N14E S13
TAP STATION
17N14E S20
17N14E S21
17N14E S22
17N14E S23
17N14E S24
IVANPAH 3
17N14E S29
17N14E S28
17N14E S27
17N14E S26
17N14E S25
METERING SET
IVANPAH 2
17N14E S32
17N14E S33
17N14E S34
17N14E S35
17N14E S36
METERING SET
Colosseum Road
REROUTED COLOSSEUM ROAD
ADMINISTRATION AND STORAGE
A
B
PROPOSED MONITORING WELL
SUBSTATION
16N14E S5
16N14E S4
16N14E S1
WELLS
16N14E S2
16N14E S3
IVANPAH 1
16N14E S8
16N14E S9
16N14E S10
16N14E S11
16N14E S12
Gulch
16N14E S16
16N14E S15
16N14E S14

LEGEND

- WELLS
- DIRT ROAD
- PAVED ROAD
- UTILITIES CORRIDOR
- NATURAL GAS LINE
- GEN-TIE LINE
- KERN RIVER GAS LINE
- 4WD TOURING/TRAILS
- TOWNSHIP AND RANGE
- PROJECT SITE

N

0 3,000 Feet

FIGURE DR131-1
SITE PLAN SHOWING TOWNSHIP AND RANGE
IVANPAH SOLAR ELECTRIC GENERATING SYSTEM

CH2MHILL

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Plants

1 Abert's sanvitalia
2 Aven Nelson's phacelia
4 Bee-hive cactus
6 Chaparral sand-verbena
8 Cima milk-vetch
9 Cliff brake
13 Desert ageratina
15 Desert pincushion
17 Gilman's cymopterus
18 Hairy erioneuron
19 Hillside wheat grass
20 Jaeger's ivesia
22 Juniper buckwheat
23 Knotted rush
25 Limestone daisy
26 Many-flowered schkuhria
29 Mormon needle grass
30 Nine-awned pappus grass
33 Pungent glossopetalon
35 Rosy twotone beardtongue
36 Rusby's desert-mallow
39 Scaly cloak fern
40 Sky-blue phacelia
42 Small-flowered rice grass
44 Thompson's beardtongue
47 Utah beardtongue
49 White bear poppy

Animals

53 Bendire's thrasher
60 Gray-headed junco
61 Gray vireo
62 Hepatic tanager
64 Kokoweef Crystal Cave harvestman
78 Summer tanager
79 Townsend's big-eared bat
82 Virginia's warbler

Mesquite Lake
NEVADA
CALIFORNIA
Segment 5A
Primm
Segment 5B
Clark Mountain
Kingston
TCE 12
Segment 4B
Ivanpah Lake (Dry)
Yates Well Rd
TCE 11
Segment 4A
Mojave National Preserve
TCE 21
TCE 20
TCE19
Mountain Pass
Segment 3A
TCE 10
Joshua tree woodland
Mesquite bosque
TCE 18
Nipton
Segment 3B
Mountain Pass Dinosaur Trackway
Joshua tree woodland
Halloran Wash
Halloran Springs
Mojave National Preserve

Legend

DesertXpress Alignment

- Proposed Action Alternative
- Alternative A
- Alternative B
- Option C
- Temporary Construction Easement (TCE)

Biological Resources

Sensitive Vegetation Community

- Joshua tree woodland
- Mesquite bosque

Special Status Species

- Plants
- Animals

Note: Undeveloped areas below 5000 feet in elevation are potential Desert Tortoise habitat.

- Area of Critical Environmental Concern

1 inch equals 2.5 miles

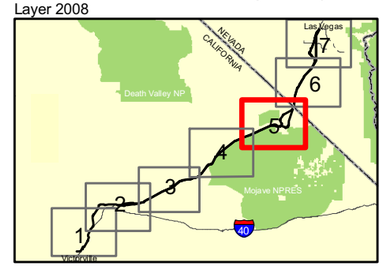
Kilometers 0 3 6

Miles 0 1.25 2.5

NORTH

Source Data:

California Natural Diversity Database, Biogeographic Data Branch Department of Fish and Game 2004, Nevada National Heritage Program December 2007, US DOI Bureau of Land Management, Reno Nevada April 2005, DesertXpress 2007, National Atlas of the United States and the United States Geological Survey, ESRI 2006. Tele Atlas and ESRI StreetMap USA 2006, National Agriculture Imagery Program (NAIP) 2005 & 2006, Air Photo USA April 2007, ICF Jones and Stokes and Associates Digitized Vegetation Layer 2008



S:\GIS\Projects\CirclePoint\106334_06\mapdoc\Bio_Resources\20080820\DXE_Bio_Resources5_20080820b.MXD EL (08-20-08)

U.S. Department of Transportation
Federal Railroad Administration

DesertXpress Project EIS

Biological Resources

FIG 3-14.5

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
FOR THE *IVANPAH SOLAR ELECTRIC GENERATING SYSTEM*

DOCKET NO. 07-AFC-5

PROOF OF SERVICE
(Revised 2/10/08)

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DECLARATION OF SERVICE

I, Hilarie Anderson , declare that on February 10, 2009, I served and filed copies of the attached BLM Letter RE: Potential Conflict Between Desert Xpress, Ivanpah and Optisolar. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[www.energy.ca.gov/sitingcases/ivanpah]**. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(*Check all that Apply*)

FOR SERVICE TO ALL OTHER PARTIES:

__X___sent electronically to all email addresses on the Proof of Service list;

__X___by personal delivery or by depositing in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

__X___sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

OR

_____depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-5
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original Signature in Dockets
Hilarie Anderson