

INFORMATIONAL HEARING  
BEFORE THE  
CALIFORNIA ENERGY RESOURCES CONSERVATION  
AND DEVELOPMENT COMMISSION

In the Matter of: )  
)  
The Application for Certification ) Docket No.  
For the Rio Mesa Solar Electric ) 11-AFC-04  
Generating Facility )  
\_\_\_\_\_)

BLYTHE CITY HALL COUNCIL CHAMBERS

235 NORTH BROADWAY

BLYTHE, CALIFORNIA

WEDNESDAY, FEBRUARY 1, 2012

3:01 P.M.

Reported and transcribed by:  
Martha L. Nelson, CERT

APPEARANCESCOMMITTEE MEMBERS

Carla Peterman, Commissioner and Presiding Member

Karen Douglas, Commissioner

HEARING OFFICER AND ADVISORS

Kourtney Vacarro, Hearing Officer

Jim Bartridge, Advisor to Commissioner Peterman

Jennifer Nelson, Advisor to Commissioner Douglas

Eileen Allen, Technical Advisor for Facility Siting

STAFF, CONSULTANTS AND STAFF WITNESSES

Pierre Martinez, Project Manager

Lisa De Carlo, Staff Counsel

OFFICE OF THE PUBLIC ADVISER

Lynn Sadler

APPLICANT

Todd Stewart, BrightSource Energy, Inc.

Christopher Ellison, Ellison, Schneider and Harris

Angela Leiba, URS Corporation

Andrea Grenier, Grenier and Association, Inc.

APPEARANCES (Continued)

INTERVENOR

Lisa Belenky, Center for Biological Research

PUBLIC SPEAKERS

Mike Coninck, Blythe City Council

Cedric Perry, Bureau of Land Management

Greg Neal, Riverside County Planning Department

Tiffany North, Deputy County Counsel

Jim Minnick, Imperial County Planning Development Services

Alfredo Acosta Figueroa, Tribal Monitor of Chemehuevi Tribe

Jody Fraser, U.S. Fish and Wildlife Service

Jeep Pagel, U.S. Fish and Wildlife Service

Tara Baird, U.S. Fish and Wildlife Service

Mike Dea, Laborers' Union, Local 1184

Glenn Cross, Laborers' Union, Local 1184

John Wyller, Laborers' Union, Local 1184

James Schlueter, Laborers' Union, Local 1184

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1 themselves.

2 MR. STEWART: My name is Todd Stewart.

3 MR. ELLISON: Into the mike.

4 MR. STEWART: Hello. My name is Todd Stewart. I'm  
5 the project manager for BrightSource on the Rio Mesa project.  
6 To my left is our -- our Project Council, Mr. Chris Ellison of  
7 Ellison, Schneider, and Harris. And to my left is -- or to my  
8 other -- my right is Ms. Angela Leiba, Vice President with URS,  
9 our chief environmental consultant. And across from me at the  
10 same table is Andrea Grenier, and she is my chief permitting  
11 consultant.

12 HEARING OFFICER VACARRO: Just one second. Before we  
13 go on for further introductions, for the benefit of those on  
14 the telephone, this is Kourtney Vacarro. I'm the hearing  
15 advisor for this proceeding.

16 MS. BELENKY: Hello?

17 HEARING OFFICER VACARRO: Is this Lisa Belenky that  
18 we're hearing right now?

19 MS. BELENKY: Oh, yeah, it is. Hi. I can hear  
20 something kind of faint in the background, so --

21 HEARING OFFICER VACARRO: Okay. Are you able to hear  
22 me pretty -- fairly clearly?

23 MS. BELENKY: Yes. I'm able to hear you, yes.

24 HEARING OFFICER VACARRO: Okay. We are experiencing  
25 a unique situation today with our Web-Ex system, so we are

1 doing the very best we can with the technology in the room. We  
2 are not quite ready to hear from you yet, Lisa. We just heard  
3 from the applicant. We are going to have introductions from  
4 staff. We'll go ahead then and turn it over to you for  
5 introduction, and then I'll do my part.

6 So if at any time you have difficulty hearing, I'd  
7 appreciate you letting us know, but hopefully it's during a  
8 natural pause in someone else speaking. So --

9 MS. BELENKY: Thank you.

10 HEARING OFFICER VACARRO: Thank you.

11 COMMISSIONER PETERMAN: Great. Thanks. Staff,  
12 please introduce yourselves.

13 MR. MARTINEZ: Excuse me. Pierre Martinez, project  
14 manager for the Energy Commission on the Rio Mesa Project. And  
15 to my right is Staff Council for the project, as well, Lisa De  
16 Carlo.

17 COMMISSIONER PETERMAN: Thank you. And we currently  
18 have one intervenor in this proceeding, the Center for  
19 Biological Diversity, represented by Lisa Belenky. Would you  
20 like to introduce yourself, Lisa, Ms. Belenky?

21 MS. BELENKY: Hello. Well, this is Lisa Belenky,  
22 Center for Biological Diversity.

23 COMMISSIONER PETERMAN: Thanks for being here with  
24 us. And also a thank you to everyone who is listening on our  
25 Web-Ex.

1 I would like to take a second to recognize our  
2 various public agencies and public officials who might be here.  
3 First, the City of Blythe. Thank you for having us. Is anyone  
4 her from the City of Blythe? Would they like to identify  
5 themselves? And if you please wouldn't mind, please come to  
6 the microphone. Appreciate it.

7 MR. CONINCK: Good afternoon. My name is Joey  
8 Coninck. I'm the ex-mayor that is still on city council, so  
9 I'm here to help this project move forward.

10 COMMISSIONER PETERMAN: Great. Thank you for  
11 utilizing your space there.

12 Do we have anyone from the Bureau of Land Management  
13 with us, or on the phone?

14 MR. PERRY: Good afternoon. My name is Cedric Perry  
15 from the Bureau of Land Management and the California Desert  
16 District in Moreno Valley.

17 COMMISSIONER PETERMAN: Thank you very much. Anyone  
18 from the County of Riverside?

19 MR. NEAL: I'm Greg Neal with the Riverside County  
20 Planning Department.

21 COMMISSIONER PETERMAN: Great.

22 MS. NORTH: Tiffany North, Deputy County Counsel.

23 COMMISSIONER PETERMAN: Thank you.

24 MR. EVANSON: Dale Evanson, Riverside County Fire.

25 COMMISSIONER PETERMAN: Thank you. Anyone from the



1 Palo Verde Irrigation District?

2 Anyone from Imperial County? Any -- oh, please.

3 MR. MINNICK: Jim Minnick, Imperial County Planning  
4 Development Services Department.

5 COMMISSIONER PETERMAN: Thank you. Anyone  
6 representing any Native American tribal organizations?

7 MR. FIGUEROA: I'm Alfredo Figueroa. Tribal Monitor  
8 of Chemehuevi Tribe.

9 COMMISSIONER PETERMAN: Thank you. Welcome.

10 Anyone representing any other public agencies or  
11 public officials? Please.

12 MS. FRASER: Hi. I'm Jody Fraser with the U.S. Fish  
13 and Wildlife Service. And I have two colleagues with me, Jeep  
14 Pagel and Tara Baird. We're from the Palm Springs office.

15 COMMISSIONER PETERMAN: Thank you. Anyone else? All  
16 right. With that, I will turn it over to our -- sorry. Yes.

17 MR. CUSICK: I apologize for being late. Wayne  
18 Cusick, Councilman. I'm for the project.

19 COMMISSIONER PETERMAN: Great. And I'm glad to see  
20 that you love Blythe, by your button. Okay. I'm going to get  
21 one of those for CEC.

22 With -- with that, I'll turn it over to our hearing  
23 officer.

24 HEARING OFFICER VACARRO: Thank you. I think before  
25 I begin with my comments, which are going to be fairly brief

1 because I think the reason we're all here today is to learn  
2 about the project and to hear from the applicant, hear from  
3 Energy Commission staff, and to hear from the Center for  
4 Biological Diversity. I think I need to give a little bit of  
5 background.

6           For a number of you, you look like new faces from the  
7 crowd that I saw earlier today. The applicant did host a bus  
8 ride. And a number of us went out and took a look at the  
9 project site. We have now come back. We are reconvening here  
10 to start what is the first of what will prove to be, I believe,  
11 several public meetings where the applicant, staff, the current  
12 intervenor, which is Center for Biological Diversity, any other  
13 intervenors that may join in this process, and members of the  
14 public, for everyone to come together to talk about the  
15 project.

16           Again, this is the very first meeting. I suspect we  
17 will have several. And I think we are going to hear many  
18 comments during the presentation to give the public a sense of  
19 where we're heading, what the timeline, and what some of the  
20 initial concerns might be with this project.

21           I have just a little bit of housekeeping to do. So  
22 I've got a couple of slides, only about four, and Mr. Johnson  
23 here is going to help me move forward with them. If we could  
24 possible go to full screen that would be great. If not, we can  
25 do without the slides. I'll just go ahead and talk as we sort

1 of get everything all in sync here.

2           As Commissioner Peterman just mentioned, there are  
3 two commissioners that are appointed to this proceeding. But  
4 at the end of the day this matter is going to go to the full  
5 commission. The next steps in this process, after we convene a  
6 number of public meetings, status conferences and the like,  
7 there will be evidentiary hearings held in this proceeding.  
8 That's when the applicant, staff, any other parties to this  
9 proceeding, and the public can present their points of view,  
10 their evidence and information related to the project.

11           Based on the evidentiary hearing record this two-  
12 member committee will prepare what's called a presiding members  
13 proposed decision. Everything that's done to lead up to the  
14 preparation of that document will be done in public. This is a  
15 full and fair and transparent process. Everyone will see  
16 what's happening up until the time that document is published.

17           Once the document is published it goes out for public  
18 review, public comment. The applicant will make comments,  
19 staff will make comments, the intervenors will make comments,  
20 and members of the public are always welcome to make comments.  
21 Those comments are considered, along with the comments that are  
22 brought in writing, as well as oral comments that are made on a  
23 special meeting held just to hear comments on the PMPD. After  
24 that, the committee moves the document forward to the  
25 commission.

1           At this point in the proceeding, we don't know which  
2 way this project is going to go. The applicant is asking for a  
3 license. The committee has to determine whether or not the  
4 applicant has satisfied its burden to obtain a license. That's  
5 what this process is going to be about.

6           Typically this is a 12-month process. But we will be  
7 hearing some information today where staff believes that this  
8 process may extend beyond the 12-month period. We'll hear from  
9 staff in terms of their rationale. We'll also hear from the  
10 applicant as to whether or not they believe the 12-month  
11 process should be maintained.

12           I think we're a few slides ahead now. Okay. Here  
13 were go.

14           I had mentioned that the PMPD has to be based  
15 exclusively on the hearing record. That is extremely  
16 important. We have very, very stringent rules here at the  
17 Energy Commission about what are called ex parte contacts, and  
18 there can be none. What that means is members of the public,  
19 other agencies, the applicant, staff, Center for Biological  
20 Diversity, they don't get to call me up on the phone, call the  
21 commissioners up, or call their advisors up and tell us, wow,  
22 this is a great project and here's the reason why or, wow, I  
23 really don't like the project, don't vote for it, here's the  
24 reason why.

25           Anything that has to do with the merits of the

1 project needs to be discussed in a public forum on the record,  
2 or it needs to be submitted to the Energy Commission to be  
3 docketed and made available for everyone to see.

4           There are very few exceptions to this rule. If it's  
5 something that is of a purely procedural matter, you need to  
6 know something about scheduling, you need to know something  
7 about calendaring, you need to know about deadlines, those are  
8 the types of things you can ask me. My contact information is  
9 available to everyone, my email and my phone number. But  
10 generally speaking, any contact with this group, which are  
11 considered the decision makers, or any other commissioner, is  
12 prohibited. And we do strictly follow that.

13           And if you start to talk to us about things you're  
14 not supposed, we very politely yet firmly remind you that  
15 that's inappropriate. And sometimes we ourselves have to  
16 record that conversation and make it known to the public. That  
17 way that's how the public can be assured that this truly is a  
18 full and fair process, and that it is transparent and nothing  
19 is happening behind closed doors. Okay. I told you my  
20 comments were going to be pretty brief and they -- and they  
21 were.

22           What we're going to do now is we are going to hear  
23 from Lynn Sadler, who was just introduced to you. She is from  
24 our public adviser's office. She is going to explain to you  
25 how you can participate in this process. If you want to become

1 a party, if you just want to be an active member of the public,  
2 how you can receive documents, how you can stay informed about  
3 what's happening in this proceeding, Lynn is going to give you  
4 that information.

5           After we hear from Lynn, we are going to then hear  
6 from the applicant. They are going to give us some more  
7 information about the project. We will next hear from Energy  
8 Commission staff. Then we'll hear from Lisa Belenky,  
9 representing the Center for Biological Diversity. After that  
10 time, the committee may have some questions and may have some  
11 interaction with the parties.

12           After we're finished with that process, all members  
13 of the public, those of you who are out here today, will have  
14 an opportunity to stand at the podium, ask questions, and make  
15 comments. We do encourage you to use these blue cards. That  
16 allows us to keep order to do sort of the first come, first  
17 served, and ensure that everybody gets an opportunity to speak.

18           You don't have to speak. Maybe you just have a  
19 comment and you want to put it on a blue card and submit it,  
20 you can do that as well. And today is not the only opportunity  
21 that you will have to give any opinion or to present any  
22 testimony or evidence relating to this proceeding. Again, this  
23 is the first of many proceedings that we'll be having in this  
24 matter.

25           With that, Ms. Sadler?

1 COMMISSIONER PETERMAN: Hi. This is Commissioner  
2 Peterman. Just one quick point. Sorry I missed that earlier.

3 I wanted to reinforce Ms. Vacarro's point about ex  
4 parte communication, in particular between the commissioners on  
5 this committee and staff. Sometimes this question comes up a  
6 lot because we technically all work for the Energy Commission.  
7 But similarly, we cannot have any conversation with them about  
8 this proceeding that does not happen on the public record. So  
9 with that, thank you.

10 MS. SADLER: Hello. I'm Lynn Sadler. And Jennifer  
11 Jennings has spoken with many of you and she sends her regret.  
12 She can't be here today. Her daughter broke her collar bone  
13 and is in surgery right this minute, so you get me today.

14 Next slide please. So the public adviser is  
15 independently appointed, and our job is to help you participate  
16 in these proceedings. And that means -- can I have the next  
17 slide? Thank you. That means reaching out to people that we  
18 think might be interested in this proceeding, talking to you  
19 about others that you think might be interested, talking to  
20 different groups. There was an ad in the paper; I don't know  
21 if you saw us, but it was there. We reach out to different  
22 reporters. And we do our best to make sure that this -- as  
23 many as people as possible know about this proceeding.

24 So there's two ways that you can participate in this  
25 proceeding. The first is the easiest and it's an informal way,

1 and that is to make what's called public comment. You can do  
2 that in writing or you can do that in person. And some of you  
3 already have indicated you want to do that in person by filling  
4 out this blue card. And in the back there is a sheet that  
5 looks like this that has a few instructions about how to be  
6 most effective when you give public comment. And if you'd like  
7 to look at that, that is available back there. And when you  
8 give public comment it is part of the public record.

9           But sometimes you might feel that what you want to  
10 say isn't being heard or not being heard in the way you would  
11 like for it to be heard; and you have then an opportunity to  
12 take part in a more formal way. And that next slide. Thank  
13 you. And that is called intervening. And in that case, you  
14 intervene as a party to the proceeding, with the same rights  
15 and responsibilities as the staff and the applicant. And I  
16 want to stop here to explain one thing that is -- it was  
17 confusing to me when I first came to the commission, and I  
18 heard a few comments that indicated it's still a little bit  
19 confusing.

20           There is staff, what -- what we refer to as staff of  
21 the Energy Commission that will be doing an analysis of this  
22 project, taking all the comments that you give and their own  
23 independent research to create this analysis. They are  
24 separate and apart from the commissioners for the decision-  
25 makers. So sometimes we're not as careful as we should be.



1 We'll just say, "the commission" and not say clearly whether  
2 it's staff or the commissioners. And if you're confused just  
3 ask, because it's two very different entities. Is that clear?  
4 Okay. Cool. I'm glad we got that settled with that.

5           You don't have to have an attorney to intervene, but  
6 it is a slightly complicated process. And that's why the  
7 public adviser is available to advise you. They cannot be your  
8 attorney, they can't represent you as an attorney, but they can  
9 advise you.

10           Next slide. The best thing for you to do is to sign  
11 up to get all the information about this process. And when you  
12 sign up, we have a list serve that sends you electronic notices  
13 when something new has happened; either something's been  
14 scheduled or a new document is made available. And you receive  
15 a notice about that so when get the email you're not getting a  
16 download of the document, so it's not going to clog up your  
17 broadband. It-- it will just send you a notice and you can  
18 decide if you want to look at it.

19           You may also submit written comments by sending them  
20 to dockets, and that information is in the sheet that's in the  
21 back to tell you how to do that. You can provide the oral  
22 comments here, and you can attend events, and you can attend on  
23 Web-Ex, which is basically a way to attend a meeting through  
24 your computer or through a conference calling feature, so you  
25 have that option as well.

1           And the way you to that is -- next slide, please --  
2 you go to energy.ca.gov, and where -- see where that arrow is,  
3 it's about halfway down the page, you'll see something that  
4 says "Power Plant Licensing Under Review." You click on that  
5 and then down -- there will be -- there's a listing, and you'll  
6 click on "Rio Mesa". Next slide, please. And then over on the  
7 right it says "List Server," and you sign up there and you will  
8 begin to receive the information. And then on the left side  
9 where it says "Public Participation" there's all kinds of --0  
10 of very short documents that explain kind of an overview of how  
11 to participate, or there's a guidebook that's this thick that  
12 explains it in excruciating detail, if you would like that as  
13 well.

14           So that -- that's really what you need to remember  
15 for -- for finding your way through this process. And you can  
16 ask me anytime. If -- if -- you can call our office and ask  
17 questions. If you would like, I'll sign you up on the list  
18 serve. You -- on the sheet that's going around, if you check  
19 the box that says I don't -- I don't want to sign up, do it for  
20 me, we'll do that for you. We'll help you in anyway we can to  
21 participate in this process.

22           So with that -- next slide, please -- we have a toll  
23 free number. Feel free to use it to give us a call. Laura  
24 Murphy will probably answer the phone and direct you to either  
25 Jennifer or me, and we're happy to help. Thanks.

1 HEARING OFFICER VACARRO: Thank you. I'm not sure  
2 who from the applicant is going to begin your presentation, but  
3 if you'd like to begin now we'd like to hear it.

4 MR. STEWART: Thank you. Could you please queue  
5 the -- the video to begin?

6 MR. JOHNSON: Okay.

7 MS. SADLER: I meant to say one thing for you. These  
8 presentations will be available on -- on that web listing where  
9 I -- that I referred to on that page, so you will be able to  
10 see them there, and any other documents that are presented.

11 MR. STEWART: Thank you very much. I -- we were  
12 fortunate at BrightSource to receive a video from a company  
13 called Truescape that put together an animated flyover that  
14 shows in real scale what the project is going to look like, and  
15 I'll narrate some of the key things as -- as the video plays.  
16 The video is about four-and-one-half minutes. The technology  
17 that we use is Power Towers, of course, with heliostats  
18 surrounding the power towers. The site common facility --

19 MS. BELENKY: I'm sorry to interrupt, but I can't  
20 really hear the current speaker.

21 HEARING OFFICER VACARRO: Okay. Thank you for  
22 letting us know, Lisa. Are you able to see what's on the  
23 screen?

24 MS. SADLER: She's not on the phone there. She's not  
25 on the phone.

1 MS. BELENKY: I can't be on Web-Ex right now. I'm  
2 sorry.

3 HEARING OFFICER VACARRO: Okay. So you're just  
4 available by telephone today?

5 MS. BELENKY: Yes.

6 HEARING OFFICER VACARRO: Okay. Okay. We'll --  
7 we'll try to speak louder.

8 MS. BELENKY: Okay. Then I will try to get to a  
9 place where I can do both, the phone and the computer at the  
10 same time, but, sorry, I had other things that had been  
11 scheduled at this time.

12 HEARING OFFICER VACARRO: Okay. Please go ahead.

13 MR. STEWART: All right. Yeah. Back up just a  
14 little bit. That's good. Okay. Thank you.

15 I'll -- I'll try to speak louder. The -- the view  
16 from the closest residence to the southern corner of the  
17 project site, which is just outside of the town of Palo Verde,  
18 you can see what the image looks like in the -- in -- on the  
19 horizon. Pay close attention to the bar on the bottom. You'll  
20 see the height above the ground and the distance from the  
21 nearest tower. And then the -- the shape in the middle shows  
22 the approximate location of where the video is -- is being shot  
23 from.

24 And here we land on approximately Bradshaw Trail,  
25 which will be the worker -- one of the worker entrances into

1 the facility. And again, you can see the existing versus the  
2 proposed view on the horizon.

3 This final slide takes you to an observation point  
4 from Interstate 10 at the Mesa Road overcrossing. And again,  
5 you can see the -- the height above ground and the distance to  
6 the nearest tower as the -- the camera moves away from the  
7 project site up towards Interstate 10.

8 Also, as a note, when you see the image is blacked  
9 out in the background and the towers appear to glow, the towers  
10 do not actually glow at night. It's only for clarity on the  
11 video. Thank you.

12 If you could transfer to the PowerPoint presentation  
13 now, number three.

14 HEARING OFFICER VACARRO: Mr. Stewart, before you  
15 move forward I have one question. This is sort of the perk of  
16 being able to sit up on the dais. I can interrupt just a  
17 little bit.

18 You had mentioned that when it was blacked out  
19 there's no glow. That was just really for the purposes of --  
20 of getting a sense of what -- what's going to be seen out  
21 there. But what about the -- when you didn't have it blacked  
22 out and it looked like we were looking at the power towers from  
23 the daytime, do you think the simulation fairly represented  
24 sort of the brightness coming off of the power towers? Is that  
25 a pretty true simulation do you think or --

1 MR. STEWART: I think it's -- it's a fairly accurate  
2 representation.

3 HEARING OFFICER VACARRO: Okay.

4 MR. STEWART: Yes, ma'am.

5 HEARING OFFICER VACARRO: Okay. Thank you.

6 MR. STEWART: Next slide. For my PowerPoint  
7 presentation I'm going to cover just a number of topics very  
8 briefly. BrightSource Energy highlight --

9 HEARING OFFICER VACARRO: I don't think that -- I  
10 think you need to be more in the microphone.

11 MS. SADLER: I would move that, too.

12 HEARING OFFICER VACARRO: Okay. We don't want you to  
13 have to repeat yourself.

14 MR. STEWART: Okay. Can you hear -- can -- can you  
15 all hear me? Thank you.

16 I'm going to cover a number of topics briefly and try  
17 to get through this presentation in a prompt way. We'll cover  
18 some BrightSource Energy highlights. We'll do -- I'll cover a  
19 description of the project, talk about the transmission issues,  
20 the technology, CEQA and NEPA issues, economic benefits, and  
21 environmental impacts and benefits.

22 BrightSource Energy is -- is a company that is  
23 headquartered in Oakland, California. We have a number of  
24 projects that are already operating. We've had our -- the --  
25 the image that is to the left shows our pilot project that is

1 located in the Negev Desert in Israel. That has been up and  
2 operating for approximately three and a half years. The  
3 Chevron solar-to-steam application is -- was commissioned just  
4 last year and it uses solar energy to create steam for enhanced  
5 oil recovery in the oil fields in the central valley.

6 Also, we have a project under construction up in San  
7 Bernardino County called the Ivanpah Project. That is off of  
8 I-15. Those of you who have driven up to Las Vegas on I-15 and  
9 you look off to your left, you will see that project under  
10 construction right now.

11 BrightSource Energy has a huge pipeline of power  
12 purchase agreements; 2.4 gigawatts of signed power purchase  
13 agreements with both PG&E and Southern California Edison.

14 The project that we're talking about today is the Rio  
15 Mesa Solar Energy Generating Facility, and it's comprised  
16 actually of three projects which total 750 megawatts of output.  
17 There's -- the three projects each are 250 megawatts using a  
18 standard design platform surrounded by approximately 85,000  
19 heliostats per plant. The power tower description is that the  
20 power tower itself is 750 feet tall with a 10-foot lightning  
21 rod on top for a total of 760 feet. And unlike our previous  
22 facilities, it is going to be a concrete cylinder, hollow, as  
23 opposed to a steel lattice. The size of this project, we  
24 estimate that it will be able to power up to 300,000 homes.

25 The property description, this -- those -- those of

1 you that were on the bus earlier today know this project is  
2 located approximately 13 miles to the southwest of Blythe at an  
3 elevation 355 to 65 feet above sea level, and key is the  
4 location. The project is located on both private and public  
5 land. The private land is the former site of the Sun Desert  
6 Nuclear Power Plant from San Diego Gas and Electric, and we are  
7 now looking at re-tasking that site, which was formerly planned  
8 to be a nuclear plant, to be a renewable energy plant.

9           The public land is owned by BLM. And both the  
10 private and the public land were used during the 1940s.  
11 General Patton used it for his desert training center  
12 operations. And during our surveys last year, we found  
13 numerous instances and evidence of the military operations from  
14 the 1940s.

15           This project is a large project. The total land  
16 developed will be about 1,500 and -- or excuse me -- 5,750  
17 acres. The gen-tie line is approximately 9.6 to 9.7 miles  
18 long.

19           The map that you're looking at now shows a layout of  
20 the project and it also gives you a vicinity look at the area.  
21 The inset shows the vicinity of the project as it relates to  
22 the communities of Blythe and Ripley and Interstate 10. As you  
23 can see, the two southern projects are located primarily on  
24 Metropolitan Water District's land, while the northern project  
25 is on BLM, and a small section of county land. The actual



1 borders for each of the projects are still being defined, so  
2 this -- this image is more for illustrative purposes rather  
3 than for defining the exact boundaries between the facilities.

4           As you can see on the map there are two entrances  
5 into the facility. We are looking at -- one entrance is  
6 Bradshaw Trail, which will be a project worker entrance, and  
7 then there will be a new improved entrance down as an extension  
8 from 34th Avenue that will be a new paved road that will extend  
9 from Highway 78 up onto the bench on the Mesa, the Mesa being  
10 approximately 130 feet above the surrounding agricultural  
11 lands.

12           The other noted -- the other thing that you should  
13 note from the -- the facility slide is there are big cutouts to  
14 the eastern and to the southern part of the project. Those  
15 cutouts represent deep washes and areas that we do not place  
16 heliostats within. They also represent some of the -- the  
17 better environmental habitats, so we are avoiding that. The  
18 cutout at the western side of the project represents an  
19 increase in -- in project slope that is at the base of the Mule  
20 Mountains, and because of the slope we do not put heliostats in  
21 that area.

22           Another thing to -- to -- that's important about our  
23 particular technology is out in the solar fields, we do not --  
24 we do not grade the solar field, such as maybe a photovoltaic  
25 facility would. We leave the terrain pretty much as is and we

1 leave the fauna as is, with the exception that we will trim it  
2 down to 18 to 20 inches above the ground.

3           The pylons that hold the heliostats and mirrors are  
4 vibrated into the ground. There is not a concrete foundation  
5 for the pylons. And the mirrors themselves are approximately  
6 the size of a double garage door.

7           Next slide please. Connecting the project to the  
8 Edison Transmission System is an approximate ten-mile  
9 generation -- generator-tie line. And it will parallel the  
10 western area of power administration's 161kV line from the  
11 project to the north. And then when it intersects the 500kV  
12 lines from Edison it will deviate to the north and west, where  
13 it will then connect with the new Edison Colorado River  
14 Substation which is now just under construction.

15           For transmission, as I mentioned, the interconnect  
16 point is the 220kV bus at the Colorado River Substation. For  
17 things that need to happen in order to get us connected, there  
18 are two areas that -- that -- that you -- that you need address  
19 when you connect into the system these days. You have  
20 delivery, network upgrades, and reliability network upgrades.

21           Rio Mesa is in CAISO -- or it's in the California  
22 Independent System Operators' Queue Cluster Number 3. And the  
23 phase one report was issues mid last year, and the  
24 deliverability network upgrades identified included a number of  
25 500kV and 220kV transmission lines and upgrades that needed to

1 be done.

2           However, between that time and now all but two of the  
3 projects, Rio Mesa being one of them, had already withdrawn  
4 from the queue. And the result is that the -- the number of  
5 projects under consideration in the queue dropped from 2,770  
6 megawatts to approximately 890.

7           Now currently the Phase II study is -- is going on and  
8 California ISO has elected to combine the Queue Cluster 3 and  
9 Queue Cluster 4 projects. Now sufficient -- if sufficient  
10 projects drop out from queue -- Queue Cluster 4, major  
11 deliverability networks may be able to avoid -- be avoided  
12 altogether. However, major -- the -- the deliverability  
13 network upgrades require -- typically require a CPCN, and the  
14 California Public Utilities Commission will conduct a CEQA  
15 review in -- in -- or with -- with Southern California Edison,  
16 who is the transmission system operator or owner.

17           Reliability network upgrades are defined on a project  
18 specific basis and are needed to connect and generate. And  
19 they are typically completed within 24 months of signing our  
20 generator interconnect agreement, which is done after the Phase  
21 II study is completed with the California ISO. Okay.

22           The project technology, as we have discussed on the  
23 bus this morning, it takes sun, bounces it off of a relatively  
24 flat mirror up to a boiler on the top of a -- of a tall tower.  
25 The -- what happens there is we heat and increase the pressure

1 of water up to a temperature of about 1,000 degrees Fahrenheit  
2 and 2500 pounds per square inch. From there -- from after  
3 we're done heating the water -- it becomes steam. And from  
4 there it is a standard garden-variety steam power plant that  
5 has been in existence at Edison, Arizona Power, Nevada Energy,  
6 PG&E, and so forth for the last 80 to 100 years.

7           The -- the connection to the grid is -- is from a  
8 standard steam turban generator sent via transmission lines up  
9 to the Colorado River substation.

10           Next is an image of what a heliostat looks like.  
11 This is the heliostat that's being installed at our -- at our  
12 Ivanpah project. The heliostat for this particular project is  
13 slightly larger. It has more mirror space, mostly by taking up  
14 the space in between the two mirrors.

15           In the other highlight for our project, and a -- and  
16 a true environmental advantage, is that we use dry cooling for  
17 the main process steam. That results in -- in a reduction of  
18 90 to 95 percent in the amount of water needed for cooling at  
19 the facility. We used a dry cooler, which is very much like  
20 the radiator on your car. So it -- it takes -- we -- we use  
21 hot air and cool -- and cool the steam into water and then  
22 reuse it. We reheat it back up in the -- in the boiler. It's  
23 a closed-system cycle. So Rio Mesa will be using 260 feet or  
24 less -- or 260 acre feet or less per year during operation. We  
25 will us slightly more than that, up to 400 acre per year,

1 during construction, primarily for dust control.

2           Why do we have a high tower? The higher the tower,  
3 the closer you can put the heliostats together. It makes it  
4 more efficient for land use. It's the same as when you go  
5 to -- to a movie. You have a tall screen in front of you. It  
6 allows the -- the -- the rows to be put together or be moved  
7 closer together, and you don't have to worry about the person  
8 with the big hair or the big hat in front of you.

9           The review process, as the hearing officer mentioned,  
10 on December 14th the CEC announced -- well, we became data  
11 adequate, but we are going to go through a combined or a joint  
12 process with the BLM and the CEC. BLM will lead the NEPA  
13 review and the CEC will lead the CEQA review.

14           The three projects that we have, Rio Mesa 1 is  
15 entirely within private land, Rio Mesa 2 mostly within private  
16 land, and Rio Mesa 3 is primarily on federal and county land  
17 with some private land, and the generator tie line is primarily  
18 on public land with some private parcels, as well.

19           The NEPA -- the NEPA review requires BLM to examine  
20 the power plant and the linear facilities, and a federal nexus  
21 then exists for the following key issues: our Section 7  
22 review, the Army Corp review, Section 106 process, and any  
23 other federal approvals. On the CEQA review the CEC has the --  
24 has the jurisdiction and exclusive jurisdiction to certify the  
25 thermal power plants and related facilities in -- located

1 within California. And I won't go over the next things that --  
2 that our hearing officer has already described, these items.

3 Key issues for biology, threatened or endangered  
4 species; surveys that we conducted, located only four desert  
5 tortoises found within the project boundary. No other federal  
6 or state threatened or endangered species.

7 Under birds and bats, golden eagle surveys;  
8 helicopter surveys were completed in 2011. Additional  
9 pedestrian surveys are commencing as that was alluded to  
10 earlier that bird and eagle and bat issues are -- are prevalent  
11 on this project. Burrowing owl surveys have been completed.  
12 Bats; we are, again, commencing anabat monitoring this year  
13 using locations approved by the REAT Group. And migratory bird  
14 surveys, we are commencing additional surveys for migratory  
15 birds, as well.

16 For botany, no federal, state, or threatened  
17 endangered plant species. No Fish and Game or California  
18 Native Plant Society Rank 1 list plants have been identified.

19 We do have waters -- waters of the -- of the U.S. and  
20 they are undergoing Army Corp review and further state  
21 consultation to occur post the Army Corp review for waters of  
22 the state.

23 Under cultural resources, the area is known for  
24 numerous cultural artifacts. However, most found are -- have  
25 been military can scanners and may not be eligible resources.

1 Paleo resources, several Pleistocene era fossils were found.  
2 However, the majority of those -- those resources were found  
3 within the WAPA transmission line right of way. Excavations  
4 had been completed, and curation is nearly complete.

5           As I mentioned this morning, we are proposing to  
6 relocate the Bradshaw Trail in the section around -- that goes  
7 through our northern project. And as you saw this morning,  
8 that particular section of the trail is a graded road. The  
9 actual route of Bradshaw Trail is somewhat indeterminate in the  
10 area, as our research has shown that several different  
11 alternative routes have been -- have been -- have been talked  
12 about. In fact, BLM recommends in their literature that access  
13 to the Bradshaw Trail should be from Wiley's Well Road off ramp  
14 from I-10 down to Bradshaw Trail, and then west onto Indio.  
15 BLM states -- further states that the far eastern reach of the  
16 Bradshaw Trail has little -- has little cultural significance  
17 due to previous rerouting.

18           On socioeconomics, a lot of jobs; 2500 at peak. And  
19 here is a list of the -- of the -- the positions that would  
20 typically be used at -- at a site -- at a site such as ours  
21 under construction.

22           Benefits; constructions jobs, 2,500 at peak over a  
23 two-and-a-half year period, 1,000 averaged over -- over a total  
24 of 3 years which would include the -- the time spent surveying  
25 and removing any -- any desert tortoises or burrowing owls that

1 are on site. Long term; 150 maintenance -- or operations and  
2 maintenance jobs. Construction wages; approximately \$660  
3 million for construction wages. Operations wages;  
4 approximately \$410 million over the first 25 years of the  
5 project life. State and local tax benefits; over \$300 million  
6 on the first 25 years of the project life. And that's it.  
7 Thank you.

8 HEARING OFFICER VACARRO: Thank you. Mr. Ellison, I  
9 notice you want to make a couple of comments.

10 Before you do, my only caveat here, and this is  
11 really more for the members of the public, again, we know that  
12 you're likely to have questions, perhaps some comments for the  
13 applicant. What I'd like to do, finish the applicant  
14 presentation, we'll get through staff's presentation, we'll  
15 hear from the intervenor, and at the very end you'll have the  
16 opportunity to present any questions that you might have for  
17 the applicant, for staff, for the committee members, or for the  
18 intervenor.

19 Go ahead, Mr. Ellison.

20 MR. ELLISON: Thank you, Hearing Officer Vacarro.  
21 Christopher Ellison, counsel to the applicant.

22 I just want to basically clarify something. We -- we  
23 did not, in our presentation, address -- there are some  
24 questions, as I think everyone knows, about schedule and  
25 about -- that you alluded to, and some questions about the need



1 for additional species surveys. We didn't really address  
2 those. We're prepared to do that today if you wish.

3           But our suggestion is that we schedule a separate  
4 meeting on that. And we suggest that for the following  
5 reasons. One, there's nothing imminent. We are starting to do  
6 the additional work that people have asked for, for a limited  
7 period of time, but we are starting to do that. So there's no  
8 question about immediate imminence about it.

9           Secondly, we would like some more time to talk to the  
10 various agencies and see if we can't come to an agreement on  
11 that question.

12           And thirdly, there are some outstanding additional  
13 issues -- I think this is probably the -- the heart of the  
14 matter -- of presenting more information to people about the  
15 technology and the actual risk associated with this technology,  
16 which is quite different than some that have been surveyed in  
17 the past.

18           So we're -- absent contrary direction from you, we  
19 are not going to address those issues today.

20           HEARING OFFICER VACARRO: Thank you for that. You  
21 did foreshadow some of, I think, what -- what's going to come  
22 up or be alluded to by others today. And you're somewhat of a  
23 mind reader. I have my own recommendation that is similar for  
24 the committee members to consider when we get to the close of  
25 these proceedings.

1           So I think what we'll do is that we'll hear from  
2 staff. We'll hear from Intervenor, Center for Biological  
3 Diversity. And then we'll kind of address some of those  
4 issues, hopefully in a more cursory fashion today. The  
5 expectation at this point, if the committee accepts my  
6 recommendation, is that we won't have an extensive discussion  
7 of those very important and significant issues that require, I  
8 think greater analysis, perhaps briefing and discussion among  
9 all of the interested persons.

10           So I think with that, Mr. Martinez and Ms. De Carlo.

11           MR. MARTINEZ: Thank you very much. Well, because  
12 I'm one of the last ones, I apologize if there's any repetition  
13 in my presentation. I'll try to get through that area where  
14 there is repetition a little bit more quickly to move things  
15 along and allow the public to have adequate time to ask their  
16 questions and make any comments.

17           So as it was indicated earlier, this is a joint  
18 process with the BLM. And one thing you'll notice is there's a  
19 lot of acronyms. So I'll try to go through those real quickly,  
20 as well, just so we make sure everyone understands.

21           But a portion of the project is on federal land, and  
22 that's administered by the Bureau of Land Management, the BLM.  
23 And on the private lands or non-federal lands the Energy  
24 Commission -- well, we have jurisdiction over the power plant  
25 process but the -- we have a role as far as preparing the

1 environmental document.

2           So as you see, the Energy Commission has a certified  
3 regulatory program that incorporates all required California  
4 Environmental Quality Act requirements. And we prepare an  
5 environmental document that we refer to as a staff assessment.  
6 It's similar to an EIR or environmental impact report. And the  
7 BLM follows the National Environmental Policy Act, NEPA, and  
8 they prepare a document called an EIS, and environmental impact  
9 statement.

10           Next slide please. So briefly I'll try to go over  
11 the Energy Commission's licensing process. We -- we go through  
12 a data adequacy phase, which for this particular project in  
13 mid-December we referred -- or rather we said that the project  
14 was basically data adequate. And that just meets a minimum  
15 requirement to -- for information for us to begin our  
16 evaluation. It doesn't mean that we have all the information  
17 to do our analysis. So it's just kind of a minimum set of  
18 information to move onto the next phase.

19           The next phase here is the staff discovery and  
20 analysis phase. And in a couple of slides we'll go through  
21 that. But just walking through it real quickly, we do the  
22 issues identification, which was a report that was generated  
23 last week and provided to the committee and docketed and  
24 available to the public. And that's staff's really rather kind  
25 of first preview look to identify any issues that we have.

1           We have a data request portion of the discovery  
2 analysis, public workshops. Eventually this leads to preparing  
3 a preliminary staff assessment with additional opportunity for  
4 public comment, then ultimately a staff assessment. And then  
5 the next phase is the committee evidentiary hearing, the  
6 decision process. Ms. Vacarro walked through that briefly with  
7 us. So I'll just move onto the next slide.

8           So with respect to discovery and analysis, the -- the  
9 applicant's submittal to us is referred to as an AFC,  
10 application for certification. And so we need to determine if  
11 it complies with LORS, which is laws, ordinances, regulations  
12 and standards. We also conduct engineering and environmental  
13 analysis. And this is in 20 different technical areas. So if  
14 you're familiar with an EIR it's predominantly environmental  
15 related areas. But there's about five or so engineering  
16 related topical areas that a staff -- staff assessment  
17 includes, as well.

18           And then, as I mentioned earlier, we identify issues.  
19 We file data requests. That's a request to the applicant for  
20 additional information that will help us with our analysis.  
21 The applicant files data responses, which are the responses to  
22 those requests.

23           We conduct public workshops, because everything has  
24 to be done in a public forum and a transparent fashion. So  
25 those workshops can help clarify what our questions are, what

1 the responses are, what have you. And so there's this dialogue  
2 where we go back and forth, and it's just part of the process  
3 to ultimately prepare our environmental documents.

4 Then we identify environmental impacts and potential  
5 mitigation measures to address those. There's also evaluation  
6 of project alternatives. And ultimately there's recommended  
7 conditions of certification. Let's see. We facilitate public  
8 agency participation, as I mentioned before. And again, we  
9 prepare a PSA, preliminary staff assessment, and a staff  
10 assessment and make a recommendation to the committee.

11 Next slide please. The evidentiary hearing and  
12 decision process, again, Ms. Vacarro went through this. But  
13 briefly, I wanted to just mention that the PMPD, there's  
14 findings related to environmental impacts, public health and  
15 engineering, findings related to the project's compliance with  
16 LORS, and then recommendations on the conditions of  
17 certification, and then recommendation on whether or not to  
18 approve the project. And then ultimately the full commission  
19 has a final decision.

20 This is just a flow chart to walk you through the  
21 process that I just explained to you, kind of going from talk  
22 to bottom. I'm not going to walk through that because we just  
23 kind of went through it. But it's just a visual aid  
24 representing what I just walked through.

25 So with respect to the Bureau of Land Management

1 role, the BLM is responsible for administering public lands  
2 under the Federal Land Policy and Management Act. That act  
3 provides a framework for BLM to manage lands in perpetuity for  
4 the benefit of present and future generations. So they're the,  
5 basically, the stewards of our public lands. And so the  
6 applicant is required to get what the call a right-of-way grant  
7 for use of that federal land. So they need permission to use  
8 the lands. And the grant authorizes rights and privileges for  
9 a specific use of the land for a set period of time and subject  
10 to certain terms and conditions.

11           And then, as I mentioned earlier, NEPA compliance  
12 requires that federal agencies review projects under their  
13 jurisdiction. And so the BLM will be preparing the  
14 environmental impact statement.

15           So these are some of the -- the major milestones in  
16 the NEPA process. So an EIS is initiated with the publication  
17 of the notice of intent. And then there's a public scoping  
18 period. And because we are going to do this in a joint  
19 fashion, we're a little bit ahead of the BLM. So at some time,  
20 hopefully here I the near future, the BLM will issue that  
21 notice of intent, will hold -- hold a scoping meeting. That  
22 will be another opportunity to participate as members of the  
23 public. Hopefully we'll be more in sync and we'll -- you know,  
24 it will be more of a joint meeting.

25           So again, walking through the NEPA steps, they

1 prepare a draft EIS, draft land use plan amendment. Basically,  
2 that's similar to our preliminary staff assessment. The land  
3 use amendment, similar to cities or counties that have certain  
4 land uses for different properties, the BLM has certain  
5 permitted uses within their land. And if what you're proposing  
6 doesn't -- isn't among the list of uses within that plan then  
7 it needs to be amended. So in this particular case they, the  
8 applicant, needs to get a land use plan amendment.

9           There's a notice of availability when the  
10 environmental document is drafted, and there's a 90-day comment  
11 period. We will -- because we are doing a joint process,  
12 typically we have about a 30-day comment period for our  
13 environmental document. But because we're doing a joint  
14 process we're going to go with the 90-day comment period.  
15 There would be a joint preliminary staff assessment draft EIS.  
16 After that comment period they would prepare a final  
17 environmental impact statement and the proposed land use plan  
18 amendment, and then again issue another notice of availability  
19 with another 30-day comment period. And ultimately this would  
20 result in a record of decision.

21           Next slide please. So as I mentioned earlier, we did  
22 file an issue identification report last week. And the purpose  
23 of that is to inform all the stakeholders of potentially  
24 significant issues identified, allow for early focus on issues  
25 and areas of concern. And the report is not all limiting.

1 These are our preliminary -- the preliminary issues that staff  
2 has identified with the information that we have to do.  
3 There's this discovery period that I mentioned. Staff still  
4 needs to go out in the field, learn a little bit more. We're  
5 going to have agency involvement. They'll enlighten us on  
6 issues. The public will enlighten us on issues. And so  
7 it's -- it's -- it's possible that new issues that we haven't  
8 identified could surface and we'll just -- we'll have to deal  
9 with them as they arise.

10           So what's the criteria of an issue? It's a  
11 significant impact that make be difficult to mitigate. It may  
12 be something where there's non-compliance with LORS, laws,  
13 ordinances, regulations and standards. It could be -- it could  
14 be a conflict between the parties; we just disagree on  
15 something. Or it could be something that could delay the --  
16 the 12-month siting process.

17           So we identified a number of issues in the -- in the  
18 report. And we just refer to these as Level I issues. We  
19 would anticipate these to be, you know, not very difficult  
20 issues to overcome, but in our experience they can be  
21 sometimes. They can add to the -- the schedule. So we just  
22 kind of want to lay it out there. I will try to walk through  
23 those very quickly.

24           With respect to air quality and a PSD permit --

25           HEARING OFFICER VACARRO: Mr. Martinez, before you go



1 any further, just for the benefit of the public who might not  
2 have been following stuff on our web page or even understanding  
3 some of the terminology that we're using, before today's  
4 hearing both the applicant, staff, and also the intervenor,  
5 filed for the benefit of the public and the committee documents  
6 that present their position so far with respect to any  
7 potential LORS impacts or environmental impacts, or whatever  
8 concerns they think the committee and the public need to be  
9 made aware of at this point so that IIR and those issues that  
10 Mr. Martinez is referencing, those are more fully fleshed out  
11 in a document that is available on the commission's website.

12           He's giving you sort of a very high-level approach.  
13 It almost assumes that you've read the document. I think we'll  
14 get enough information from what you're saying. But I thought  
15 for the benefit of the public, they need to know that there are  
16 some documents that give you far more information about what  
17 everybody has been discussing so far.

18           MR. MARTINEZ: Right. Thank you for clarifying that.  
19 So I will try to run through these quickly again.

20           So with respect to air quality, the -- there's a PSD  
21 permit. If a source has over 100,000 tons per year of  
22 greenhouse gas emissions, this particular project in the AFC is  
23 identified just below that threshold. Our air quality staff  
24 believes that they may not have identified all the potential  
25 source emissions. And that's something we'll just have to work

1 through with the applicant.

2           But if a PSD permit is required it's -- the  
3 federal -- it's a federal permit. It's a construction level  
4 permit. And at this time that has not been delegated to the  
5 local air quality management district. So it's -- it -- it can  
6 potentially take years after the project is approved, even if  
7 we have a decision for the federal government to issue that.  
8 It's really not an issue on our 12-month process. Again, it  
9 was just to highlight for the committee and anyone interested  
10 in the report and following the project that that -- that could  
11 be an issue overall for the project.

12           With respect to the land use, Riverside County has  
13 adopted some new regulations on new solar energy systems.  
14 Staff -- and when I mean recently, I think it was in November  
15 of 2011. So staff needs to analyze the project compliance with  
16 the local regulations. And we'll be working with Riverside  
17 County to make sure that we understand what those regulations  
18 are and that we address them appropriately.

19           With respect to the paleontological resources, there  
20 is a strata of potential paleontological resources onsite that  
21 was not discovered in the past. Staff, I understand, will be  
22 coming out in the field next week. They just need to learn  
23 more and understand whether that needs to be delineated to a  
24 higher level, and that can take time to delineate that to  
25 better understand what impacts the project would have. So

1 we're just throwing it out there as a potential issue.

2 Traffic and transportation; there is a potential for  
3 glint and glare impacts, as well as obstruction hazards. With  
4 respect to glint and glare, we're talking about reflection off  
5 the heliostats. There's just some analysis and study that can  
6 be done, and we'll -- we'll just need to do that before we  
7 reach any conclusions. And, obviously, the -- the towers, 750  
8 feet in height with respect to airplanes, we just need to, you  
9 know, identify whether there's any issues related to that.

10 One thing I wanted to mention, since I mentioned the  
11 750 foot high, is you may somewhere at 750 feet. You may see  
12 somewhere 760 feet. The difference is a ten foot lightning  
13 rod on top of it. So just to make sure that you understand  
14 that.

15 With respect to transmission system engineering,  
16 there's what we call a Phase II interconnection study which Mr.  
17 Stewart mentioned would likely be out sometime around November  
18 of this year. And from our perspective we need to understand  
19 what -- what potential upgrades are required to the  
20 transmission system beyond the first point of interconnect.  
21 And if there are significant upgrades that are required we have  
22 to do an environmental analysis on what those upgrades may be.  
23 And because that study won't be available near the end of the  
24 year we won't know what, if any, additional environmental  
25 analysis will be required. So again, that's just out there.

1 We'll have to wait and see when we get it.

2           With respect to water resources, our staff just needs  
3 to confirm water supply and potential impacts to the Colorado  
4 River. At this point we're not aware that there are. But if  
5 there are we need to understand it and understand how we can  
6 mitigate it.

7           And then finally with respect to workers' safety and  
8 fire protection, Riverside County has indicated that there  
9 would be some impacts to their local emergency response, fire  
10 response. And so we need to take a close look and make sure  
11 that, you know, development of this project has adequate  
12 support services for it.

13           Next slide. These -- these four items are subject  
14 areas where we believe were a little bit more challenging. And  
15 so we -- we separated them from that last group: alternatives,  
16 biological resources, cultural resources, and visual resources.  
17 And so I'll briefly go over those.

18           So with respect to alternatives, there's a different  
19 criteria analyzing them under NEPA compared to CEQA. It's a  
20 little bit -- or, actually, it's a lot more rigorous under  
21 NEPA, and so it could be an issue. The applicant, in their AFC  
22 provided quite a number of alternative -- alternatives to the  
23 project and quite a bit of information on that. However,  
24 again, this is a lot of information, as you can imagine, a lot  
25 of alternatives that not only include different sites, but also

1 different technology. And there's competing issues with  
2 respect to picking alternatives. So again, we just need to  
3 look at that closely.

4           And there's also this -- this LEDPA, least  
5 environmentally damaging practicable alternative. That's a  
6 mouthful, I apologize. And so with respect to NEPA and a  
7 preferred alternative that comes out that, the LEDPA and the --  
8 the -- the preferred alternative, they need to be the same.  
9 And -- and that's just, again, it's one of those processes that  
10 just take time to evaluate. And as we work through the  
11 alternatives analysis we'll -- we'll get through that process.  
12 But it can be a long process, and it's somewhat complicated.  
13 And there's other agencies that we have to work with. And  
14 always dealing with multi-agency issues takes time.

15           Biological resources. The REAT, you may have heard  
16 earlier in the presentations, is Renewable Energy Action Team.  
17 It's made up of different agencies: the BLM, the Energy  
18 Commission, U.S. Fish and Wildlife Service, and the California  
19 Department of Fish and Game. And they have requested additional  
20 bird and bat survey data, which is -- it's a request of a  
21 minimum of a year, one year.

22           And one reason that the schedule is shown as it is,  
23 is because we have to wait for that information to come in.  
24 Although it can come in over time and we can evaluate it  
25 periodically as it comes in, ultimately, you know, any kind of

1 final analysis or conclusions or potential mitigation or what  
2 have you can't really be fully fleshed out until the entirety  
3 of the information is submitted. And we're currently working  
4 with our REAT partners to provide the direction to the  
5 applicant to satisfy our requests.

6           There's a potential for collision impacts associated  
7 with the project structures, as you can imagine, to birds. And  
8 the potential impact and risk posed by the project in  
9 technology. The applicant has provided us some information  
10 with respect to that. It's something we need to vet out more.  
11 But it is an issue that we need to understand better.

12           Availability of compensatory mitigation for impacts  
13 to desert washes; we know there's current ratios for  
14 mitigation. And at that this point, because there could be a  
15 number of acres subject to this, you know, we're just kind of  
16 throwing it there that we -- you know, based on what we know  
17 right now we're -- there's concern that there may not be enough  
18 mitigation lands for that, or maybe there's just -- we have to  
19 understand another way to address mitigation for that issue.

20           And, finally, generally potential impacts to  
21 state/federal listed species and multi-agency mitigation  
22 development. Again, I just touched on that with respect to  
23 dealing with multiple agencies and identifying if there's any  
24 species that need to be protected and how they're going to be  
25 protected, etcetera. That's just takes some time to flesh out.

1           Next item. Oh, and by the way, we do have biological  
2 staff on the Energy Commission here should you have any  
3 specific questions that are technical in nature that they would  
4 be better able to answer those, likely.

5           Cultural resources; there are a number of significant  
6 or potentially significant archeological sites within the  
7 project area. And staff has concerns that those potential  
8 sites need to be evaluated further before we can reach any kind  
9 of conclusions on the significance of those sites. That may  
10 take some time.

11           Certification justification for area potential  
12 affects. The BLM has indicated that they want to augment that  
13 area of potential affects. And, basically, that's an area  
14 around the project site that needs to be analyzed for potential  
15 cultural resources.

16           Briefly, the Bradshaw Trail, the applicant is  
17 proposing that that be rerouted. That is a concern identified  
18 by our staff and the BLM. We'll need to work through that.

19           And then Native American consultation; the BLM takes  
20 the lead on that. I believe they've already begun discussions.  
21 But that can be sometimes a time consuming process, and we need  
22 to understand the concerns of the Native Americans and how  
23 we're going to address those or mitigate their concerns.

24           With respect to visual resources, there -- there are  
25 750 foot tall power towers. You know, besides the mountains

1 surrounding the project area it's relatively flat, and there  
2 aren't other structures in the area that tall. From some  
3 perspective, I was looking at the Space Needle in Seattle.  
4 It's a little bit over 600 feet in height. Or another way to  
5 look at it, it's about two-and-a-half football fields  
6 horizontally. So they're big -- they're big-big structures.  
7 And there's nothing out there that tall. So it's a concern how  
8 we're going to address that issue.

9           Glint and glare, I mentioned that previously. And  
10 how we can mitigate that potential impact. That's just  
11 something we -- we have to figure out. We had identified in  
12 the issue -- issue ID report that that potentially may not be  
13 able to be impacted and -- and an override might be required.

14           And then the Bureau of Land Management has shared  
15 some issues that they had. Some of them are repetitive.  
16 Bradshaw Trail we talked about. Donated lands; there are some  
17 lands that are -- excuse me -- donated to the federal  
18 government. And in some cases they're for specific  
19 conservation purposes. We just need to make sure that -- it's  
20 an issue if it's for conservation purposes.

21           HEARING OFFICER VACARRO: If I can ask --

22           MR. MARTINEZ: Yes.

23           HEARING OFFICER VACARRO: -- just one question,  
24 because I think so far what we're learned about what the Energy  
25 Commission does and the concerns, I mean, you were very



1 thorough, very succinct. And I think you've given us an  
2 excellent idea of what's on the table and what's before the  
3 Energy Commission in satisfying its LORS analysis and CEQA  
4 analysis. And from what I've gathered and what you've said,  
5 the BLM is going to be a partner in this process. But today  
6 it's my understanding they're not here at the table to do a  
7 presentation with us.

8           And so if I just could ask that maybe if this part  
9 we -- we keep to a pretty good summary, because I think we'd  
10 really like to hear from BLM. And I understand they're  
11 probably going to be doing their own scoping meeting soon where  
12 they really, in their own words, are going to explain to all of  
13 us what their concerns are.

14           So if maybe we might, you know, read the list, but  
15 perhaps not get as much detail, because I think they probably  
16 are better able to present their concerns to the public and  
17 explain what the NEPA process means and what they're  
18 environmental document, in partnership with ours, is going to  
19 look like.

20           MR. MARTINEZ: Sure.

21           HEARING OFFICER VACARRO: Is that fair?

22           MR. MARTINEZ: Absolutely.

23           HEARING OFFICER VACARRO: Thank you.

24           MR. MARTINEZ: We can do that. I'll walk through  
25 them briefly. And I will say that Cedric Perry who identified

1 himself earlier is in the audience. Again, it's not a joint  
2 workshop now. They're not prepared to make a presentation.  
3 But perhaps he can fill in a blank or two if you have a  
4 question.

5 HEARING OFFICER VACARRO: And maybe we can just read  
6 them. If you could just read --

7 MR. MARTINEZ: I'll just read the list.

8 HEARING OFFICER VACARRO: -- the list.

9 MR. MARTINEZ: Absolutely.

10 HEARING OFFICER VACARRO: That would be great.

11 MR. MARTINEZ: So we had donated lands, cultural  
12 resource impacts. It's very similar to the one the Energy  
13 Commission has concerns about. There are certain BLM  
14 designated utility corridors, and this project is within that.  
15 There's a substation tie-in issue that the BLM is concerned  
16 about. Biological resources, again, same as Energy  
17 Commission's. There's a wildlife habitat management area that  
18 they need to make sure that this project is not within or  
19 understand how it might be impacted.

20 The project footprint overlaps and abuts federal un-  
21 surveyed land. To be quite honest, I'm not real clear on what  
22 that is, so I don't even want to try to represent what their  
23 concern is on that. And then the project is encumbered by  
24 three transmission line right-of-ways. Again, I won't go into  
25 that either, as well. So those are the issues they've shared

1 with us so far.

2           So staff has a proposed schedule, and it's included  
3 in that issues ID report that Ms. Vacarro alluded to earlier.  
4 However, that -- that schedule does depend on the applicant's  
5 timely response to staff's data requests, determination of  
6 other local, state and federal agencies, resolution of any  
7 outstanding issues and other factors that we're not aware of at  
8 this time.

9           I apologize for the size of this. I won't walk  
10 through it, but that is the proposed schedule. This is a list  
11 of the contacts, both within the Energy Commission and Mr.  
12 Perry at the BLM. I will also add, there was a stack of about  
13 30 copies of this presentation at the back table. So be sure  
14 you get one, and you can -- and this will also be on the -- on  
15 the website.

16           But, finally, these are some websites you can go to  
17 more information. And then I'm leaving it to the questions and  
18 comments. Thank you.

19           HEARING OFFICER VACARRO: Okay. Thank you, Mr.  
20 Martinez. And I think just going back again to Mr. Stewart, I  
21 mean, both of you from two different perspectives have, I  
22 think, provided very thorough and succinct information on what  
23 is a large-scale overall project. Because again, to remind  
24 everyone, these are three separate plants that will be  
25 operating as one facility with sizable acreage, a number of

1 heliostats, three power towers. There's a lot that needs to be  
2 considered. So I thank you both for providing a great deal of  
3 information in a relatively short amount of time.

4 We also received a writing from Intervenor, Center  
5 for Biological diversity. Ms. Belenky is on the phone. I hope  
6 she's still there. And if so, Ms. Belenky, are you ready to  
7 give us your perspective on the project and what some of the  
8 issues might be.

9 MS. BELENKY: Yes, thank you. I'm still here.

10 Well, I just, first of all, want to thank you for  
11 having us at the hearing. I realize the technology can be  
12 horribly awkward, and we weren't able to attend in person.

13 The -- I first wanted to clarify, I think there was a  
14 statement, I'm not sure who made it, except that all of the  
15 parties provided their comprehensive positions in this final  
16 statement, but at least for the Center of Biological Diversity  
17 it's not accurate. We provided a response to some of the  
18 issues raised in staff's issue identification report. We have  
19 not yet provided a fully comprehensive list of all the issues  
20 as we see them. But I just wanted to clarify that so that the  
21 record is clear.

22 The Center for Biological Diversity strongly supports  
23 renewable energy and appropriate siting within the California  
24 desert. We are very concerned about the -- this project for  
25 several reasons, because it may very well be that although

1 there are some reasons the site may be a good one for some sort  
2 of solar, it may not be appropriate for this technology. And  
3 in the past we have tried to maintain a position of technology  
4 neutrality. And I think in this case that may not be possible,  
5 given the proximity to really world-class bird resources with  
6 the Pacific flyway, the California -- the Colorado River, and I  
7 think four national wildlife refuges in proximity, including  
8 Cibola.

9           The question of birds is particular important to us.  
10 And one of the main issues is that we just don't know what the  
11 impacts of this kind of project at this scale would be on bird  
12 populations. And the applicant has -- is in the midst of  
13 constructing another very large facility, but it is not in  
14 operation yet. All of the other facilities are orders of  
15 magnitude smaller and have never really studied these bird  
16 impacts, except for a quite early facility that was studied  
17 near Daggett many years ago. And that -- those studies did  
18 find really very significant impacts to bird populations, both  
19 from collision and from burning and singeing.

20           So that probably would be the top issue that we have  
21 with this. And we're afraid that it may very well be a  
22 technologically based on. There may be other types of  
23 facilities that could be on some portion of this project site  
24 and provide similarly excellent renewable energy.

25           The other issue that has not been mentioned is kit

1 fox. There are a large number of kit fox. There are a large  
2 number of kit fox on this site, at least from the initial  
3 reports. And there have been some very disturbing incidents  
4 with kit fox recently on another site for a renewable energy  
5 project in the California desert, not very far away, north of  
6 the I-10 with a significant number of deaths there.

7           But these kinds of questions we fell like really need  
8 to be answered. And they need to be answered, you know, early  
9 in the process. We need to get the data. Gather the data. We  
10 really appreciate what staff said about that, but data  
11 gathering at the front end is extremely important. The height  
12 of the towers also, we think, may contribute to some of these  
13 questions.

14           The -- the other issue I did want to raise just  
15 briefly today is the -- the water issue. The applicant  
16 mentioned that they're using a dry-cooling technique. But even  
17 so it is a significant amount of water in this area of the  
18 desert. Furthermore, I think that the applicant said it  
19 actually quite well when they said that, basically, this is  
20 just a steam turbine. So it's a very, very old technology.  
21 Ultimately, they're just using solar energy to run it. And  
22 while it may seem elegant to some, it may have unintended  
23 consequences when it's sited so close to these wildlife  
24 resources. And so we -- we do have that concern.

25           The other issue, I believe that staff also has raised

1 it, is whether there is sufficient mitigation land for some of  
2 the impacts that this project would have. But even before we  
3 get to that issue, under CEQA there really needs to be a look  
4 at avoidance through the alternatives analysis. So clearly the  
5 center will be looking very closely and hopefully helping  
6 through the process to focus on the questions of alternatives  
7 that would avoid significant impacts.

8 I also really appreciate all of the different -- the  
9 staff and the commission staff, as well, raising the issues of  
10 the process, and that the public adviser explained some of the  
11 process. As an independent nonprofit who has actually  
12 participated in this process now, I believe this is our fourth  
13 proceeding, I would have to say although it -- it really made  
14 it sound very logical and transparent, that our experience has  
15 been that it can be quite opaque, and that the feedback we have  
16 gotten from our members and other members of the public is  
17 that -- that it can be quite opaque and difficult to follow,  
18 and that they do not feel heard. So we -- we very much  
19 appreciated the efforts of the public adviser on that point.

20 I guess lastly I would just say that -- that we have,  
21 you know, probably a whole laundry list of concerns that --  
22 that may be able to address. But -- but we are quite concerned  
23 that some of these can not.

24 And so I guess on that note let me just say that  
25 we -- we, again, we really support the development renewable

1 energy in the desert. We believe there are some very good  
2 areas in the Blythe vicinity for renewable energy. It's  
3 unclear if this particular site is one of them. And it's  
4 particularly unclear if this technology is appropriate in this  
5 site. Thank you.

6 HEARING OFFICER VACARRO: Thank you, Ms. Belenky.  
7 And, yes, actually it was me that you were correcting. When I  
8 made reference to comprehensive statements, in fact, I did read  
9 your document and I thought it -- it fleshed out, if not in  
10 great detail, it certainly gave a pretty broad scope of what  
11 your concerns are going to be in this proceeding. But if I  
12 misspoke or overstated it I certainly do apologize. I think --

13 MS. BELENKY: (Off mike.) (Inaudible.)

14 HEARING OFFICER VACARRO: Fair enough. I think at  
15 this point I'll ask if either commissioner has any questions.  
16 And if not, I have a few, and I also have a recommendation for  
17 the commissioners to consider.

18 COMMISSIONER PETERMAN: Go ahead.

19 COMMISSIONER PETERMAN: No. Questions. Please go  
20 ahead.

21 HEARING OFFICER VACARRO: Okay. I think I'm going to  
22 start with you, Ms. Belenky. You did just mention a number of  
23 the concerns raised in your document. You did raise in maybe  
24 two or three sentences a particular concern, I think that goes  
25 a bit to what Mr. Ellison was speaking of, recommendations by



1 the REAT team for at least a year's worth or about a year's  
2 worth of additional surveys relating to birds and bats.

3           You indicated, I believe on behalf of your client,  
4 concerns in terms of environmental impacts. You also raised a  
5 process question. That's something that certainly caught my  
6 attention. I suspect it caught the attention of the committee,  
7 as well. And we don't want that to be just a footnote.

8           MS. BELENKY: You cut out a little bit at the end  
9 there.

10           HEARING OFFICER VACARRO: Okay. What part did you --  
11 did you not get? We -- I was mentioning the -- the procedural  
12 questions that you raised, having to do with the bird and bat  
13 surveys. And in particular, you were questioning --

14           MS. BELENKY: Hello?

15           HEARING OFFICER VACARRO: Can you hear us, Lisa?

16           MS. BELENKY: Hello?

17           MS. DE CARLO: Lisa, can you hear?

18           MS. BELENKY: Oh, now I can hear you again.

19           HEARING OFFICER VACARRO: Okay. Good. Let me -- I'm  
20 not going to go back and restate everything I said because I  
21 think everybody here --

22           MS. BELENKY: I think I heard most of it.

23           HEARING OFFICER VACARRO: Okay. And now they have  
24 the phone right in front of me, so hopefully we won't have any  
25 problems.

1           But essentially you raised some process questions  
2 about data adequacy. And you specifically asked this committee  
3 to take a look at whether or not this project is, in fact, data  
4 adequate at this stage. You know, that -- those are pretty  
5 strong words and a pretty direct request. And you also  
6 indicated that you might be interested in having the commission  
7 investigate this matter.

8           I think what my recommendation is for the committee  
9 and for the parties is that instead of spending what could be  
10 easily hours tonight going over these issues, is to pull the  
11 thread that Mr. Ellison brought up, which is to set aside time  
12 at the end of this month for a status conference or conference  
13 with the committee specifically to address the REAT team  
14 recommendation, to discuss the scheduling related to those  
15 surveys. Because although the applicant has indicated a  
16 willingness to comply in many respects, the applicant  
17 scheduling order or proposed schedule that we would look at for  
18 a scheduling order looks at a completely different timeline  
19 than that being offered by staff.

20           I think we also need to further understand the role  
21 of BLM and the timing of the BLM process, since Mr. Martinez  
22 indicated that BLM has yet to take one of its huge threshold  
23 steps in this process. I think that's something for the  
24 committee and the parties to further discuss, particularly  
25 because the committee didn't have the benefit of attending the

1 workshop where I think some of these issues were discussed  
2 among the parties, among the REAT team members, and probably  
3 among members of the public.

4           And so my proposal for the committee is that we  
5 schedule a time near the end of the month, we notice it, we ask  
6 for very specific briefing so the committee is fully prepared  
7 to discuss these issues, address everyone's concerns in this  
8 regard, and work out a timeline, and perhaps a discovery plan,  
9 that seems to be workable for everyone, or at least workable  
10 from the committee's perspective for everyone.

11           So that's what I'm proposing to the committee. I do  
12 mention it to the parties, of course. But I think at the end  
13 of the day it's Commissioner Peterman and Commissioner Douglas  
14 who are going to make the call as to whether or not that --  
15 that happens.

16           MS. BELENKY: Well, I'm sorry, I thought you were  
17 addressing me at the beginning, so I would like to just respond  
18 briefly to that suggestion.

19           HEARING OFFICER VACARRO: Uh-huh.

20           MS. BELENKY: The center is -- is very concerned  
21 that -- I mean, I don't object to having another meeting and  
22 briefing, etcetera. But there is a concern that there were  
23 somehow two different things going on within the commission,  
24 and that they didn't chalk together and that whatever led to  
25 this, what we see as a blatant inconsistency, maybe others

1 don't, but in any case we see it that way, it's -- it's still  
2 not clear. So it is not -- it isn't clear to me or to my  
3 clients how we would be able to brief anything else on that  
4 issue without some disclosure by the commission on how this  
5 came about.

6 HEARING OFFICER VACARRO: I think you raise a fair  
7 concern. And if you've at least dealt with me in any of my  
8 proceedings, I only ask for briefing. We're -- the committees  
9 that I work for, we're pretty clear. We ask very specific  
10 questions. We will direct you to some of the --

11 MS. BELENKY: Are you guys still there?

12 HEARING OFFICER VACARRO: -- authorities that -- that  
13 we think might be helpful in --

14 MS. BELENKY: Hello?

15 HEARING OFFICER VACARRO: -- framing the question.  
16 And it's quite possible that -- that the answers don't --

17 MS. BELENKY: Hello?

18 HEARING OFFICER VACARRO: -- come from you, but that  
19 they instead come from staff --

20 MS. BELENKY: Hello?

21 COMMISSIONER PETERMAN: No. She's lost us.

22 HEARING OFFICER VACARRO: Yeah. I think we might  
23 have lost you again --

24 MS. BELENKY: Hello?

25 HEARING OFFICER VACARRO: -- Lisa.

1 COMMISSIONER PETERMAN: Hello?

2 HEARING OFFICER VACARRO: I'm going to turn it over,  
3 I think, to the commissioners right now to --

4 MS. BELENKY: Hello?

5 HEARING OFFICER VACARRO: -- consider the  
6 recommendation, and we'll see if someone can't --

7 MS. BELENKY: Hello?

8 HEARING OFFICER VACARRO: -- work out the phone in  
9 the meantime.

10 COMMISSIONER PETERMAN: Hi. One more time, Lisa, can  
11 you hear us? No? I guess not.

12 HEARING OFFICER VACARRO: No, I don't think so. I  
13 wonder if somebody needs to work on the phone. In the meantime  
14 let's just --

15 MS. BELENKY: Hello?

16 COMMISSIONER PETERMAN: Okay. Do you want to hear  
17 from me now?

18 HEARING OFFICER VACARRO: Yeah. Let me mute her  
19 right now.

20 MS. BELENKY: Hello?

21 COMMISSIONER PETERMAN: Well, just -- let's wait a  
22 second for her to get back in before I say something.

23 HEARING OFFICER VACARRO: Can you hear me, Lisa?

24 MS. BELENKY: What?

25 HEARING OFFICER VACARRO: Can you hear me?

1 MS. BELENKY: Now I can hear you, yes.

2 HEARING OFFICER VACARRO: Yeah. This is going to  
3 keep cutting out. So I think we -- we understand your concern.  
4 We've certainly set parameters for briefing. Maybe there are  
5 certain things that you're not capable of briefing because the  
6 information is only had by commission staff. But I think what  
7 you have raised is an issue that we're all, I think, curious to  
8 understand a bit better what was going on, what was known, what  
9 the timing is, and what we're going to do moving forward in  
10 this project.

11 I think with that I'm going to turn it over, though,  
12 to Commissioner Peterman.

13 COMMISSIONER PETERMAN: Thank you for the suggestion,  
14 Ms. Vacarro. And I think the committee is supportive of having  
15 the separate status conference to get into this issue, as well  
16 as finalized schedule.

17 COMMISSIONER DOUGLAS: I also agree. However, I  
18 would be interested in staff's brief response to the question  
19 asked by Ms. Belenky.

20 MS. DE CARLO: Sure. Lisa De Carlo, Energy  
21 Commission staff counsel.

22 We are obligated in reviewing an AFC filing to comply  
23 with our regulations in determining whether or not that  
24 application is complete for purposes of beginning the Energy  
25 Commission's review of the application. Our regulations set

1 forth generic items that we should look for, but they are not  
2 capable of outlining every particular instance that may occur  
3 from site to site that may be of interest and of need to  
4 analyze in further detail.

5           So we have our generic regulations that kick off our  
6 in-depth analysis. And once that has been kicked off we engage  
7 in data requests to further refine our understanding of the  
8 particular site at hand. And that's what occurred. We did  
9 analyze the project pursuant to all of our specific regulations  
10 with regard to data adequacy, found them compliant with regards  
11 to those regulations, that didn't address, however, the  
12 specific details of this project and the uniqueness of the  
13 project before us.

14           COMMISSIONER DOUGLAS: Okay. Thank you.

15           COMMISSIONER PETERMAN: Hi. This is Commissioner  
16 Peterman. You know, thank you, Ms. De Carlo for that response.  
17 I don't know that it fully addressed the question. And so I  
18 look forward to addressing it in the status conference.

19           HEARING OFFICER VACARRO: So I think we've heard from  
20 the commissions. And typically the next steps in the process  
21 would be -- Mr. Ellison, just one second -- is that we would  
22 issue a scheduling order, generally within two weeks of today's  
23 process. But it seems as though we still have some outstanding  
24 scheduling issues. And the committee, at least, wants to hear  
25 much more on these issues related to the surveys. Those are

1 two items, then, that will be held over for a status  
2 conference. And so we will not be issuing a scheduling order  
3 before then.

4 Mr. Ellison, why don't you go ahead and give us  
5 whatever comment or thoughts that you might have. We'll let  
6 everybody have one final word, and then we will probably move  
7 forward at that point to public comment and question.

8 MR. ELLISON: Thank you, Hearing Officer Vacarro.  
9 And I'll be -- I'll be very brief. We -- we support this  
10 concept.

11 The one comment that did want to make, as I mentioned  
12 earlier, one of the reasons that we support the concept is to  
13 give us some time to work with all of the intervenors, all of  
14 the parties on some of these issues. There are -- there --  
15 as -- as has been mentioned, there's -- there's a lot that is  
16 not known, at least by the public and by the intervenors, about  
17 the technology and what its impacts are. We had a good  
18 workshop previously on some of those issues. We would like to  
19 continue that dialogue.

20 So the point here is this, we support this concept  
21 but would suggest that rather than doing later this month, that  
22 perhaps it be in February and give us a little more time. We  
23 have a workshop -- or even March. We have a workshop scheduled  
24 with the parties on February 13th, if I'm correct.

25 MR. STEWART: Tentatively. Correct.



1           MR. ELLISON:   Anyway, we'd like to have a little more  
2 time.   And I don't -- and I don't think there's a cost of doing  
3 that, because we have agreed to do the additional work in the  
4 meantime, up through April, that has been asked of us.   And so  
5 the -- the issue involves do we go past April or not past  
6 April.   So as long as we have a status conference that allows  
7 you to decide what is necessary past April, it's timely.   And  
8 it would give us a chance to try and work out a compromise and,  
9 perhaps, relieve you from having to resolve all of these  
10 issues.   I can't promise that we'll be successful, but that's  
11 what we'd like a chance to do.

12                       (Off mike colloquy between Commissioners  
13                       and Hearing Officer)

14           HEARING OFFICER VACARRO:   Really, that's a submission  
15 for the commissioners.   If that's something that -- I mean, I  
16 put out the end of February.   I think it's reasonable to look,  
17 perhaps, to early March then for that status conference.   But  
18 that does presuppose that at least one workshop will be taking  
19 place, perhaps more, among the parties.   Those would be noticed  
20 public workshops where members of the public, interested  
21 agencies, everyone else would be participants; is that correct?

22           MS. DE CARLO:   Yes.

23           HEARING OFFICER VACARRO:   Okay.

24           MS. DE CARLO:   We intend to file our notice on Friday  
25 or Thursday --

1 MR. MARTINEZ: Thursday.

2 MS. DE CARLO: -- Thursday for the 13th.

3 I would just like to note that there are vacation  
4 plans for the beginning of March amongst Mr. Martinez and I,  
5 for the first two weeks of March. So if we could maybe do it  
6 towards the end of March or --

7 HEARING OFFICER VACARRO: That's certainly something  
8 we can consider. But we have the very smiling Mr. Johnson  
9 here, as well, who I think is also well versed. So I think  
10 among siting staff and among chief counsel's office, I think  
11 perhaps you guys can all figure out staffing. I think we'll  
12 try to accommodate that, but we're already accommodating a  
13 request to allow all of you to work it out. The further we  
14 push it back the further delayed we are. And I think that  
15 could impair, sort of, what is sought by the recommended  
16 surveys. I think Ms. Belenky raises some points that need to  
17 be addressed sooner than later, as well. So I think all that  
18 will be taken into consideration.

19 But if need be I think someone might be able to fill  
20 in for you, Ms. De Carlo, and perhaps someone like Mr. Johnson  
21 may be able to fill in for Mr. Martinez.

22 MS. BELENKY: Yes. That could be arranged.

23 HEARING OFFICER VACARRO: Okay.

24 COMMISSIONER PETERMAN: This is Commissioner  
25 Peterman. I'm going to take a presiding member's initiative

1 to -- we fell out of discussion over the last few minutes about  
2 this topic. And so I want to make sure the public understands  
3 kind of the gist of what's happening. And correct me, Mr.  
4 Vacarro, if I'm wrong, but we're uncertain what the schedule  
5 should be long term, eventually, for looking at this proceeding  
6 because of some issues raised about whether additional surveys  
7 are needed, biological surveys. And so we're going to have a  
8 separate status conference to really look at that issue before  
9 we issue the final schedule.

10 Was that a correct summary?

11 HEARING OFFICER VACARRO: Yes.

12 COMMISSIONER PETERMAN: Good. Okay.

13 HEARING OFFICER VACARRO: I think unless the  
14 commissioners have any further questions, I think we would like  
15 to hear from the public at this point. I do have some blue  
16 cards. And I think we will start with Mr. Alfredo Figueroa; if  
17 you would like to make a presentation, ask some questions. If  
18 you could come to the podium, state your name for the record.

19 MR. FIGUEROA: Yes, my name is Alfredo Acosta  
20 Figueroa. I am the Chemeheuvi Tribal Monitor, one of them, and  
21 I am here on behalf also of the La Cuna de Aztlan Sacred Sites  
22 Protection Circle. We're the people that -- we have an MOU  
23 with the BLM to be the guardians of all these sacred sites, all  
24 the way from Needles, California down to Yuma. And I have the  
25 Memorandum of Understanding right here with me so you can know

1 further.

2           So, I am also here because I have a long list. But I  
3 want to say this is the first time I've seen five people, five  
4 women there. This is what, this is what 2012 is all about.

5 *Mucho macho, adios.*

6           (Laughter.)

7           MR. FIGUEROA: That's it, you betcha. Don't believe  
8 me? Just look at the time that's coming because we have the  
9 time measured. The measure of time was with the Pleiades, the  
10 Seven Sisters constellation. I have been before the California  
11 Energy Commission a lot of times and this is the first time I  
12 see something like this. I think we should show a big round of  
13 applause. By golly, this is it, you betcha.

14           (Applause.)

15           MR. FIGUEROA: Let me tell you, you get me very  
16 excited to have you people down here. Because one time there  
17 used to be a guy named Jerry Brown and he had what is called  
18 the Atomic Energy Commission, you know, and he used to have the  
19 meetings over here in Blythe. That was 1975 when, you know, he  
20 mentioned it. The Sun Desert Nuclear power plant; what  
21 happened to it? *Adios, Jesus* for the same reason. The reason  
22 was that that's one of our most sacred sites there is.

23           Right here I have even a map of the BLM and it has  
24 right there 'area of critical environment.'" Right here the  
25 Mule Mountains. And Mr. Tom, he's a nice guy, but he didn't

1 even mention one thing of the sacred sites of Mule Mountains.

2 Why didn't he? Well, it was not to his advantage.

3           You know, at one time the Colorado River Indian Tribe  
4 Reservation used to go all up to high-water mesa lock. Over  
5 there at the I-10, right there the mesa. That's where our  
6 reservation used to go to. Can you imagine? But then n-n-n-n-  
7 n-n-n, they reduced it all the way across the river. But now  
8 we're coming glug-glug-glug-glug-glug-glug-glug and now it  
9 crosses the I-10 when you go to approach it. Why? Because all  
10 these sites pertaining to the ancient, you know, ancestral land  
11 and that's why we're here.

12           I get a little excited. Yes, I do, because we feel  
13 so threatened. Before we used to be hush-hush because we  
14 didn't want the people to know of these sacred sites. But now  
15 we're, what we say, *entre la espada y la pared*. I don't know  
16 how many of you people speak Spanish but among the sword and  
17 the wall. If we don't come out now you are still going to  
18 destroy it.

19           And, you know, these guys, they've got what, one  
20 billion, 600 million dollars from the Department of Energy  
21 guaranteed? Well, my lands. If they give me something like  
22 that we could put fences all over these sacred sites. But no,  
23 they've got us back here, you know, so no big deal.

24           But anyway, also in 19 -- in 2000 the Pacific Gas and  
25 Electric made the North Baja Pipeline, natural gas line all the

1 way down to Baja California. And we surveyed all that. And we  
2 took -- I say "we" our tribal members. We took people down  
3 there. Right there where we went today. So I showed them, we  
4 showed them there the trails, we showed them all the geo  
5 glyphs, we showed them the petro glyphs, we showed them the  
6 cremation site. These people were so aghast. And you can  
7 contact these guys. They even sent us a big letter of  
8 recommendation. His name is -- he's with the "E." He's with  
9 the EDAW Corporation and his name is Dr. James Klieland  
10 (phonetic).

11 I would like to take this opportunity to wish you  
12 well in your future endeavors to educate the public about the  
13 importance of the cultural heritage and to work within the  
14 context of environmental and historical preservation programs  
15 to protect these unique and non-renewable resources from  
16 unnecessary damages.

17 Now this is the public record. So all we have to do  
18 is check these guys, you know. They went with us. The BLM  
19 went with us from Yuma and from El Centro and from Palm  
20 Springs. These records are already established. They're not  
21 something that we're bringing up here new. Now if he didn't  
22 want to say it, well that's his business, you know. It's nice  
23 to say whatever you want to say, but prove it. That's why we  
24 need facts. And that's why like I said right now, 2012 is now  
25 and it's *adios, Jesus* for the *mucho macho*.

1           So we are here -- and also, you know, another thing  
2 is that by lands -- you know, we haven't heard of Jenco, China.  
3 He was mentioning about that big old towers. In Jenco, China,  
4 even in China they say you don't have no rights. But they're  
5 protesting because those big towers have changed the atmosphere  
6 and they dried up the agriculture. You know, to get a thousand  
7 Chinese out there, my lands, it's because something grave has  
8 happened.

9           We have the report that Mr. Martinez here said  
10 concerning the Cibola wildlife, we have the Laguna Cibola al  
11 the way to Needles. And this wildlife includes the Bald Eagle.  
12 They include the Gila Woodpecker. The Gila Woodpecker is  
13 (knocked on podium with knuckles) he represents Ehecatl.  
14 Ehecatl is the twin of Quetzalcoatl, but you've got to know a  
15 little bit of our history.

16           You see, that mountain is called "Cali." "Cali"  
17 means "house." Maybe some of you people know what "Cali" means  
18 if, you know, if you went to Chicano Studies at UCR or  
19 something. Maybe you don't. But anyway, "Cali" means house.  
20 And that's where the name, our name -- where do we live at, we  
21 live in California. I used to like Schwarzenegger because he  
22 could pronounce California the way you're supposed to pronounce  
23 California, it means "house." Californats (phonetic) means  
24 "the hot house." It's the southwest corner of the Aztec sun  
25 stone calendar.

1           We're not going to stop no more. And anybody that  
2 wants to go with us we'll take you. We'll take the  
3 archeologists, anthropologists, anybody that's around that  
4 wants to know the truth. But you wonder, the blind leading the  
5 blind. You know what we say in Spanish, *en el mundo de los*  
6 *tuertos el ciego es el rey* (sic). In the world of the blind  
7 the one-eyed is the king. You want to continue with that,  
8 that's fine, but I don't think you do. I think we're in a new  
9 era and it's coming. Aquarius is the era of learning. Like  
10 they say in Missouri, show me the facts, you know. Like old  
11 Harry S. Truman used to say, Independence, Missouri, show me  
12 the facts.

13           I can go on and on. Let me tell you. Because I'm  
14 not going to tell you 10,000 years of our recorded history that  
15 we have through our oral history and our codices. See, we can  
16 read the codices, see, and that makes it a big impact. Plus we  
17 cross-reference with our neighbors, the Mojaves, which are the  
18 Hokan linguistic family, you know. The Quechanes, the  
19 Cocophas, the Yavapais, the Havasupais, the Mojaves, these are  
20 our relations. So we related with their oral tradition and our  
21 codices. But the facts, the facts are there, the facts are  
22 there.

23           You know, we were the ones that were protesting the  
24 Solar, the Solar Millennium. You know, they're gone, *adios*,  
25 *Jesus*. They had to file bankruptcy. Solyndra did too. All



1 these freebies from the government. I mean, sometimes it's  
2 good but most of the time it's all -- they don't have the  
3 truth. They want to, they want to just get that money and run  
4 like hell.

5           So we have here, we have here where they destroyed --  
6 and Don Rabel (phonetic) came down here, he didn't want to talk  
7 to me. But he came down here and they broke ground. You know  
8 when they broke ground, when they already had plowed under five  
9 miles long, 150 feet wide. So how could we negotiate?

10           So we have some more maps here of the before and  
11 after. Now we have Salazar on here too. Salazar didn't want  
12 to meet with us. Salazar says he's the proud descendent of  
13 Juan de Oñate. Juan de Oñate is the most hated of all the  
14 conquistadores, besides Cortez is Juan de Oñate. He prides  
15 himself. So you think he's going to support the natives or the  
16 Colorado River? My lands, very not.

17           So if we have other, we have 12 or 10, 10 laws that  
18 have been made by the United States government mind you,  
19 including the resolution of the United Nations 2007 that Obama  
20 signed in 2010 on December the 15th. But yet they don't  
21 respect our law, the own laws of the United States government.  
22 Right there where they had put, where they plowed under the sun  
23 geo glyph; the signs are there from the BLM. It shows you,  
24 pertaining to 106. Did they respect it? No. Plowed it under  
25 before, you know, rise up the natives. What's wrong with that?

1 Man, no respect. And this is the worst thing ever in the  
2 history that we have experienced.

3 And you people, you're where at? You're in Blythe.  
4 Blythe used to be called Aka-sipi (phonetic). Aka-sipi means  
5 "jackrabbit in the tules." Of course from here you can see the  
6 relations to our -- those mountains over there.

7 And you're here. We have this outside the door here.  
8 We have the big, giant intaglios. What? Those are the  
9 creation story, those are the creation. And we're fortunate  
10 that we have some of the city council members here, that we  
11 have all this right there. Right here. Before you leave look  
12 at them, these tell the story.

13 And we can interpret -- that's the other thing. We  
14 don't just have history. Like remember Dragnet, Joe Friday?  
15 Please, please, Carla, just stick to the facts. And Carla is -  
16 will go, okay, okay.

17 So that's why we're here for. We're totally against  
18 it and we're going to be against it until we see - well,  
19 they're having a hard time right now raising more money,  
20 BrightSource. We just had a picket line with them. When was  
21 it when we had a picket line over there in Oakland? But  
22 anyway, they're going to get a lot of picket lines because  
23 we're not going to stop.

24 We're here, we were born here, my mother, my  
25 grandmother, so we're not going to go away. But we are not

1 going to allow for them to destroy our culture for our future  
2 generations. We're going to be here and we're going to be  
3 here, we're going to be here but we're not going to allow it.  
4 We are going to continue the struggle to make sure that these  
5 sites are preserved forever, not just for now.

6 I can go on and on but 10,000 years, like I said, I  
7 can't say it in 20 minutes or 15 minutes or whatever. I could  
8 have brought a PowerPoint so I could have showed you all these  
9 facts. But any of you want to come, especially on this  
10 Commission here. My golly, you know.

11 You come to Blythe, that's great. Because, you know,  
12 every time we've gone to Sacramento, you know how long it takes  
13 us to take car loads over there and this and that, take the  
14 drummers and take all this. Well, it costs a lot of money.

15 All right, thank you very much. You've got any  
16 questions, give them right now. I live in Blythe, I was born  
17 in Blythe. I was born in Aka-sili, the most sacred island  
18 there was besides Aztlan. Aztlan used to be an island right  
19 over here at the Colorado Indian tribes.

20 HEARING OFFICER VACARRO: Mr. Figueroa.

21 MR. FIGUEROA: Yes, ma'am.

22 HEARING OFFICER VACARRO: We so appreciate public  
23 comment and you have raised a number of very important issues  
24 today. I'm feeling like you're going slightly afield, though,  
25 from this particular project. I think you have told us so

1 much. You brought a number of documents with you. I don't  
2 know if you've made copies of those or if those are the only  
3 copies you have.

4 MR. FIGUEROA: No, I've got this copy right here,  
5 ma'am.

6 HEARING OFFICER VACARRO: Would you please, if you're  
7 willing to, give those to our Public Adviser so that we can add  
8 those to the public record for this proceeding.

9 MR. FIGUEROA: Oh yes, yes, ma'am.

10 HEARING OFFICER VACARRO: We would appreciate that.

11 MR. FIGUEROA: I didn't put the name up here of the  
12 Commission. Would you guys put the name of the Commission?

13 HEARING OFFICER VACARRO: Sir, you don't need to  
14 write anything.

15 MR. FIGUEROA: Okay.

16 HEARING OFFICER VACARRO: Or you can work with Lynn  
17 Sadler, our Public Adviser.

18 MR. FIGUEROA: Okay, there you go.

19 HEARING OFFICER VACARRO: And we would recommend that  
20 you continue to work with her. But we do have some other  
21 members of the public who would like to speak.

22 MR. FIGUEROA: No, I understand, very good.

23 HEARING OFFICER VACARRO: And if you can work with  
24 her as well that would be wonderful.

25 MR. FIGUEROA: Thank you, ma'am.

1 HEARING OFFICER VACARRO: Thank you very much.

2 COMMISSIONER PETERMAN: Thank you for your interest  
3 in this project.

4 HEARING OFFICER VACARRO: I have Mike D-e-d -- I  
5 don't want to mispronounce it -- or D-i-e-d. I'm not sure.

6 MR. DEA: D-e-a. D-e-a.

7 HEARING OFFICER VACARRO: D-e-a?

8 MR. DEA: Yeah. Good afternoon. I'm a little  
9 shorter than -- my name is Mike Dea. I'm with the Laborers'  
10 Union, Local 1184, Riverside and Imperial County. I just have  
11 a couple questions, and then a comment. One is about the  
12 project.

13 There's three phases, I believe. That's how the  
14 project was described. Would those be built separate or in a  
15 continual --

16 MR. STEWART: They're -- they're built offset by  
17 about three months apiece. So --

18 MR. DEA: Well --

19 MR. STEWART: -- total construction time, two-and-a-  
20 half to three years.

21 MR. DEA: Two-and-a-half to three years. Well, on  
22 behalf of the 4,800 members of Laborers' Local 1184, Riverside  
23 and Imperial County, we speak in favor of this project. We  
24 believe that the local community would benefit from the  
25 temporary construction jobs in the short term. And in long

1 term there's over 150, I believe, permanent maintenance jobs  
2 that in turn would -- would bleed into the local area economy,  
3 into Arizona, and I'm sure into the Coachella Valley, down into  
4 Imperial.

5           So again, I'd like to just say that we're in full  
6 support of the project. We do represent the City of Blythe  
7 miscellaneous employees and surrounding Salton Sea, and the  
8 Coachella City employees. And we have numerous members, if not  
9 hundreds of members and local residents that will be working on  
10 this project, some of which are here in the -- in the audience  
11 that live here in Blythe, and they definitely need the work.  
12 So we're in favor of this project, just for the record.

13           HEARING OFFICER VACARRO: Thank you. And thank you  
14 all for coming.

15           I have a blue card from Glenn Cross.

16           MR. CROSS: Hi. My name is Glenn Cross. I'm a  
17 local, a native from Blythe, California. I'm with the Local  
18 1184. I'm currently unemployed. I'm in support of the  
19 project. I think it would help the people of Blythe who's  
20 unemployed. I think it will help the community, and it will  
21 help the city.

22           HEARING OFFICER VACARRO: Thank you.

23           MR. CROSS: Thank you.

24           HEARING OFFICER VACARRO: Thank you. I don't want to  
25 mispronounce this. I have John, it starts with a W. It could

1 be --

2 MR. WYLLER: Wyller.

3 HEARING OFFICER VACARRO: -- Wiley.

4 MR. WYLLER: Wyller.

5 HEARING OFFICER VACARRO: Wyller.

6 MR. WYLLER: Hi. My name is John Wyller. I was  
7 working in a different solar plant just recently. And -- and  
8 me and my wife, we -- we started to come -- I came out here.  
9 I -- I rented a place. I -- I put money into the community.  
10 And then my wife came out here, and now she's teaching at the  
11 local school district. She's a special ed teacher. I'm from  
12 Local 1184. We're here only one month now. We put our money  
13 into this community. We're union. I've been union my whole  
14 life. We always put our money into the community that we're  
15 at.

16 And I -- I would like to see this project go through,  
17 as the other projects are going through, because it does bring  
18 a lot of good people. Some of your kids might be getting  
19 taught by my -- my -- my wife now. And we -- we, you know, we  
20 believe in helping everybody and -- and putting into it, and it  
21 brings a lot of good people, a lot of responsible people, and a  
22 lot of help to this community, you know?

23 And going forward is not always easy, you know? I  
24 know a good book that says that old things have to pass away  
25 for all things to become new. So sometimes we've got to step

1 out in faith.

2 We're proud to be here now. We're proud to be a part  
3 of this community. And we hope that this project goes through  
4 and brings more prosperity to me and other union people, and  
5 not just us but people in the community that needs work too.

6 HEARING OFFICER VACARRO: Thank you. James --

7 MR. SCHLUETER: Schlueter.

8 HEARING OFFICER VACARRO: -- Schlueter.

9 MR. SCHLUETER: Hello. My name is James Schlueter,  
10 and I'm a member of the Laborers' Union, Local 1184 here. I  
11 grew up in Blythe. I lived in Blythe all my life. I moved  
12 here when I was three. My dad grew up in Riverside. I went to  
13 school here. I had to leave to -- in order to get a good job  
14 and make more than \$12.00 an hour. And getting into the  
15 Laborers' Union is one of the best things I ever did.

16 Construction is amazing. And I believe that this  
17 town needs that so bad. It needs jobs like this so bad it --  
18 it hurts. You know, I come back to Blythe to work these solar  
19 jobs, and -- and I'm doing okay. We're, you know, we're all  
20 doing okay. But the more of these jobs that go through, the  
21 better.

22 Like he said, you know, old -- the old needs to die  
23 in order for the new to come through. Change is a good thing.  
24 And this -- this community needs to grow, it really does.

25 I wish Mr. Figueroa would have stayed because there's



1 a lot of things that we'd like to say to him, you know, that I  
2 would like to say to him personally. Because I know he does  
3 this all the time, and this is what he does. But when he says,  
4 "Show me the facts, show me the facts," all his things are  
5 based on oral -- oral, you know, descriptions passed down  
6 through generations. Well, I think they've had ample time to  
7 document those things, you know, put it all on paper. We've  
8 known how to read and write for a lot of years now. And the  
9 fact that that hasn't been done should weigh in everybody's  
10 minds because, you know, like -- like he said himself, it's all  
11 hearsay.

12           And so anyways, I'd just like to point that out to  
13 everybody, okay, that what -- what -- he does this so much it's  
14 crazy. Anyway, I'll go -- I'll go on.

15           I'd like to say I'd like this project to go through.  
16 Thank you, guys, very much. Have a good one.

17           HEARING OFFICER VACARRO: Thank you. I don't have  
18 any additional blue cards.

19           Ms. Sadler, has anyone given you any?

20           Is there anyone else here, a member of public, who  
21 might wish to speak?

22           Is there anyone on the telephone line who might wish  
23 to make a public comment? I'm not hearing anyone. But I'm not  
24 sure that you can hear me, either.

25           MR. CONINCK: I'd like to say a few words if it's

1 okay.

2 HEARING OFFICER VACARRO: If you would again state  
3 your name for the record, although you did introduce yourself  
4 earlier.

5 MR. CONINCK: Okay. My name is Joseph de Coninck,  
6 but I go by Joey. I've been here since 1972. I'm a farmer. I  
7 got involved with city council six years ago, served two years  
8 as mayor, and still on council now. I think this project is  
9 excellent. I don't see any problem. You know, like some of  
10 the issues they're talking about, water, that's already, I  
11 think, been all worked out. Issues, you know, with birds; I  
12 find birds all the time. So I mean, there's a lot of things  
13 out there this project should work through. Shouldn't have no  
14 problems. And we need to all work together to make it happen.  
15 Thank you.

16 HEARING OFFICER VACARRO: Thank you. Was there  
17 anyone on the phone line, Lynn? I couldn't get a sense from  
18 your -- can they hear us?

19 MS. SADLER: No. No one is on the phone.

20 HEARING OFFICER VACARRO: Okay. You know, if there  
21 is someone on the telephone line, you know, again, I'm just  
22 making the -- the record so that it's clear. We had very -- a  
23 strange situation tonight with our technology and the  
24 telephone. I'm hopeful that if you can hear me, even if you  
25 can't be heard by us, that you would contact the public

1 adviser, submit any comments that you have, ensure that they  
2 get docketed so that the applicant, staff, and the intervenor  
3 have an opportunity to understand your concerns and respond to  
4 them in this process.

5 I think with that I'm going to turn the microphone  
6 back over to the commissioners.

7 COMMISSIONER PETERMAN: Thank you. I'd first like to  
8 extend a hearty thank you to our hearing officer, Ms. Vacarro,  
9 for conducting this proceeding today. For those of you who  
10 have not had the opportunity to participate in one of her  
11 proceedings, I think you'll experience that she is very well  
12 organized and on top of her game. And so I appreciate her  
13 involvement with these proceedings.

14 I've had the opportunity to learn and hear about the  
15 resources in this area over the almost a year I've served on  
16 the commission. But this is my first time actually being in  
17 Blythe. And what is very clear to me from the moment we got  
18 here and stopped at the Starbucks and all through the final  
19 comments we've received today, that no matter how you feel  
20 about this particular project that the people in Blythe really  
21 love where they live and they have a lot of value for it, and  
22 we appreciate that. And that's why we are here, having these  
23 conversations and engaging in this public process.

24 As the hearing officer has noted a couple of times,  
25 this is more or less the beginning of the process. And we'll

1 be working together going forward to better understand some of  
2 the outstanding issues. And so I thank both the applicant and  
3 the staff and our intervenor, Center for Biological Diversity,  
4 for their comments and presentations already, and for the work  
5 that they will engage in going forward.

6 I also thank you, the public, for your comments. We  
7 listen. We hear you. We look forward to hearing you at our  
8 other meetings. For proceedings that do happen in Sacramento,  
9 I encourage you to call in and listen.

10 And so with that, I'll see if my fellow commissioner,  
11 Commissioner Douglas, has any additional comments.

12 COMMISSIONER DOUGLAS: I just wanted to briefly join  
13 Commissioner Peterman in thanking the members of the public who  
14 participated here, thanking Bureau of Land Management --

15 COMMISSIONER PETERMAN: Yes.

16 COMMISSIONER DOUGLAS: -- City of Blythe, Riverside  
17 County, we look forward to working with you, Imperial County.  
18 Since this project is right on the border it certainly affects  
19 Imperial County, as well.

20 So you know, it's always extremely helpful to work  
21 with both local agencies and, you know, very important to hear  
22 from the public. So thanks for being here today. We  
23 definitely heard you. And we'll look forward to being back --  
24 back in Blythe.

25 HEARING OFFICER VACARRO: And also just to add a

1 final thank you to our public adviser as well; for the role  
2 that she has played and will continue to play with helping  
3 facilitate participation.

4 So with that, hearing adjourned?

5 COMMISSIONER PETERMAN: Yeah.

6 HEARING OFFICER VACARRO: Yeah. Have a good night,  
7 you all.

8 (Thereupon the California Energy Commission  
9 informational hearing for the Rio Mesa  
10 Solar Electric Generating Facility  
11 adjourned at 5:00 p.m.)  
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CERTIFICATE OF REPORTER

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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, or in any way interested in outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of February, 2012.

          /s/ Martha L. Nelson          

Martha L. Nelson, CERT 00367