INFORMATIONAL HEARING AND SITE VISIT and
BUREAU OF LAND MANAGEMENT SCOPING HEARING
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of: )
) Docket No. 07-AFC-5
Application for Certification for) The Ivanpah Solar Electric Generating System

PRIMM VALLEY GOLF CLUB
BANQUET ROOM
4 MILES SOUTHWEST OF PRIMM, NEVADA
YATES WELL ROAD, NORTHWEST OF INTERSTATE 15
EXIT I-15 AT YATES WELL ROAD
SAN BERNARDINO COUNTY, CALIFORNIA 92243

FRIDAY, JANUARY 25, 2008
2:05 p.m.

Reported by:
Peter Petty
Contract No. 170-07-001

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345
COMMITTEE MEMBERS PRESENT

Jeffrey Byron, Presiding Member
James D. Boyd, Associate Member

HEARING OFFICER AND ADVISORS

Paul Kramer, Hearing Officer
Gabriel Taylor, Advisor
Peter Ward, Advisor

STAFF AND CONSULTANTS PRESENT

Jack Caswell, Project Manager
Arlene Ichien, Senior Staff Counsel
Terry O'Brien

PUBLIC ADVISER

Nick Bartsch

BUREAU OF LAND MANAGEMENT

Tom Hurshman, Project Manager
Sterling White, Field Manager
Alan Stein

APPLICANT

Jeffery D. Harris, Attorney
Jedidiah J. Gibson, Attorney
Ellison, Schneider and Harris, LLP

Alicia Torre
Christo Nitoff
Steve DeYoung
Bright Source Energy
APPLICANT

Jose Barak
Tom Doyle
Bright Source Energy

John L. Carrier
Alicia Gasdick
CH2M HILL

Steve Hill
Sierra Research

Kristine D. Scott
Adam Eventov
TMG Communications, Inc.

INTERVENORS

Tanya A. Gulesserian  Attorney
Adams, Broadwell, Joseph and Cardozo
representing California Unions for Reliable Energy

ALSO PRESENT

Eldon Heaston, Executive Director
Samuel Oktay
Mojave Desert Air Quality Management District

J. Peter Lounsbury, President
Mojave Desert Resource Conservation District

Larry Whalon
Mojave National Preserve
National Park Service

Daniel Kopulsky
California Department of Transportation

Thomas W. Harris, Jr., Attorney

John Stewart
California Association of 4-Wheel Drive Clubs

George Kerr
Society for the Conservation of Bighorn Sheep
ALSO PRESENT

Edward Waldheim, President
California Off Road Vehicle Association
American Motorcycle Association of Southern California

Phillip Smith

PETERS SHORTHAND REPORTING CORPORATION  (916) 362-2345
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PETERS SHORTHAND REPORTING CORPORATION  (916) 362-2345
PRESIDING MEMBER BYRON: Good afternoon, everyone. I'd like to welcome you all to our initial public site visit and hearing for the Clearwater Solar Energy Generating Station. We learned that Ivanpah means clear water in, what is it, Paiute, I believe -- the Ivanpah Generating Station.

I'd like to thank the applicant for hosting us and feeding us so well this afternoon. I'm sorry we were a little bit late; we got held up at the airport.

I'm Commissioner Byron, the Presiding Member of this Committee. And my Associate Member is Commissioner Boyd, two seats to my left. And to his left is his Advisor, Peter Ward; and to my right is my Advisor, Gabriel Taylor. And between us, keeping us separated, is our Hearing Officer Paul Kramer.

I'd just like to say a couple of things and then we'll turn it over to Paul and he'll continue with the introductions.

First of all I'd like to apologize for our not being able to make it here on January 4th.
I understand many of you were here and I'm very sorry. We had some weather problems and some illnesses and we just couldn't get out of Sacramento, and in my case San Jose, to be here. But we were glad that we could reschedule here. I also understand there was an informal workshop that took place on that day that I got some feedback that was very helpful. And I hope those of you who were here found it to be that way, as well.

You know, for the Energy Commission I believe this is the first solar energy generating station application that we've seen for a long time. So in honor of that I decided to wear a green jacket today to call attention to, because Commissioner Boyd and I sure see an awful lot of natural-gas fired generating stations, and have for the last number of years. So this is somewhat unique for us.

And just for those of you that don't know, the Energy Commission gets involved in siting anything that is over 50 megawatts in size and has a thermal component to it. So, wind tends to not show up on our doorstep. But in this case, this solar generator will be generating steam.
And we also anticipate that this may be the first of many applications that we will see over the next number of years in the State of California for this kind of generation. So it's very important that we conduct this in a thorough and completely open and public way, just like we do all of our projects, but that we get it right. And it's a little more complex because of the involvement of federal land in this case. And we'll be talking about that a little bit more in a second.

I'd encourage everyone, if you haven't yet, please read the meeting notice for today's meeting because it gives you, I think, a much better sense of how we conduct our process and what we're going to be doing today and over the course of the next 12 months or so.

And as I said, the process is being conducted with the Bureau of Land Management. We'll talk about that a little bit more. The purpose of the hearing today, this being a site visit and an information hearing, is really for the members of the community and us to learn more about the project and obtain information. And to get your comments and what your main concerns are.
with regard to the applicant's proposed project.

We'll give the applicant an opportunity
to explain the project and answer some questions.
And then our staff, who works very independently
of us Commissioners, will explain our process and
what they'll be doing over the course of the next
year or so.

As I said, we do try and complete this
process in about a one-year period because it's an
obligation that we have to the State of California
and to the applicant.

As I indicated, I'm the Presiding Member
and Commissioner Boyd is my Associate Member. And
we will be making a recommendation when this is
all done to our full Commission who will be voting
on this project.

One of my fellow Commissioners uses a
baseball analogy when talking about siting cases,
and we're kind of at the top of the first inning
here. So it's a long process and we will be
welcoming and soliciting the input of everyone who
is here today.

I would just like to ask one question
before I solicit any comments from my fellow
Commissioner. How many members of the public do
we have here today? Would you mind just giving me
a show of hands.

Good. Thank you, and thank you for
being here today. And we'll look forward to your
input. But I also hope that this is educational
and worthwhile for you today.

Commissioner Boyd, anything?

ASSOCIATE MEMBER BOYD: It's a pleasure
to be here. As Commissioner Byron said, we're
sorry we didn't get here last time. Believe me I
would have rather been here than Sacramento where
we had pretty substantial storms; spent a lot of
time at an airport where the lights went out and
emergency generators kicked in, et cetera, et
cetera.

But it's a pleasure to finally get here.
This is a very interesting case for us for a lot
of the reasons Commissioner Byron indicated. It's
a lot different than the other ten cases that I'm
carrying at the present time.

As you'll hear in the process, we have
Committees of two for each and every siting case.
And so it's a very interesting process. I ask you
to listen closely to the process, because once we
open this hearing the relationship we have with
each and every one of you changes.

This gets very judicial. We don't own
black robes, but it's almost like that. We can't
talk -- everybody's an intervenor, we can't talk
to folks, even our own staff, quite frankly, from
this point forward without it being in a public
hearing or what-have-you. So I just caution you
to listen to the process and procedures.

And the decisions we make are predicated
on the record that is developed in this hearing,
and not anything we learn outside of the process.
So, it's a very good process, a very thorough
process, it's lengthy but it's been recognized
throughout the United States as perhaps the best
siting process there is, in terms of its
thoroughness and the adequacy with which it's
conducted and the fairness to the public.

So with that, I think we'll let the
Hearing Officer, who we let do all the heavy
lifting for these hearings, take over at this
point.

HEARING OFFICER KRAMER: Thank you,
Commissioner. Yes, our Hearing Officer Paul
Kramer. Paul, I was going to also ask if you
would discuss a little bit about what we're going
to try and accomplish in what timeframe today, as well.

HEARING OFFICER KRAMER: Well, timeframe, we'll take the time we need to. We'd like to get out of here by 4:00, I think, but we will see how things go.

And my normal remarks will explain the process. I'll get to that in a couple minutes.

The next order of business would be for the parties to identify themselves, starting with the applicant, Mr. Harris.

MR. HARRIS: Thank you. My name's Jeff Harris; I'm with the lawfirm of Ellison, Schneider and Harris; I'm the attorney for the applicant. And I think what I'll do is just ask everybody on our team here and the next row to stand up and introduce themselves, as well.

MS. TORRE: My name is Alicia Torre. I'm the Project Development Manager for this project with Bright Source Energy; I'm a consultant to Bright Source Energy.

MR. NITOFF: I'm Christo Nitoff; I'm with Bright Source Energy. I'm the Director of Project Engineering.

MR. DeYOUNG: I'm Steve DeYoung,
Director of Environmental Health and Safety with Bright Source, and the Environmental Manager for the Ivanpah Clearwater project.

MR. CARRIER: And I'm John Carrier with CH2M HILL. I'm the Project Manager for the Environmental Consultant to Bright Source.

MS. GASDICK: Allie Gasdick; I'm with CH2M HILL and also an Environmental consultant to Bright Source.

MR. BARAK: I'm with Bright Source, Director for the Power -- Development; in charge of this project.

MR. DOYLE: I'm Tom Doyle with Bright Source Energy and I'm responsible for our development activity with Bright Source.

MR. GIBSON: I'm Jed Gibson; I am also with Ellison, Schneider and Harris, doing legal work for the applicant.

MR. HILL: Steve Hill; I'm with Sierra Research. We're air quality specialists and we're an environmental consultant for Bright Source.

MR. HARRIS: I'm Tom Harris; I'm just a member of the public.

HEARING OFFICER KRAMER: Okay. And then Energy Commission Staff, Mr. Caswell.
MR. CASWELL: Yes, I'm Jack Caswell, Project Manager for the California Energy Commission. To my right is Arlene Ichien, is the Senior Legal Counsel for the Energy Commission. And to her right is Terry O'Brien, Deputy Director over the siting and environmental units and engineering units.

Nick Bartsch is our Public Adviser and will talk about his role in this a little bit later.

HEARING OFFICER KRAMER: And then from BLM, Mr. Hurshman.

MR. HURSHMAN: My name is Tom Hurshman; I'm the right-of-way Project Manager for the Bureau of Land Management.

This is Sterling White; he is the Field Manager for the Needles Field Office, and these federal lands are within the Needles field office jurisdiction.

MR. WHITE: We also have with us today from our District Office, Alan Stein, in the rear of the room. And Rolla Queen.

HEARING OFFICER KRAMER: Okay, --

MR. HARRIS: Excuse me, we forgot to -- our folks that are here, too, introduce
yourselves, as well.

MS. SCOTT: I'm Kristine Scott; I'm with TMG Communications. We do the outreach for the Bright Source project.

MR. EVENTOV: I'm Adam Eventov, also with TMG Communications.

HEARING OFFICER KRAMER: Thank you. We have one intervenor in this proceeding so far, and that's CURE.

MS. GULESSERIAN: Hi, I'm Tanya Gulesserian with California Unions for Reliable Energy.

HEARING OFFICER KRAMER: And do we have anybody from any local agencies, the County or the Air District here with us today?

MR. HEASTON: Eldon Heaston, Air Pollution Control Officer with Mojave Desert AQMD.

MR. OKTAY: And I'm Sam Oktay, I'm the program engineer for this project, Mojave Desert AQMD.

HEARING OFFICER KRAMER: Anyone else? Sir.

MR. LOUNSBURY: I'm Pete Lounsbury; I'm with the Mojave Desert Resource Conservation District -- Mojave Desert Resource Conservation
HEARING OFFICER KRAMER: Thank you.

Anyone else?

MR. WHALON: Yeah, I'm Larry Whalon; I'm the Deputy Superintendent Mojave Preserve representing the National Park Service.

HEARING OFFICER KRAMER: Okay. And Mr. Bartsch was introduced already. He's the Public Adviser's representative.

I want to make it clear that we're not here today to make any decisions. The purpose of this meeting is to provide information about the proposed solar power plant; describe the Commission's licensing process, as well as the process that the BLM is going through; and provide information to the public about how they can participate in those processes.

There are some documents available in the back, I believe. Nick, do we have the issues identification report back there?

MR. BARTSCH: We do not. We do have a project description; we have a copy of our slide presentation that we'll talk about process as well as identify significant players in both the Energy Commission and the Bureau of Land Management and...
their contact information.

HEARING OFFICER KRAMER: Okay.

Commissioner Byron suggested that you might want
to read the notice for this hearing. I happen to
have four extra copies if somebody's interested in
looking at that. You can see me during the break
if you want, or just come up and grab one now.

And then also in the back I prepared a
one-page excerpt from the notice that has the
contact information for people such as Mr.
Bartsch, Mr. Caswell, myself and our public
information people at the Energy Commission.

As well as it has the address of the
website that we have on the Commission's -- the
webpage on the Commission's website where you can
get a lot of information about this project.

If you want to speak today we encourage
you to fill out one of the blue cards that Mr.
Bartsch has. He's holding them up. Which will
help us organize things, group people who want to
speak about the same topic and that sort of thing.

By way of background, the applicant in
this case is a consortium of four individual
corporations, Solar Partners 1, 2, 4 and 8.

On August 31st of last year they
submitted an application for certification, or
what we at the Energy Commission call an AFC, to
construct and operate the I-SEGS project which
would be a 400 megawatt solar power plant on BLM-
managed lands to the northwest of where we are
today.

I'll leave it to -- I'll let the staff
and the applicant give you further details in
their presentations in a few minutes.

As I think Commissioner Byron alluded
to, the Energy Commission has exclusive
jurisdiction to license this project. And we are
considering it under a 12-month review process.

In this case, in addition to the Energy
Commission permit, though, the project also needs
to obtain permission to use the federal lands.
And that would be obtained from the BLM. And they
are conducting their own permit process in
parallel with the Energy Commission's process.

Notice of today's events was mailed to
all the parties, adjoining landowners, and
interested government agencies and other
individuals. And just before today's meeting we
had a site visit to see the proposed location for
the project.
As the Commissioners indicated, this is the first in a series of Commission and BLM events that will extend over the next year or so. The Committee will eventually issue a proposed decision for consideration by the full Energy Commission, which makes the final decision on the application.

I'll leave it to the BLM representatives to describe the details of their process.

There will be additional opportunities for the public and the parties and governmental agencies to discuss the issues about this project. Those will occur in public workshops, held by the Energy Commission Staff. Most likely in this area, or depending on the degree of local interest, perhaps in Sacramento.

The Committee's decision must, by law, as Commissioner Boyd said, be based solely on the evidence that's presented at the evidentiary hearing.

And to insure that that happens and to preserve the integrity and impartiality of the process, the Commission's regulations and state law prohibit private contacts between the parties or public and the Committee Members and Advisors.
The name for this rule is the ex parte, or I think I translated it from Latin to one-sided rule. This means that all discussions with the Committee regarding a substantive matter must occur in the context of a public meeting like today's event, or in the form of a written communication.

The purpose of the rule is to provide full disclosure to all of the participants of any information that may be used as a basis for the future decision on this process.

It is okay, though, to talk to us about procedural matters, such as scheduling of hearings and that sort of thing, but not about substance.

If you have access to the internet one of the easiest ways to keep up with the events in this case and see all the reports and documents is to get your email address on the Commission's interested persons email list for this project.

There's a place where you can give your email address on the Commission's website, the page for this project. And then you'll receive -- you won't receive the actual documents, as I understand it, by email, but what you'll get is a notice, for instance, that a particular report is
now up on the website and available for you to
download.

Some of those reports can be over 10
megabytes, so you can see why we probably don't
want to send you that as an email. It may choke
your ISP.

Again, the address for the project's
internet page will be on Mr. Caswell's slide show.
And it's also on that sheet of paper that I left
in the back with all the contact information. If
you run out of those, or you're not able to
scribble it down while it's up on the screen, just
see one of us and we'll make sure you get it.

One of the roles that we have at the
Commission is the Public Adviser's Office.
Because this is a public process in which we
encourage members of the public and interested
organizations to actively participate and express
their views, we've also provided the Public
Adviser to help you learn about how to do that and
give you some advice. Not about -- they won't
represent you, but they will make sure that you
understand how to participate in the process.

So, I will give Mr. Bartsch a couple
minutes to explain that more fully, and give you
his information so you know how to reach him.

MR. BARTSCH: Thank you, Mr. Kramer. My name is Nick Bartsch; I'm in the Public Adviser's Office at the California Energy Commission, which is part of the Commission, but an independent office, if you will, with the main responsibility of helping stakeholders, interested parties, general public to participate, to have meaningful participation in the process.

The purpose of my very brief talk is, one, to explain to you the ways that you can participate. And secondly, to give you a very brief summary of our outreach efforts within a six-mile radius of this proposed project, which is generally the area that we would consider for potential impact.

First, ways to participate. There are actually two ways of doing so, as an interested party. You can participate by getting information from us, or from the Energy Commission Staff. But, preferably through us. We are the conduit for you to get that information.

You can provide information verbally or in public hearings, in which case you'll be recorded and be part of the public record. But
also, you can submit through our docket -- and I have the docket address on this blue sheet of paper -- either by mailing or emailing your comments to dockets. It will be docketed, and again will become part of the public record.

This is really the first public information session within about a one-year process. So, there'll be many other opportunities for you to participate and provide comments.

As a public member, these comments then will become -- the Committee here of the Commission may use your comments in the decisionmaking process.

The other more formal way to participate is as an intervenor. Now, the difference there is as an intervenor if your petition is granted by the Committee, then you would be able to provide testimony under oath. And that input carries more weight, if you will, because testimony under oath can be used as a basis for decision in the process.

I will be happy to explain the differences, answer questions for you if you decide to become an intervenor. It's important to intervene, if you decide, early on because you
would have the benefit of the entire process.

But in any case, you need to submit your petition to intervene at least 30 days prior to the evidentiary hearing. Now you may petition after that date, but then you would have to provide a good reason for the Committee to grant your petition.

My second purpose being up here is giving you a brief summary of our outreach efforts. It's always a challenge in a sparsely populated area such as this to reach out to the public and interested persons about this particular hearing. But I think we have done, under the circumstances, a pretty good effort, primarily through the television and radio, public service ads, in this general area from three TV stations in Las Vegas and two radio stations that cover this area.

We have also had public service announcements in the Las Vegas newspapers that have some circulation in this area.

We have notified elected and certain appointed public officials in the County of San Bernardino who have jurisdiction in this area. We have also reached out to various environmental,
Native American folks and representatives, as well as general public property owners in the area in order to publicize this event.

Now, because this is a postponed hearing, we have also re-notified everybody to make sure, those who expressed interest in this project, to make sure they knew about this particular event.

If you want to participate, please -- or you want to make a comment today to the Committee, please fill out one of these blue cards; give them back to me; and then you'll be called upon during the public comment period.

Also, if you have any questions about the project, please see me and I'll give you information as to how to contact us electronically, or email or phone.

Thank you very much.

HEARING OFFICER KRAMER: Thank you. Now we're going to go to the presentations. And the order of the presentations will be first the applicant will briefly describe the project and its plans for developing the site.

Then the Commission Staff will describe the Commission's licensing process and their role
in that process.

And the BLM will describe its process following the Commission Staff.

Then we will have any questions or presentations from interested agencies, if there are any.

And followed by a discussion of the scheduling and other matters that are identified in the staff's issues identification report, and the applicant's responses.

And then finally we will take comments, as well as questions, from members of the public.

So, let's begin with the applicant, Alicia.

MS. TORRE: Thank you.

ASSOCIATE MEMBER BOYD: Yeah, Ms. Torre, obviously we don't have a PA system; it's really just for capturing it all for the record.

MS. TORRE: Okay, I'll try to make this pretty quick. Please go on to the next.

First of all, you've heard the name Bright Source Energy and you've also heard four applicant names, so I wanted to explain that.

Bright Source Energy is the parent company of Solar Partners 1, Solar Partners 2, Solar Partners
4, and Solar Partners 8, which are the individual owners of the three proposed power facilities and the shared facilities that we'll talk about.

Bright Source Energy has an experienced management team that includes the designer and developer and operator of more than 350 megawatts of solar thermal energy plants which were built in the mid '80s. And some of you may have seen these at Kramer Junction. These are still in operation and are owned by Florida Power and Light and several other companies in combination.

The company is backed by premiere venture capital firms including Vantage Point, Morgan Stanley, J.P. Morgan, Chevron Technology Ventures is also on the Board. We are headquartered in Oakland, California.

California's population and energy demand are steadily increasing; a great deal of the energy infrastructure in the state is old and polluting and unreliable. Out-of-state imports are expensive. There's a continuing need for new modern electric generating facilities to insure our energy independence.

If you could go on, please, John. I think we've all seen headlines about the need to
reduce carbon usage in the world in order to stop
the warming of the planet. And citizens of the
state and the governors have voted for legislation
that provide that California utilities need to
purchase more of their electricity from renewable
sources. And actually 33 percent by the year
2017.

Solar energy is just one of those
renewable energy sources, but one of the
attractive things about solar energy is that
production occurs when it's needed, right during
the middle of the day when you have a heavy air
conditioning load. So it fits very nicely with
the actual need for energy. Some other forms are
more intermittent.

The mission of the Ivanpah Solar
Electric Generating System is to provide clean,
reliable and cost effective energy for California;
reduce the carbon footprint on the world; provide
local reliability; reduce our dependence on
foreign oil.

The Ivanpah Solar Electric Generating
System is composed of three separately owned power
plants, owned by Solar Partners 1, Solar Partners
2, and Solar Partners 8. There will be different
utility purchasers for the electricity from those
three projects. But we are looking at them
together in this single environmental process
because they are all reasonably foreseeable. I
mean together they constitute one complex. And
the shared facilities are owned by Solar Partners
4, or will be owned by Solar Partners 4.

Some just sort of basic facts about the
project. We expect the first delivery of energy
to the market to be in 2010 or 20111. We have
chosen to use dry cooling technology to reduce our
water use in the desert because water is so
precious in the desert.

The technology, which I'll get into in a
minute, is referred to as distributed power
towers. We have in a single 100 megawatt plant,
we have three outlying towers with mirror arrays
around them. And another tower right at the
center of the power block. And I'll show some
pictures of that in a minute.

One last point I would make is that the
location of the plant is consistent with the BLM
resource management plan in effect which
identifies this area as an L or M, multiple use
area where renewable energy is an allowable
I hadn't realized before about a year ago how unique the Mojave Desert is because of the 300 to 330 cloudless days a year. That's really essential for solar energy. Also we're at elevation nearly 3000 feet at the site. And the higher you are the more solar resource there is. And, of course, near to electricity consumers with transmission lines running right through the site.

This is a map put out by the National Renewable Energy Laboratory which shows you solar energy resources in the southwest. As you'll see this area in California is one of the red zones. Here you have the project vicinity map. You all got here, so you know where you are, right close to the border with Nevada. And the red sections there show where the project site is in relationship to the freeway, to the California/Nevada border.

And I would point out that this light green area is the Mojave National Preserve which we are north of and east of. You can't see the rest of the preserve, but it stretches most of the way to Interstate-40. So it's a huge part of the
I only want to point that out because sometimes people think that we're in the reserve; we're not.

Here is a map, this is the base map here is the Bureau of Land Management map for the Mesquite map. And just to point out a few of the infrastructure that already exists here.

You have Interstate-15 cutting across the Ivanpah dry lake to the Primm, the casino area on the border. Also out there, I didn't point this out at the site, but there's a large power plant known as the Big Horn Plant, that is in the Primm area. If you saw something that looked like a black box, that's the Big Horn Plant.

The white box is the golf course where we are located today. And what you will see here per the arrows are the transmission lines that already criss-cross this entire area.

Let's go on. Here's the illustration of Ivanpah SEGS. You're looking at it from the southeast looking northwest with Ivanpah 1 in front of you, the 100 megawatt facility. Ivanpah 2 behind; and the largest plant, Ivanpah 3, the 200 megawatt facility, in the rear.

This schematic is a brief look at how...
the technology works. Starting on the left you have a host of small mirrors reflecting the sun's energy onto the solar tower receiver where cold water has come in through pipes. That water is heated up and taken to the central power plant where it is expanded through a steam turbine. At the end of that process it's lower pressure, lower temperature. And it is taken from there to a steam condenser where the steam is air cooled back to water to go out again into the field. So you have a circular process here.

Again, a small schematic showing the same things. It also shows that the tower has a calibration tower, the target that the mirrors are first focused on before moving up to the receiver.

The flat mirrors are about ten feet wide and six feet high. And because of the dual positioning mechanism they're able to follow the sun in two axes, which allows them to capture more of the sun's energy than older technologies.

Continuing, this is a closeup of a 100 megawatt plant. Again, the distances here from each tower to the central power block are about a half a mile.

Other folks will be talking at great
length about the NEPA and CEQA joint federal/state process, so I'm going to skip over that. But simply to say that we are here at the beginning of a year-long process and there is great opportunity for the public to provide comment on a continuing basis through this process.

Some of the benefits of the project to the community are that during the period of construction, which for the three plants is envisioned to take place over four years, there are more than 950 union jobs at the peak of construction. Approximately 90 permanent full-time jobs upon completion. Those are both technical and some maintenance jobs, as well. $5.4 million is the annual payroll for all three plants. In addition there is new property tax revenue and local services and supplies will be procured.

Most importantly, in my opinion, you have better air quality with electricity generation from a renewable resource. Actually compared to the cleanest gas-fired combined cycle plants today, electricity produced from this plant reduces 85 percent of the major pollutants that you would have in a more conventional facility.
Continuing, that's one of the points covered there. Some of the things we've already mentioned. Daytime solar production reduces the need for less efficient peaking plant operation because it exactly matches the need of our air conditioning load in California.

And, again, the dry cooling technology reduces the use of precious desert water to an absolute minimum.

And we do have an 800 number if anybody ever has any questions. Give us a call and we'll get back to you.

PRESIDING MEMBER BYRON: Can I ask one now instead of having to call the 800 number? Ms. Torre, in the summary of the project it says in a couple of places that the three plants will receive separate licensing approvals.

And I was a little confused by that, and I just wanted to make sure we're all clear here. This is one application for certification for three units, correct?

MS. TORRE: For three power plants, actually for four -- there would be, you know, four separate licenses because Solar Partners 4 is the shared facilities. And the BLM preferred for
the shared facilities to be held under a separate LLC rather than having to communicate with three different companies about the shared facilities.

So that's why there is a fourth entity, even though there are only three power plants.

HEARING OFFICER KRAMER: So then that's speaking in terms of the BLM permits rather than the Energy Commission?

MS. TORRE: You have before you a single application by four entities. And we are seeking separate licenses for the three plants.

As I said before, the plants will be owned by different parties. The electricity from the plants will be sold to California utilities, but to different utilities.

It's important for those, you know, utilities to know that their fortunes in purchasing power from a plant are not tied up in the business of another plant. And that is why we are seeking the four separate licenses.

Am I answering this adequately, Jeff?

Did you --

PRESIDING MEMBER BYRON: I think the important thing is, for the sake of the public, to understand that we don't really care if you have
four, eight or 12 different owners. We're going
to evaluate this as one single power plant project
in its impact on the environment, air quality, et

cetera.

Unless I'm missing something I want to
make sure that that's how we understand this
evaluation.

MS. TORRE: Thank you for clarifying
that for me. It's all of these -- the three
plants are reasonably foreseeable and constitute
one complex. And we're looking at the complete
impact, as opposed to coming in with one plant and
then coming in two years later with another plant.
That would be unfair to the analysis.

HEARING OFFICER KRAMER: Although to get
electricity you have to deal with one of the solar
heaters and then the shared plant, which is a
generator, right?

In other words, four is the steam
turbine which produces the electricity.

MS. TORRE: Each plant has its own power
block and --

HEARING OFFICER KRAMER: Okay, it does.

Okay.

MS. TORRE: -- its own steam turbine.
That is not shared. But I think that you would all prefer us to have, you know, one gas pipeline to Kern River and not three; and to have the two wells rather than six; and one administration/maintenance building rather than three.

So there are certain facilities that are shared between the three plants. And those would be under the ownership of Solar Partners 4, LLC.

But the complete and total impact of the whole facility is being looked at right now in this process.

HEARING OFFICER KRAMER: Right, so I think it's to be dealt with later, but there may be some interesting issues about designing conditions and parceling out the responsibility for different behaviors among all these different owners. That's something we'll leave -- at this point I think we leave to the staff and the applicant to try to work out and present in the hearings.

PRESIDING MEMBER BYRON: Okay.

MS. TORRE: Thank you very much.

HEARING OFFICER KRAMER: Thank you.

Staff, Mr. Caswell.

MR. CASWELL: Again, I'm Jack Caswell,
Project Manager for the California Energy Commission. And my partner in the meeting of the technical groups, Tom Hurshman, with the Bureau of Land Management. This is a joint agency, state and federal review process.

We have an MOU with BLM to conduct this review, agreeing --

PRESIDING MEMBER BYRON: Mr. Caswell, if I may interrupt. You know, I love the Energy Commission, we've got acronyms to beat the band. BLM, Bureau of Land Management. MOU, memorandum of understanding. I'm just going to ask you to spell all those things out for the sake of the public here.

MR. CASWELL: All right, I will do that. We have a memorandum of understanding with the Bureau of Land Management --

(Laughter.)

MR. CASWELL: -- and I am with the California Energy Commission. And again, it is a joint agency review process.

The Bureau of Land Management is the landlord, they own the land that this license is pursuing. The Energy Commission, our role here is Energy Commission has permitting authority for...
thermal power plants that are 50 megawatts or
greater.

All those related facilities, I won't
read every line to you, takes some time. Again,
this slide presentation is sitting on that table.
There are, I see, some additional copies. And so
all this information is available for you to
review. And you'll be able to contact me or Tom
or others in this process as indicated in slides
as we go forward.

Anyway, we deal with local, state and
federal coordination. That's our role here at the
Energy Commission. And these are the types of
agencies, local, townships if any, regional, of
course, San Bernardino County; state, here's a
list of agencies that we've contacted and gotten
involved with, as well as federal agencies. And
the Bureau of Land Management is making contact
with many of these, as well.

If you're not on a mailing list or
receiving information about this process, please
get ahold of me at a later date, and send me --
I'd like to get an email or, if you can, if you'd
give me a call when I get back if I don't have
time to talk to each and every one of you here.
And it's not likely I will.

Contact me and I can get you on a mailing list if you're an agency that needs notices and technical information, because we do provide that.

Overview of our licensing process. Data adequacy, that already occurred. What we did is make sure that this license met a certain level of information before we pursued going into this discovery phase.

We made a recommendation to the Commissioners on the data adequacy of this document within 45 days. And the Commissioners deemed the project adequate based on our recommendation. And we moved forward into the discovery phase. That is currently where we're at.

We also have conducted -- as part of this discovery phase we actually had a staff workshop. And we held that on the 4th and were able to actually conduct a longer staff workshop than we anticipated because of the absence of the Commissioners due to that weather issue.

And we discussed our data requests to the applicant to further clarify issues. That
information is posted on the webpage, and it's also been distributed and docketed.

I provided an issues identification report early in the process to the Commissioners identifying issues that may create or just have a higher level of concern with the staff. Again, we've done the public workshop and we create preliminary and final staff assessments. That's the two main documents that the Energy Commission Staff produce.

Again, we are separate entities. We produce documents as a recommendation to the Committee prior to the evidentiary hearing process starting.

That's phase three. Evidentiary hearings. There's a prehearing conference usually to discuss the issues as they have developed throughout the process. We go to these hearings. That FSA, that final staff assessment, is part of that evidentiary hearing as one of the pieces of information.

Comments at these hearings by agencies, of course BLM and the applicant, and members of the public, is all taken into consideration during this hearing process. And the Committee produces
a Presiding Member's Proposed Decision, PMPD.

And that Presiding Member's Proposed Decision has a hearing and there's discussion and comments taken in on that decision. And then we go on to a hearing and the Commission makes the final decision. And that's kind of a quick overview of the three main phases that are conducted during this process.

Here's a table that shows that same discussion only it's broke down in boxes. We're in the discovery phase right now. We've done data requests; we have some data responses that have been returned to us. Those data responses are incomplete. So we'll be waiting for further clarification on the data requests.

And we'll move forward on to probably a data response workshop. I can almost guarantee you we will be conducting a data response workshop. And we will be conducting that with the Bureau of Land Management in Needles. We've been discussing that with the Bureau. They can host that and have facilities that can accommodate a group of this size. And so that's the intent of that. I won't go through this again. It's a table of that process. And you can feel free to
contact me at anytime on this issue. On any of these issues.

Again, a little more description of the discovery and analysis phase. And the reason why I'm going over this and have so many slides on this is because I want everybody in the public, as well as outside agencies, to understand this process and be able to refer to this slide presentation when you're asking questions about where we are in the process. What you can do to get involved and participate, as Nick Bartsch has indicated.

And, again, it's just kind of a hash-over of the other two slides, but broken down in a little bit more detail and a little different format.

The evidentiary hearing process. Again, a little more detail about what's going on in that evidentiary hearing process so that you can focus in on questions should you choose to ask them. And contact me or Nick Bartsch or Tom Hurshman about the issues on this.

Tom, I'll let you talk about Bureau of Land Management's role.

MR. HURSHMAN: Thanks, Jack. On behalf
of BLM I'd like to welcome you to this informational hearing and scoping meeting. And I think it's important to note that this meeting is also serving as the Bureau of Land Management's required meeting to conduct scoping under the National Environmental Policy Act, NEPA.

Our primary objective, my primary objective this afternoon is to provide the public an opportunity to give us comments on the overall scope of what you want to see addressed in this environmental analysis that the CEC and BLM will be doing jointly.

I am a national right-of-way Project Manager for the BLM; and you'll notice on the contact information later that I live in Colorado, and you're probably saying what's a guy from Colorado doing on this project.

Well, BLM has a cadre of project managers like myself, and we are located in various offices around the western states. We get assigned to these projects, so we do a lot of traveling to where the work is being done.

For the purpose of this project I am working for Sterling White, since Sterling is actually the BLM-authorized officer who will be
making the eventual decision on how we're going to proceed with this project.

On a personal note it is a lot nicer to come to the California desert to work in the wintertime than it is southern Wyoming. And that's where I've been spending a lot of time lately, as well.

Right now BLM is -- we're at a real interesting crossroads when it comes to making decisions on how public lands are being managed. And that's not just in the California desert district, that's pretty much across the Bureau.

With the passage of the Energy Policy Act in 2005 and some subsequent amendments to that, they've given BLM the direction to encourage and to promote development of energy resources from public lands, both from conventional sources and from renewable energy sources, while continuing to adhere to our multiple use mandate of managing public lands.

When you look at a map of the federal lands in southern California, you see large blocks of federal land that are basically restricted from energy development. You've got designated wilderness areas, you've got military
reservations, BLM areas of critical environmental concern, national park units.

But that remaining public land that's managed by BLM under multiple use, at this point in time, is really getting pretty well blanketed with renewable energy applications.

And the numbers vary because we are trying to screen applications and go through there, but there's probably in the neighborhood of 70 solar applications and 50 or so wind applications in the California desert district alone.

And a lot of those applications are tiered and they're layered on top of each other. And as we're sorting, you know, we're just now in the preliminary stages of trying to sort through those applications and trying to clear some of those which may not be bona fide, I guess, for lack of a better term, applications. Uncompleted applications.

Some of them, we feel, are probably fairly speculative at this point in time, but we have to take a look at each one of those individually. And this Ivanpah project is really the first project out of the chute for the BLM to
be processing at this point in time.

As Jack mentioned, the BLM and CEC have entered into a memorandum of understanding for processing, in this case, these thermal solar energy projects. You know, our intent is to minimize the duplication analysis and streamline the processing of applications where we have this joint jurisdiction going on between the agencies at the federal and state level.

Under federal law BLM's responsible for processing requests for rights-of-ways on public land to authorize these power generation facilities and the associated transmission lines and other related facilities to those projects.

We have to comply with the requirements of the National Environmental Policy Act, or NEPA, which requires us to consider the environmental impacts associated with construction and operation of facilities.

Under California law, the CEC is responsible for reviewing applications for certification for these plants, and has the lead role for environmental review under CEQA, California Environmental Quality Act.

The MOU signed by both agencies spells
out our basic responsibilities and procedures that
we're going to follow in conducting this joint
review.

At this point we will, for the federal
process, be preparing a draft and final
environmental impact statement. And CEC will be
preparing its preliminary and final staff
assessments. And we're still working through how
we're going to meld those two requirements for the
staff assessment and the NEPA process.

And this slide here kind of explains
where we have to go through these steps. BLM
started our internal environmental review when
Bright Source filed right-of-way applications with
our agency this last year.

We've conducted internal resource
reviews and tried to identify those issues and
concerns, and we've carried those forward with the
Energy Commission in their notices.

We published a notice of intent to
prepare the EIS and filed that in the Federal
Register on November 6th of 2007. That notice is
our formal notification to the public, other
governmental agencies, and other interested
parties about Bright Source's applications.
Our purpose is to foster the early identification and resolution of environmental issues.

This notice of intent opened the official federal public scoping period for the project. And that scoping period will close on January 31st.

Our next step will be to begin analyzing Bright Source's proposal in detail. We'll be reviewing the issues identified by you, the public, and analyzing the responses to data requests and questions that our agencies have addressed to Bright Source about their project.

We'll use this information to create the range of alternatives that will be addressed in the preliminary staff assessment and draft EIS. And will also be developing appropriate mitigation to avoid or minimize potential impacts that are going to result from this project.

When completed our analysis will be published. As we say, it's a preliminary staff assessment and draft environmental impact statement. Because this draft will serve as an amendment to the California desert conservation plan, that will also be noticed in the Federal
Register, and presented to the public for a 90-day public comment period.

The preliminary staff assessment and draft EIS will be made available online, and it will also be mailed to any interested party who requests a copy. The draft will also be available in most local libraries and at BLM offices, so there should be ample opportunity to get a copy of that to anybody that would like to see it.

During this 90-day public comment period on the draft EIS we'll hold more public meetings; we'll be accepting your comments to gather feedback on our analysis and our findings. And I want to emphasize that this will be just a draft document.

We'll want you to tell us where we've addressed your concerns adequately, and where you believe we should be making further analysis or corrections in the final.

We'll then go back to work; we'll be amending and adding to that analysis and answering all of the comments that are made on the draft. All those comments will be incorporated into the final document that is prepared. Again, we'll be mailing that out to interested parties and anybody
who's indicated an interest in it.

The final EIS is not a decision document for the BLM. The final EIS is being prepared to disclose to the public the potential environmental impacts of constructing and operating this Ivanpah project.

When this entire process is complete the BLM will publish its findings in a separate record of decision for the project. The BLM ROD, record of decision, will not be signed for at least 30 days after the final EIS. And given the process that we're going through here with the State Energy Commission and the role that the Commission has to do, our timeframe between the final analysis and that draft will probably be somewhat longer than that 30 days to incorporate the decisions that the Commission has to make.

As I say, the primary purpose of this meeting today is to give you an opportunity to comment on the scope of the environmental issues that you'd like to see covered in our document. So, as Jack explained, we'll take your comments in several formats. We've got a court reporter here obviously today for the oral testimony. Through January 31st BLM will take your comments written,
via email. That contact information for doing
that is within the presentation.

So if anybody intends to make comments
electronically to us, please pick up a copy of
that information today.

With that, --

HEARING OFFICER KRAMER: Before he sits
down, a question or two?

MR. HURSHMAN: Sure.

PRESIDING MEMBER BYRON: Yes, if I may.

Mr. Hurshman, thank you, thank you for being here.

Mr. White, I wanted to say Mr. Sterling --

(Laughter.)

PRESIDING MEMBER BYRON: -- thank you,
as well, for being here. As I indicated earlier,
besides this individual project, because it's one
of the first or the first, I think, for us, it's
extremely important. And we're also fortunate to
have here today with us the Deputy Director of our
Siting Division, Terry O'Brien, is here as well.

I'd like to thank the staff, our staff,
as well as BLM, for the foresight of working
through this memorandum of understanding, and
trying to figure out how these two agencies could
meld their process.
So, having said that, let me ask you, if we hadn't done that how might this process go. Could you give me a brief description?

MR. HURSHMAN: Well, I think we face some serious challenges trying to meld our two systems, to begin with. And the first one is a result of schedule issues. And where the Energy Commission has a mandate to complete, you know, their review process in a year's period of time, is very difficult for the BLM to get our arms around, I guess, for lack of a better term at this point.

A typical NEPA EIS process, by the time we get a pretty much a perfected application and we start our notice of intent process, is, by itself, you know, on the average I'd say maybe an 18-month process.

So I think -- you know, if we had separate processes going, it certainly is going to extend the timeframes all that much longer.

PRESIDING MEMBER BYRON: Well, and so let me be more specific.

MR. HURSHMAN: Okay.

PRESIDING MEMBER BYRON: We usually require our applicants to have site control, to
have the property, to control it.

MR. HURSHMAN: And site control from us
isn't going to be until we sign that ROD and issue
a right-of-way grant to the applicant.

PRESIDING MEMBER BYRON: So, shortening
this process means instead of taking them in
series, we basically are doing them parallel.

MR. HURSHMAN: We're doing concurrent as
opposed to in series.

PRESIDING MEMBER BYRON: Well, and of
course, I believe the ex parte rules apply with
the Commission as well then extending with our
staff to the BLM Staff, is that correct, Mr.
Kramer?

HEARING OFFICER KRAMER: Oh, no, if you
mean can our staff talk to the BLM Staff --
PRESIDING MEMBER BYRON: No, no, no, I
mean the Commissioners.

HEARING OFFICER KRAMER: Yes, in effect
they're just like our staff.

PRESIDING MEMBER BYRON: Right. But I
am very interested in making sure that this MOU
proceeds in an efficient and useful way for this
project and future projects. So I would encourage
either you or Mr. White to let me know if you have
any difficulties so that we can iron out those
problems.

MR. HURSHMAN: I appreciate that.

PRESIDING MEMBER BYRON: And, of course,
I'm talking about the process, not necessarily
this particular application.

MR. HURSHMAN: I appreciate that,
because BLM is very much interested in seeing that
this process works well together. And from our
perspective, the Ivanpah project is kind of being
the first model project that other projects will
likely be modeled after.

So we want this to happen in the most
effective and efficient way so that it satisfies
both the state's needs and the federal needs.

PRESIDING MEMBER BYRON: Good, thank
you.

ASSOCIATE MEMBER BOYD: Quick comment,
if you would. As a long-time government employee
I want to commend the staffs of the California
Energy Commission and the Bureau of Land
Management for entering into this memorandum of
understanding.

And the public probably presumes, you
know, agencies work very cooperatively on
everything. And as I say, long-time government employee I know how difficult that is.

So this is almost a first, or this is a very significant event, much more than a lot of people, I think, would normally attribute to it. And I just want to commend you all for taking the time to do this.

Otherwise, yes, it would have been more sequential than concurrent. It would have been a long, much longer period of time, I trust, and take a lot more educating and training of folks separate and apart from the process taking place here.

So I'm very encouraged to see this. We government agencies act very tribal sometimes. And it's good to finally get out and work together. So I think this is great, and I just want to take this one opportunity that I would be presented to tell you. I think this is a very good thing.

I've been involved in the resources area for a long, long time, and I know this is something very desperately needed, to have more communication between the government agencies and the federal agencies, and it's a good thing to
HEARING OFFICER KRAMER: I have a question. Do I understand correctly that you're intending that the staff's final staff assessment and your EIS would be one document serving both those roles?

MR. HURSHMAN: Yes, that's the direction we're at today. Yes, it is one document that satisfies both the state's requirements and BLM's.

HEARING OFFICER KRAMER: Okay. But you know then that the Committee takes all that and the other evidence into account and then writes a final decision for the Commission. So am I correct that you would not need to wait for that final decision in order to work on at least getting your ROD ready to go?

MR. HURSHMAN: That's a very good question. Certainly, as, you know, we will be participating in your hearing processes at that point in time. And BLM will probably be working on the record of decision through there. It's really a little undetermined as to whether or not we would move forward.

But in my view I don't see BLM getting too far ahead of where the Commission is, in case
there are changes in the decision process that you
would have after that final EIS, final staff
assessment has been published.

HEARING OFFICER KRAMER: And I think in
some ways the Commission feels the same way. So
it may be that we have to share our tentative
opinions with each other at some point.

PRESIDING MEMBER BYRON: Is there a
problem with that?

HEARING OFFICER KRAMER: No. That would
be during the hearings. But it's your expectation
that the formal ROD would follow the Commission's
formal decision?

MR. HURSHMAN: Or perhaps be concurrent,
even, at that point.

HEARING OFFICER KRAMER: Thank you.

PRESIDING MEMBER BYRON: Mr. White, Mr.
O'Brien, anything you want to add to this
discussion about this MOU at this point?

MR. O'BRIEN: I guess I would just say
that going back several years the Energy
Commission Staff has enjoyed a very good working
relationship with BLM on the PEIS that was
developed for the --

PRESIDING MEMBER BYRON: On the what?
On the what?

MR. O'BRIEN: The programmatic environmental impact statement for the western energy corridors in the 11 western states. And along with the Forest Service and other federal agencies. And we have built upon that relationship.

I think this MOU flows from that prior work. I have made it clear to the staff of the division that we are working in lockstep with BLM, and that we will work very closely and cooperatively with them. And we look forward to working with them on this first project.

PRESIDING MEMBER BYRON: Mr. White.

MR. WHITE: I have seen in the last few months two staffs from two different offices come together, meet, discuss and in that timeframe barriers have been broken and the walls have been brought down. And the two staffs are working together. And I would like to see that continue. And I believe that the cooperation and the partnership that has been developed will continue to do so, will allow that to happen.

PRESIDING MEMBER BYRON: Good, thank you. Thank you for being here today.
HEARING OFFICER KRAMER: Mr. Caswell, do you want to finish?

MR. CASWELL: I'll go on with the rest of the slide presentation. Thanks, Tom. I think Tom captured our process well.

This is a contact list here, and this is for the Energy Commission only; and it's helpful, again, the slide presentation's over on the table. It's also on this website. If you'll notice that the project, it's on the next slide and we'll go to that, I have a BLM contact list again. We folded that in there. Same thing, people you can contact.

MR. HURSHMAN: I might mention one thing in there. If you're making comments, it really doesn't matter whether you're making them to Jack at the Commission or to me. All the comments are going to be treated the same.

If we receive something, we're going to send it to Jack to be filed. And Jack is sending me copies of things -- well, we pull it off the web. So it doesn't really matter exactly where your comments go from the public, we're going to hear them all.

MR. CASWELL: We maintain the docket log
at the Energy Commission; that's that formal filing of information. So, anyway, what I wanted to talk about is the Energy Commission's webpage for this Ivanpah project, which holds a lot of significant information and documents that are filed and exchanged between the applicant and the Energy Commission, the things the BLM and the Energy Commission are looking at. It's in red right here; it's on that sheet if you'd like to look at it.

This slide presentation is on the document website, too. So you can download it if there's not enough copies here. And you can access it that way. I want to make sure that the contact information, the webpages, the locations of hard copies and CDs of the documents, the application where we filed them with libraries. And all this is clear to members of the public and agencies so that they can access this information. And, again, here's that list.

Public participation, Nick Bartsch went through that. Again, on this slide show, if you don't remember exactly what he said or how to do it, here's a list. You can look at it and you can ask questions by contacting Nick or myself or Tom,
and we'll clarify your public participation opportunity.

Here's the Energy Commission page website. That's the one I'm talking about. If you go to that webpage, it's in red. When you look on the left-hand column over here, it says projects, proceedings. And then underneath that you'll see documents and reports. That's that one you want to click on when you want to get some technical information on that left-hand column. And that's what it's going to look like; that's downloaded right off the webpage, that's what it'll look like.

And if you've got any questions, again, on the left-hand column is where documents, reports, some details, project fact sheet, this slide presentation we're looking at, information that is significant that needs to be filed by intervenors; that's on that, you can find that by clicking on that documents and reports on the left-hand column there.

This is the BLM webpage. I'll let Tom talk about that.

MR. HURSHMAN: This is the webpage that is on the California desert district website, at
the address that we had on there. There are --
what we have posted on this site is information
for the public about solar projects, wind projects
and geothermal projects.

And you just click on the right picture
there and it takes you to their link. And we
routinely post copies of the BLM documents, the
notices of intent, the draft EIS, the final EIS,
those things will all be posted on that site, as
well.

MR. CASWELL: Staff filed an issues
identification report based on our preliminary
review of this application for this project. We
filed that in December. I do not have a copy,
however that issues identification report is also
in that document in the report section on the
webpage.

The purpose of the issues identification
report is to inform participants of potential
issues, early focus on some of these issues. But
it's not limited -- we're not limiting ourself to
those issues identified in the issues
identification report because we're a little
further on down the line that we normally are at
an informational hearing and site visit in our
process, and we're finding other things. And
other things start to fall off the list of not as
high level of concern as we had in the beginning.

And we're in this discovery phase, so
this is a moving target. Things become more
important and they become more of an issue as we
move through this.

But at the point in time when we filed
that issues identification report there were
certain issues and they're on the following
slides. And the criteria for that, to meet that,
was the amendment petition, data requests,
information, any of the information that comes on
there because there are additional filings from
the original application. Because when they did
data adequacy there was additional filings.

Potential issues, and this is what we
did when we first filed the issues identification
report. Air quality, land use, soils and water,
visual, cumulative effects and alternatives.

They all still have the level of
importance to qualify for an issues identification
report. They haven't disappeared but we're a
little more savvy about what the issues are at
this point.
Air quality issues, I believe I've had the Air District speak to me and say that they're not so concerned about air quality issues at this point, but our staff is based on information that was filed in the application. And these are the bulleted high points that are issues for our technical staff on air quality. And I won't read each one of them, but again there's the list.

Tom, do you have air quality issues you want to talk about?

Land use. I know Tom will have plenty to say on that because Tom represents the landlords on this issue. And these again are the potential issues related to the use of this land by a private entity, and their need to get a land use permit and a license to operate this power plant.

I'll let Tom talk about that.

MR. HURSHMAN: And we have quite a few issues sort of lumped under this heading of land use. But really, the project as proposed, pretty much excludes anything else that can take place on that public land out there from a recreational point of view, from a off-highway vehicle point of view. We have a lot of recreation use that takes
place on the desert and on this tract of land. Immediately downstream we have the
Ivanpah dry lake, which is a world renown wind sailing location. The public heavily utilizes
that area and there are international type events that take place out there for those wind-powered
craft. It's one of the few dry lake beds that's actually closed, I believe, to OHV travel out
there. And that's what makes it so attractive for these wind-powered craft folks. So we're
concerned about possible upstream effects on that.

But we have a lot of things incorporated kind of into this land use primarily revolving
around recreation.

MR. CASWELL: Soil and water resources. Again, there are potential issues here and we are
in that discovery phase to discuss those and get clarification of those issues.

All these issues identified on this slide are in data requests and are anticipated
data responses. We do not have data responses on all these at this point. And even where we do
have some data responses, we're going to probably be asking for a second level of data requests for
further clarification. And questions that spurred
new thoughts on our views of this process happens here when they start to respond on these issues.

They may respond fully to what we ask, but because of the response it's taken us to the next level, and thought, we need to ask another question.

So this is, again, a moving target. The discovery phase becomes a moving target on all these issues.

Tom, is there anything you need to say about soil and water?

Here's that list again. It will be helpful for you to focus on that if you'd like to ask questions.

Visual resources. Potential issues. This is a pretty significant sized project out here with mirrors and towers and different things, features that are somewhat different than when you look out the window here, so we need to develop a process, and we're still doing that right now with -- I'll let BLM talk about that a little bit.

MR. HURSHMAN: Obviously when you put a project of this scope in a piece of flat ground right along a major interstate, near a golf course, other developments, we have concerns over
the visual impacts of the project.

And we've already worked with Bright Source a fair amount in terms of modifying the visual analysis that they did complete. And I think they're working on some additional development of what this project would look like from various key observation points that weren't part of the original package.

MR. CASWELL: Could you explain VRM.

MR. HURSHMAN: VRM is a classification system, visual resource management guidelines, that the BLM has that we designate federal lands having certain visual qualities out there.

And depending upon the visual quality of that landscape, we may require specific mitigation. We may not allow projects to take place if the VRM classification is high enough.

And at this point we still have to develop the VRM classification for those lands out there as part of this process.

MR. CASWELL: Here's a tough one, and it's cumulative effects and alternatives issues. During the California Environmental Quality Act, as well as the National Environmental Policy Act, we look at this slightly different.
We're developing a style that will meet both needs and meet both criteria. We're working with both agencies right now to capture an outline of what we're going to look at on these. And then once we get an outline of what the qualifiers are for cumulative and what qualifiers are for alternatives, we'll use this outline to start to identify those. And we're in the process of doing that right now.

MR. HURSHMAN: Yeah, and it's kind of a daunting task for us, being this is the first major project that we've gotten. We're required, under NEPA, to look at the impacts of what is reasonably foreseeable development taking place. And when we have whatever the number, 70 or so, other solar applications and 40 or 50 or so wind applications, and trying to say, okay, well, how many of these are actually going to take place within a certain time period that we need to reflect in this analysis.

And so we're working closely together, as staffs, trying to develop a strategy for coming up with that right now.

MR. CASWELL: A lot of what we're developing right now is going to play forward to
other projects. So we're trying to take the time
to get it right, to work cooperatively, to make it
as solid process during this process as it can be
before we play forward in any other processes.
So I think it's working well and we'll
just move forward.

Staff presents a proposed schedule to
the Commissioners, the Committee here. We don't
call the schedule. The Committee makes the
schedule, they make the decision on the schedule.

It's a tough one; it's a tough thing for
us. I came up -- one of the things in the issues
identification report I had this really long list
of all these events and things, and we're already
off that track because of filing data requests and
the partial response on data responses.

And having reviewed the data responses,
it is indicated that they're going to come to us
in at least three parts. And how often can we
hold workshops and scramble two agencies in two
different parts of the state and call the public
and, you know, everybody in this room, together
for workshops. Because that's where we work from
this point forward, on workshops, for all these
data responses.
I'm suggesting that we do a data response workshop once we have all the responses to our requests. Or very close to that.

We're not dug in on a lot of this, but it doesn't make sense to go, every time you get five questions you hold a workshop. I don't see how we can do that. I see it as an impossibility with agencies and people and lives. We all have lives. So it's going to be a little difficult to do that.

So, anyway, this is the schedule I proposed and talked with Tom. It's an aggressive schedule. I don't know that we can keep that schedule even at this time, based on their ability to give us responses, how complicated those responses. Remember, when we get to the March 25th data response workshop we'll hopefully have all those data responses and we'll move forward. But we may have a whole other set before we can even go further, and then yet have another data request workshop and another data response.

I don't know. These things have to play themselves out in the process. And that's what this process is all about, letting these things play themselves out. And they tend to dictate the
schedule at some point anyway, because we have to make the process meet the requirements of CEQA and NEPA.

So, at this moment, and at this time that's the best scenario I could come up with and Tom could come up with.

MR. HURSHMAN: My own perspective on NEPA analyses, whether it's an environmental assessment or an environmental impact statement, when we rush through our analysis and we put out a draft that does not contain -- that doesn't answer the public's questions, it's typically a mistake. And it adds more time to the process.

As opposed to if we can prepare a comprehensive draft document that answers the questions and take the time to complete the analysis then we won't have near the level of public comments that we'll have to answer. And we can actually accelerate the time schedule.

You know, if you put a draft out that is, I guess, garbage-in/garbage-out sort of a -- and, you know, to resolve the problems now versus having to react and spend the time later is kind of my philosophy on that.

HEARING OFFICER KRAMER: Question for
you. The applicant, and, Mr. Harris, I'll let you
comment in a minute, but the applicant produced
their proposed schedule earlier this week.

And to the point of filing the
preliminary staff assessment, your two schedules
differ by about a month. You being about a month
later than what they proposed.

But then -- and my question is, what is
the need for so much time between the preliminary
and final staff assessments in your schedule?
Because you have the preliminary coming on April
14th, the final isn't until September 10th.

MR. HURSHMAN: That's probably due to
BLM and some of our requirements under NEPA.
Because of the fact that this is an amendment to
the California desert conservation management
plan, we have to allow a 90-day public comment
period.

Comments rarely come in on day ten of
the comment period. They usually all hit on day
91 or 90 of that period. And if there are
substantial comments we then have to answer all
those comments and incorporate those into a final
document.

BLM also has requirements to publish
notifications in the Federal Register of when we release an environmental impact statement. That is a very burdensome process at this point in time because it requires the Department of the Interior at the Assistant Secretary level to review and approve those notices before they can be published.

Those are timeframes that I and Sterling, as people on the ground, have no control over when they take place. That level may also request additional briefings on the issues that are involved with a project prior to their feeling comfortable releasing that notice to be published.

So, all of those things extend the timeframe, perhaps far longer than what we've even identified. But we wanted to give some sort of at least a realistic approach on a schedule to allow some time for those things to take place.

HEARING OFFICER KRAMER: So this is kind of a -- is this your best case that it will be till September or --

MR. HURSHMAN: Yeah, I think that's the best case at this point. That's assuming that I don't run into any hurdles in that level of review that takes place at our BLM Washington Office and
the Secretary's level.

HEARING OFFICER KRAMER: Okay. Does that conclude your presentation?

MR. CASWELL: I just want to add that I provided somewhat different schedule in the issues identification report, but we've moved on. I mean, you know, this is happening after weeks -- well, a month or better, you know, from that filing. So this is an updated best scenario at this time.

And, you know, I just hope you understand that we're doing the best we can. And I want the applicant to understand that we fully intend to pay close attention to this project, members of the public, we're doing our due diligence on this process, considering your need to comment and be involved.

And, you know, this takes in a lot of things and I want you to understand. Both Tom and I will be developing status reports for your information to the Commissioners periodically about where we're at in the process and why we're at whatever we're at. Where things have been resolved, or new issues have risen to a higher level of significance that may delay the project.
or could.

You know, it's an ongoing process; it's a moving target. And a lot of times the way the applicant responds, and the fullness of their responses dictates a lot of that schedule delay, or our ability to expedite.

You know, the process, it's just -- it's a hard call this early in the -- we're way early and we've got a lot of ground to cover and we're all working very hard to do that.

MR. HURSHMAN: And in our questions back to the applicant, we've asked them some pretty tough things. I mean that's part of why it's taking them -- you know, we haven't asked them things they can just answer overnight. Some of it relating to design of the project and layout of the project in enough detail for us to be able to do a satisfactory impact assessment. And they just can't whip that up.

MR. CASWELL: With that, that's really the end of the slide presentation. I have one last thing and that's talking about meeting the schedule, and we just talked about that.

So, thank you for your patience. And, again, take advantage of this slide presentation
because it's a good resource for accessing
information and individuals and process.

Thank you.

HEARING OFFICER KRAMER: Mr. Harris, did
you want to comment about the schedule?

MR. HARRIS: Yes, thank you. Appreciate
the opportunity. A few introductory remarks and
if we want to talk about details, we can, but
you've seen the schedule and we'll answer any
questions.

Couple things. I do want to thank the
CEC Staff and the BLM Staff, to begin with, for
their good hard efforts on the MOU. Before we
filed the project with anybody we went and met
with these agencies to talk to them about how we
put these complex processes together.

And this is a tough complex issue.
You've got a very interesting integration of CEQA
and NEPA. And CEQA is, you know, the Energy
Commission's certified regulatory program, which I
refer to as CEQA on steroids. It's CEQA-plus.

And then you have the rigorous BLM
right-of-way process. But those processes
definitely can work together. They've worked
together in the past. CEQA and NEPA are intended
to work together. We can figure out a way to get there.

One of the reasons I like working on this project is because it's a complex question, but it can happen, it definitely can happen.

Couple thoughts on the schedule we've produced. We've produced a schedule that is a one-year schedule. And I think people now are clear on the fact that that's the legal framework, at least, for half of this; we're dealing with this, the Energy Commission process.

We have the BLM process, as well, in tandem. But the Energy Commission process does have a one-year statutory timeframe, so we use that timeframe to produce our schedule.

The other thing that, you know, I think we need to refer back to constantly is the MOU between the parties. When they were negotiating those we said, you know, how can we help. And they said, you know, go away, Jeff, leave us alone, let us work it out. Which we respected and we did.

And part of that MOU process resulted in a draft schedule that's attached as an attachment to the MOU, itself.
I understand people think that's a very aggressive schedule. We can talk about whether it's a realistic schedule, given the complexities of the project, but our opening bid, if you will, and the schedule we filed, look really at those two things. The one-year statutory framework and that MOU schedule as a basis.

I think we've taken into account all the things that have been talked about in the NEPA process, including the 90 days for the plan. That's reflected in our draft schedule we filed last week.

And so that's why we put together the schedule the way we did. I think it's realistic. We also, though, have an interest in a single process. The worst case scenario from our perspective would be to have this blow up and become two processes, which it could. You know, NEPA and CEQA discourage that, but it can happen that way. We don't want it to happen that way. And our interest is in one single strong process.

The company's ethic is to do this right in the long term. We're going to have this project for the life of the project, be dealing with these agencies for the life of the project.
And we need to develop credibility and a good working relationship for this individual project. And then the company will have other projects that will be coming along. And we want to be known as a good actor. We want to set the bar high because that's where the company's ethic is. And we also want to set the bar high because people behind us will have to clear that same bar. So it's not all altruistic. There's a reason to do that.

So, we have an interest -- no one has a greater interest, I think, than seeing a process that will withstand litigation. Because there may be somebody in the room or elsewhere who may want to challenge that decision down the road. So we want to make sure that it will withstand those types of challenges.

We think that this can be done in a single process. We are way early in the siting process at this point. We don't think it's reasonable to ask us to waive our one year at this point, given where we are in the process. And that's why we put together the schedule for your consideration that does that.

And it's going to take a lot of hard
work. I've already seen the dedication of
resources from the agencies that is, I think,
stellar. I'm very impressed with that. And we're
very happy with the work we've gotten so far.

We will push you to try to make you go
to do faster than you're comfortable doing, but you
know, that's part of our role in this thing, as
well. But, again, we have an interest in a solid
decision, as well.

You have the schedule; it was filed and
served. I will not go through that in detail, but
I'd be happy to answer any questions you have on
what we've filed.

PRESIDING MEMBER BYRON: Mr. Harris,

thank you. I'm also very sensitive to that
phrase, "go away, Jeff". So, --

(Laughter.)

PRESIDING MEMBER BYRON: -- I hope that
we won't hear that very often during this
proceeding. I also understand that the Committee
will be issuing our first schedule. Can you give
me an idea, Mr. Kramer, when we plan to do that?

HEARING OFFICER KRAMER: If you review
it next week it'll come out towards the end of
next week.
PRESIDING MEMBER BYRON: Okay. So we hope to issue that schedule soon.

MR. HARRIS: Not on the plane tonight?

(Laughter.)

PRESIDING MEMBER BYRON: Go ahead.

MR. HARRIS: We are interested in seeing a complete schedule from beginning to end. And there have been some cases in the past where we've only taken it in increments, so we really would like to take a good hard look at a complete schedule from beginning to end.

PRESIDING MEMBER BYRON: I think we can commit to providing our initial schedule in its complete form. But, of course, it's subject to revision as this project proceeds.

MR. HARRIS: Understood.

PRESIDING MEMBER BYRON: I'd like to thank both the gentlemen presenting. I thought that was fantastic. One of the clearest presentations, and of course, even more complicated because of the two agencies.

Commissioner Boyd, I agree with you, it's a beautiful thing to see these agencies working together. So we will continue to expect -- our expectations will be high there, as well.
Thank you very much.

ASSOCIATE MEMBER BOYD: I think we have an interesting dilemma here. As Mr. Harris has deftly pointed out, lifted us up on our own legal petard with regard to the one-year requirement of our law.

By the same token, we cannot obligate nor do we want to stick any barbs in our new friends and partners at the BLM with regard to their own process. So I think we have a real -- we can't do it on the plane tonight because you're going to San Jose and I'm going to Sacramento. But I was going to say, after two beers on the plane, we might have been able --

(Laughter.)

ASSOCIATE MEMBER BOYD: In any event, I guess next week it'll be -- it's going to be an interesting discussion.

HEARING OFFICER KRAMER: Do we have any presentations from any of the agencies involved? Seeing none, we will turn it to our public comments and questions.

Do we have any blue cards, Mr. Bartsch?

PRESIDING MEMBER BYRON: Blue cards are not necessary; it just helps our Hearing Officer
coordinate them, if you will, put them together in
groups so we can stay on a particular topic before
moving on to the next.

HEARING OFFICER KRAMER:  Okay, Mr. John
Stewart will be first.  Followed by George Kerr.
And if you could come up to the table here, feel
free to pull up a chair and sit down, if you want.
You don't have to be right on top of the
microphone, but just make sure --

PRESIDING MEMBER BYRON:  It'll pick you
up, it'll pick you up.

Please identify yourself.

MR. STEWART:  Good afternoon; I am John
Stewart, natural resource consultant for the
California Association of Four-Wheel Drive Club.

Cal-4-Wheel are the association of
recreationists dealing with motorized recreation
and the off-road recreation component.  We have a
high level of interest in these projects as they
come up because a lot of them are being sited in
areas that our recreation opportunity exists.

One of the key elements here is that we
look to have access maintained through this area.
Now, as noted out here on the site visit, they
were talking about a realignment of the Coliseum
Road, which is terrific because Coliseum Road serves as an access point back into the mountains for recreation, access to get back in there on tours and travel through the area.

It's also noted that within the proposed project area there are several other dirt roads of which we are hoping that, want to make sure, that the access is maintained to those, in that if a fence line does go up, we're hoping that we'd like to encourage the agencies to provide a perimeter route along the fence line just to maintain access to that road from where it started to where it goes to.

Our point is about we, in general, in theory we support the renewable energy concepts; energy has to come from somewhere. But we also want to make sure that the public and the members of the public still maintain access to the public lands for their recreation opportunity.

When you talk about the cumulative effects, this can become significant at a loss of access in one area may not seem much, but when you start taking a chunk here, a chunk there, as pointed out there's 70-some proposals for solar, and another 50 for wind. These could become a
significant impact to the public.

We would like to see as much as possible all steps taken in order to preserve the access to the existing roads and still maintain the safety, public safety and security and integrity of the facility.

Thank you.

HEARING OFFICER KRAMER: Thank you.

PRESIDING MEMBER BYRON: Yes, thank you for coming.

HEARING OFFICER KRAMER: Mr. Kerr, followed by Edward Waldheim.

MR. KERR: My name is George Kerr and I'm representing the Society for the Conservation of Big Horn Sheep. I'd much rather be in the hills than here, trust me.

Just to give you a little background. The Society for the Conservation of Big Horn Sheep has been active for the past 45-plus years restoring our habitats and restoring the desert big horn sheep populations that we have to date.

Many of you may or may not be aware that we have an absolute wonderful resource outside, and the desert population of the desert big horn sheep which I will give you the visual aides.
PRESIDING MEMBER BYRON: I notice you brought more visual aides than the applicant --

MR. KERR: I got more visual aides, but it's better for you to look than me to talk.

These just happen to be, most of these sheep are taken this year. You could stand here on the golf course; I could point to you places where the sheep are. Great value to California, the unique opportunity to be able to at least maintain this population.

The Sheep Society actually, as an organization, has not formulated opinion because we want to be fair to all concerned. We're very objective; we're not the in-your-face lawsuit-protest- -- eating type organization. We are the can-do partnership, let's make it work together.

And we've had a wonderful relationship with the Bureau of Land Management and Park Service, a lot of military bases, even industry, mining activities and such. We have done it by collectively coming up and trying to do things together and partnering with making it work.

I'm not so much a hypocrite realizing that I traveled on I-15 to get here in my SUV that's probably causing global warming, so I'm a
cause-and-effect part of the problem. But then, again, am I? You know, we all exist here for a lot of reasons.

We're a realistic organization that understands that solar and windmill is probably our future. And so we're going to have to try to deal with it. We want to be part of the process and part of the fix, not part of the problem.

I will, however, emphasize that this particular photo analogy right in here happens to be, except at the present, the windmill farms. A lot of activity that's going to have a cause and effect and eliminating habitat is going to be a real big concern of ours.

In order to get our hands around this whole process we have to understand the past, present and the future. The past we've had mining activities that has encroached and taken a lot of real estate away from the habitat of the big horn. Certainly the artery systems from I-40 and I-15 have cut the possibilities of any gene exchange, or what we refer to as better population dynamics, which is the fact that the critters can commingle.

One of the things that we're very afraid of is because there's interaction from the sheep
population that Clark Mountain, which is right here, we're in the shadow of, to our neighboring Nevada friends there, there is an interchange and an intersect with these critters on occasion.

When we were standing out there reviewing the area that's going to be impacted, it looked like a whole lot of nothing, but it really isn't. It's critical, critical habitat in areas for the big horn. Not that it's the best habitat, but it's the best we got right now. And, you know, they're not making habitat anymore.

So our concern is to eliminate the footprints, or eliminate the habitat destruction; as an organization we're adamantly against any habitat loss. But, then again, there's the realization of the real world, so again, adjustments need to be made.

When you understand from the mining to the gaslines to the powerlines, to a predator influence, and unfortunately through the mountain lion issue, is becoming a little more predominant, to human encroachment, to perhaps solar fuels, we're not even that much opposed to the Bright Source impact. It's the peripheral (inaudible) Bright Sources that frighten us to death.
Because we could probably adjust, mitigate, work around one footprint with maybe a little bit of adjustment. We're hoping that could probably be worked out. In my way, as a fish and game commissioner, you kind of have to get along to get along. I'm speaking for myself, anyway. We could probably get around that one.

But, the other ones, absolutely not. Can't happen. It's just too much. These critters have got to have an opportunity to be able to get from point A to point B. They've got to be able to have as much habitat to eke a living in times of stress.

In the last several years it's been very stressful out there. I have been blessed by doing a majority of the aerial surveys from the Department of Fish and Game, so I've got a unique perspective of this entire mountain range.

And it's been feast or famine up actually to this year. This year we're real excited about what's going to be happening out there. And what's going to be happening out there is going to be a good thing if they've got that out there to be gotten to.

So, my request, and, again, I do
appreciate the opportunity to have voiced my
opinion, is that we have an opportunity to be able
to address the habitat loss and understand that it
will be a loss to the big horn.

One of the other unique aspects of this
population, believe it or not, this is the only
place on earth that there is a white desert sheep
population. There are, at times, anywhere from
five to ten white desert sheep. It's a phenomenon
that's very unusual. And because of that unique
aspect, the gene pool, the purity of this gene
pool cannot be compromised. It cannot be cut off.
It should not be cut off. And it needs to be
understood.

When we encroach deeper into this
habitat we are pushing these critters back into
areas that perhaps may not be the most desirable
area for them. We might even stop, it's not
migration, but it's the connectivity aspect of
this population, to go to Nevada.

Through the course of this construction
or any construction of this area, we could lose
this population, this small recluse population to
Nevada. Nevada does a hell of a good job in
restoring and maintaining, enhancing and
developing their populations of sheep.

Our sheep might find real unique and a
lot happier place to be over there where there's
not as much activity, because any activity by man
there's a certain avoidance factor that the big
horn sheep have. And I'm worried about maybe
losing our resource to Nevada. And that would be
not only a shame, that would be a crime.

So, I'm just expressing the fact that
there are concerns with local flora and fauna out
there that we wish to make everybody to be
concerned about.

Now, we're not in a position to make
every meeting at every chance because we'd be
doing meetings every day, just like you folks.
We're not fighting the solar people, we're not
fighting the windmill farms, we're trying to make
it all work for everybody; because, again, we're
all here, we're not going anywhere. And it can be
quite burdensome to go through this procedure.

Anyway, I appreciate the opportunity to
be able to at least voice an opinion --

PRESIDING MEMBER BYRON: Mr. Kerr, one
quick question, if I may.

MR. KERR: Yes, sir.
PRESIDING MEMBER BYRON: And Mr. Kramer's correct, we have many folks that want to go through. You've shown some pictures of some sheep carcasses there and some windmills in another picture. And you're inferring some connection. Can you clarify the connection?

MR. KERR: The windmills is part of the process that we're involved with right now. It's just it goes on the spirit of --

PRESIDING MEMBER BYRON: Let me be more clear. What do you think is killing the sheep? Why are you showing that?

MR. KERR: The big horn sheep are being just, this happens to be a matter of drought. Drought. Lack of water.

PRESIDING MEMBER BYRON: Okay.

MR. KERR: Drought. It has no -- on encroachment and such. The windmill is just loss of habitat, as well as road systems and everything else. Habitat loss is the key issue. With habitat loss things happen and the relationship, perhaps, would be pushing the sheep back into undesirable habitat where they're susceptible to lack of water, poor forage and everything else that takes place.
The Department of Fish and Game will have a lot more technical information, be able to represent that aspect to it. But as a conservation organization we just want to make sure that you're aware that there is a cause and effect and an action-reaction.

And, again, we want to just be part of the process. And I thank you.

PRESIDING MEMBER BYRON: Thank you, Mr. Kerr.

HEARING OFFICER KRAMER: Thank you.

Mr. --

MR. WALDHEIM: Ed Waldheim.

HEARING OFFICER KRAMER: Okay.

MR. WALDHEIM: Ed Waldheim; appreciate being here. I've been a past commissioner for the Department of Parks and Recreation California State Park, appointed by the governor. Two different terms, two different governors. I'm President of CORVA California Off Road Vehicle Association, which is a statewide organization. And I'm a Board Member of District 37, American Motorcycle Association in Southern California.

I mention that to you because I'm not going to repeat what Mr. John Stewart said,
because he already talked about the access issue.

What I'm really concerned about and I'm very interested in the process, with the BLM having over 120 applications coming in, I met Wednesday with the Florida folks, the FPL folks, to discuss the access issues and how we can work together.

And I'm pleased to see that there is a reach-out from the agencies, especially from the applicants, to make sure that they can assist us and work with us on the access issues.

Access is the key in the State of California. With the continuing encroachment of all these different regulatory things like wilderness programs and the desert wild management areas, we in the motorized recreation side have been squeezed and squeezed and squeezed to the point where we are now the endangered species.

I am really kind of concerned that the process that you're taking jointly if this MOU is going to carry through through the other processes. You stated that this is the first one, so am I to assume that what's happening in Ridgecrest Field Office, or what's happening down in El Centro in the Imperial Office of the Bureau of Land Management, the Barstow Field Office, just
like in the Needles Office, is this the same process, the same mold that we are going to use here.

And I think it's very important for us all to know upfront, as the field offices, what this process is going to be, especially for the public. If it's going to be a continued joint thing the MOU between the field managers and you, the Energy Commission. I was not aware of that until this moment here.

Having said that, I would like to make very clearly to you that you understand the importance of the recreation opportunities in the State of California, billions of dollars of recreation. Fifteen to 20 percent of the California residents have some form of offroad. That means today every single one of you folks went with your sedan upon on that road.

The moment you left that pavement you now have become an offroad vehicle. Like it or not; you may think of me as a motorcycle guy, but you have joined our ranks by getting on that dirt road. That is what we're looking at.

And so throughout the State of California when you make your deliberations we
need to make sure that you remember, just as we want the connectivity for the big horn sheep from one point to point A, so we don't isolate the species, we're no different than those species.

We need to have a connectivity and work with you to make sure that we maintain that. And I would appreciate it if we could continually keep that in mind for the health of the businesses and for the moral health of the people when they go recreate, which is very very important for them to be able to go and do their recreation.

So, I appreciate being here, and I hope to be on the list and continue to assist wherever possible.

HEARING OFFICER KRAMER: Okay, well, see Mr. Caswell to make sure you get on the list. Mr. O'Brien, is the MOU meant to apply in all the areas that he spoke of?

MR. O'BRIEN: Yes. I mean it's the expectation of the Energy Commission and I assume of the BLM, that the process that we're engaged in for this project will be the same process with subsequent applications on BLM land.

HEARING OFFICER KRAMER: Okay, thank you.
PRESIDING MEMBER BYRON: Thank you, Mr. Waldheim, for coming.

HEARING OFFICER KRAMER: Daniel Kopulsky.

MR. KOPULSKY: My name is Daniel Kopulsky. I'm representing the California Department of Transportation. Sorry, when you were calling on agencies I tried getting recognized, but I wasn't. So I'm going to speak now.

I'm the Intergovernmental Review Coordinator for the district that covers San Bernardino County. And I would like to -- we do have a facility within six miles of this, Interstate-15, with it's right-of-way, so we would like to consult and coordinate and be notified about this project.

And that's really the comment I have.

Just to make sure that --

HEARING OFFICER KRAMER: Okay, give your card to Mr. Caswell --

MR. KOPULSKY: -- we're involved in the process.

HEARING OFFICER KRAMER: Mr. Caswell will take care of putting you in touch with the
right people.

MR. KOPULSKY: All right, thanks.

HEARING OFFICER KRAMER: Thanks for coming.

And our final speaker card is from Larry Whalon.

MR. WHALON: Good afternoon. My name is Larry Whalon. I'm with the National Park Service. I'd like to thank the Commission for inviting the Park Service to come. Also would like to commend the Commission and the BLM for taking on such a project. The Park Service, you know, short of endorsing this project, likes the idea of it; it's exciting for us to see these kinds of projects come about.

My only comment is I would like to see - - the Park Service would like to see in the analysis part of any of the resources there looked at include the Park Service.

As an example, in the document here in front of me, the Ivanpah Solar Electric Generating System document, in section 5 there's a section on the viewshed. And it really doesn't include an analysis of the Park Service being a neighbor, how close that is. And we'd like to be included in
that process.

And I believe I've made contact with a few folks and hopefully we can get that done. We do have data available to add.

So, thank you.

HEARING OFFICER KRAMER: Okay, --

PRESIDING MEMBER BYRON: Mr. Whalon, what do you do for the Park Service?

MR. WHALON: I'm the Deputy Superintendent of Mojave Preserve based in Barstow, California.

PRESIDING MEMBER BYRON: Thank you.

Thanks for coming.

HEARING OFFICER KRAMER: So you've given your information to Mr. Caswell and Mr. Hurshman? Okay, that should take care of it.

I have no more speaker cards. Does anybody else from the public wish to make a comment? Or ask a question? That, too.

Okay, seeing the gentleman over there.

MR. SMITH: Everybody was asking me who I am, so I'm going to introduce myself. My name's Phillip Smith. I'm a Chowayan (phonetic) Indian, Choways are Paiutes. We're from this area. I belong to the Colorado (inaudible) Tribe, Parker,
Arizona.

I'm not a chosen person to represent any tribe or anybody, so I come on my own as a concerned, I guess I say -- about the developments in the desert area. Because I have never been too much for that. I've seen too much of it already, and too much destruction of the desert.

Like the Desert Protection Act don't seem to work. You see pipelines go this way, pipelines go that way. You see powerlines go this way, powerlines go that way. Underground cable is this way and that way. You look from the air down the desert's pretty scarred, it's scarred up. It kind of hurts.

It's like was said earlier, is that maybe don't look like there's nothing out here, I've heard that before about in Needles when they tried to put a proposed plant down there by Needles, I mean a waste area, 20 miles west of Needles. Their panel came out and showed us slides that it's just a desert. It's dry. Nothing out here. It's isolated.

No. The desert has its value. There's the hawks, there's the coyote and there's the snake, there's the lizards, there's the turtle.
It's not dead. Our people used to live out there in this desert. The desert was our shopping center. Everything was out there.

And I look at this and I begin to wonder, I was brought here years ago about a cave found in the area. I think the word came out of Denver, Colorado, BLM. I don't know if they remember, but met at Las Vegas with the BLM Office guys there, to this cave. It's only about four miles from here. If there was artifacts in there. We weren't allowed to keep the artifacts -- BLM.

The reason why they brought us to the area because of that pipeline that came through there, that they're concerned that people were going to vandalize the area, like the desert's already vandalized.

And that we need to remove these things, or can't put a fence around the area there because as the guy representative of the BLM, I forgot his name, he lived down in the valley down there. And said, there's not very many people here, he said, let's put -- a big development down in that area, big huge development. Talked about all this area. Where they going to get the water? The river's over-prescribed, the Colorado River's way
over-prescribed. Just put a well in there.

What about the habitat, the animals out here. He didn't want to talk to me. They never do like to talk to me. I bring these things up.

But that's one of my concerns. And I was watching things here about how many people going to be employed here. I think they said 93 or something. Anyhow, it may be more than that, but where are they going to live at? is there going to be land set aside again for BLM or somebody, another development in the area for people to live here? Or travel far? Or I don't know what -- that's another purpose is if they do set aside more land for employees, that means what, got to use water. Again.

I can see the golf course here and I can see (inaudible) over there, that's probably taking the water levels down from these areas for the animals. And it's going to hurt more. The more development there is, the more it gets hurt.

And the more people that come out here, they get attracted to the desert. I want to go over here; I want to go over there. That's the off-roaders, too. They're going to do that.

The desert and the sites, they're going
to tag those, writing, whatever, in the walls.

They been really harmed, and they've been really destroyed. And you might say that the off-roaders, no, we got our policy, we don't do that. If they see something down there they'll pick it up. That disappears. An artifact. It's going to disappear forever.

We're trying, like I come out here, I wanted to see what was going on really. I really didn't know what was going on here. I heard about it. And, of course, I like the California representative listen to me, too, because I live out in Needles. We're on the edge of the State of California.

We have this river coming down here. It used to flood the city. We had a lot of water we thought. We thought we had a lot of water. We didn't worry about water. Then they built all these power plants, they're building all their electricity. Where does it go? It goes on the other side of the mountain, but not for us.

Now they take the water out of the river. Where does it go? The other side of the mountain. Not for us.

Well, this power plant going to be here
is for the public, and Needles is in California. And we're starving. Where's the power plant? If they got it, where is it, we don't get nothing for it, out of this? This is a concern is everything is going on the other side of the mountain. Everything.

But the sources come from this side of the mountain. You should distribute it out fairly for the rest of us out here. That's the way I look at it. Like I say, I think Needles at one time, maybe they still are, say of Needles is a contract with Nevada. That don't sound right to me. We got all these power plants, all these powerlines across the desert and we have nothing.

So, let's be honest about these things. I know the power of the government the other side of the mountain all the time, but those guys out on the other side are hurting, hurting, and are hurting.

And, no, I'm not too much for this, but I know we have to have power. So I look forward, yeah, we have to have the power. But let's be fair about everything. I do realize that habitats and all that is going to get hurt. It always happens, it's always been. And it's going to get
I seen Laughlin. When I was a kid there was no Laughlin. We had cattle in the area. There was no Bullhead. Go look at it now. The growth is still coming. Where do they get their water? Needles has an allocation; we can't grow anymore, because we don't got no water rights. Where does everybody get water rights? The river's over-prescribed. I think about (inaudible) and they take the ground, they go down farther and farther. And I think that is a concern to me as well as the habitats, and probably again, if you talked about public input, Indians are not considered public. That's why they don't come here. They're sovereign nations. They're government -- go to them. You don't --

HEARING OFFICER KRAMER: Well, they're certainly invited. And I know that letters are sent out to all the tribes that are identified as potentially having an interest in the area. So, if they don't come it's their own choice.

MR. SMITH: I've never heard anything about that. I agree with you, but I've never told anything about this. But you got people that, in their own council, that don't even know history no
more. Like I do, and as my brothers and others. We are a good source for the area. While they're just a good source for the politics, the way I look at it. They're on reservations. I'm not a reservation Indian. I don't live on a reservation. I never have. But I do belong, enrolled to a reservation.

My dad came from just down here, Paiute Springs. Relatives live around, actually Barnwell, Landfair; it's not there, that was the gold rush days. Move down there, they didn't have families down there in Ivanpah. That's what I thought Ivanpah was down there, the settlement down there.

And you know, all that is gone, you know. I remember my father and them said, yeah, we had to go to the boarding school. They had boarding school. They had to go to Fort Mojave. They walked from Paiute Springs to Fort Mojave; that's 20 miles away.

HEARING OFFICER KRAMER: I need to ask you to conclude.

MR. SMITH: Am I going too far out? Anyway, this is the reason why I'm here. I am concerned about the growth. It's going to be
growth and the habitats.

HEARING OFFICER KRAMER: Thank you.

PRESIDING MEMBER BYRON: Thank you, Mr. Smith.

HEARING OFFICER KRAMER: Is there anyone else in the public wishing to make a comment.

Seeing no one, we will -- do either of you wish to make a closing comment?

PRESIDING MEMBER BYRON: Commissioner? ASSOCIATE MEMBER BOYD: No. I just want to thank everybody for being here. I'm very impressed with the turnout that you've gotten. It's far better than we get in some locations.

And I appreciate the sensitivity of all the folks with the various issues. Mr. Harris said something that I wrote down. CEQA on steroids. I found that --

(Laughter.) ASSOCIATE MEMBER BOYD: So CEQA is a very powerful environmental law in California. And if the staff of the Energy Commission is seen as doing CEQA on steroids, it should give a little bit of assurance to folks that they really do take a hard look at the environmental consequences as well as the social and economic consequences of
any development.
I know they look forward to the input
that a lot of you have provided. So we look
forward to hearing from them during the course of
this activity on the concerns folks have.

MR. O'BRIEN: Commissioner, we take that
as a compliment from Mr. Harris and --

(Laughter.)

MR. O'BRIEN: -- thank him for that.
PRESIDING MEMBER BYRON: And I'll add my
thanks, as well, for everybody being here today.

HEARING OFFICER KRAMER: Okay. And I
promise a scheduling order next week. So, seeing
no other business, this meeting is adjourned.
PRESIDING MEMBER BYRON: Thank you.
ASSOCIATE MEMBER BOYD: Thank you.

(Whereupon, at 4:07 p.m., the hearing
was adjourned.)

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CERTIFICATE OF REPORTER

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of January, 2008.

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