

# **DEFENSE COMMUNITY CONFERENCE PARTNERING FOR SUCCESS**

## **JOINT FEDERAL/STATE PROCESS FOR PERMITTING SOLAR THERMAL POWER PLANTS**

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**California Energy Commission**



# PERMITTING AUTHORITIES

- **California Energy Commission**
  - ❖ **Thermal power plants 50 megawatts or greater**
  - ❖ **Related facilities**
    - **transmission lines**
    - **substations**
    - **access roads**
    - **water supply systems**
    - **natural gas pipelines**
    - **waste disposal facilities**
- **Federal Agency**
  - **Lease for project site and related facilities**



# PERMITTING/COMPLIANCE ROLE

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



# PERMITTING PROCESS OVERVIEW

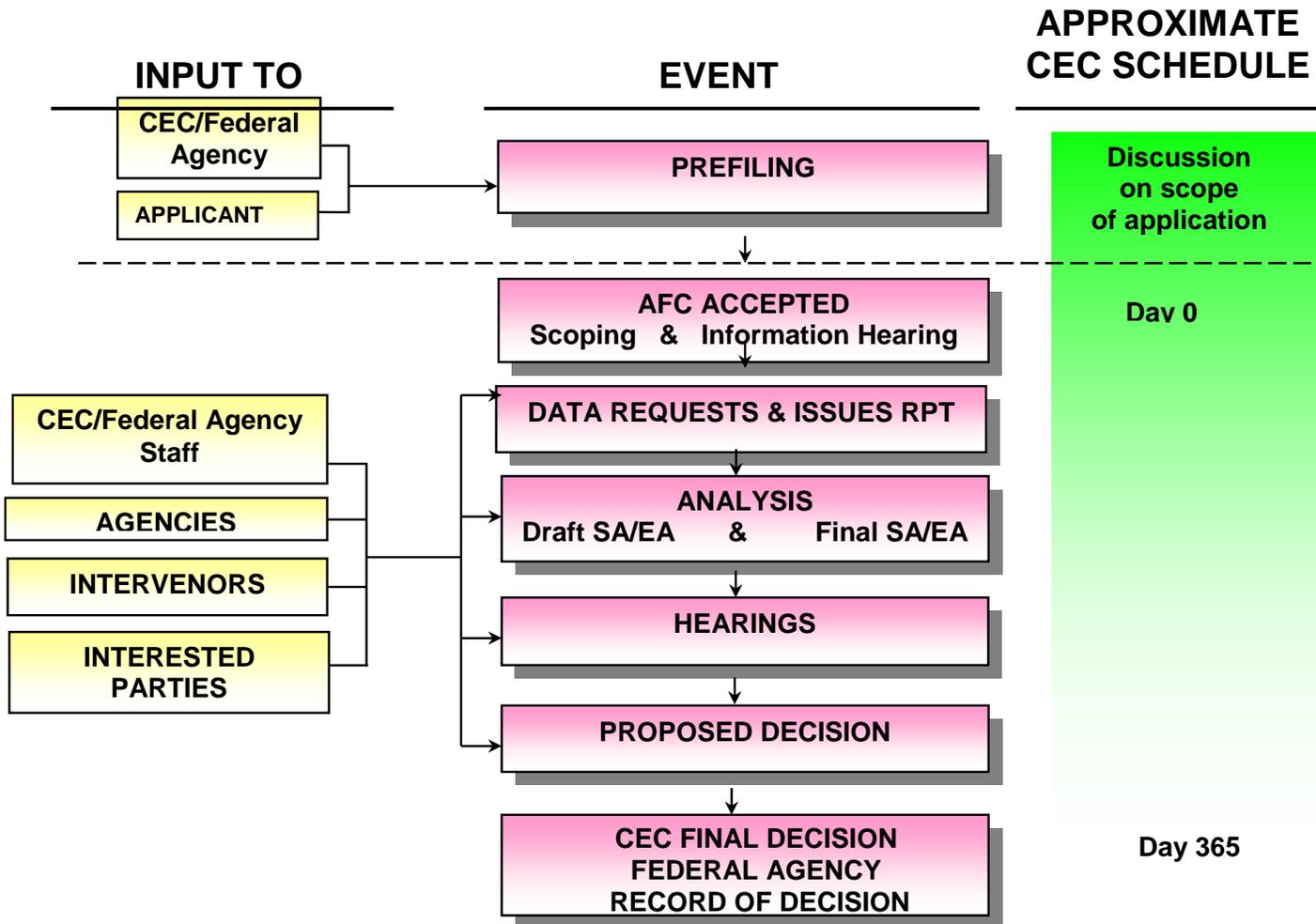
## ■ CEC and Federal Agency will consider:

- Public scoping
- Impacts / Mitigation / Alternatives
- Compliance with Legal Requirements
- Purpose and Need
- Federal, state and local agency consultation

## ■ Results in:

- Coordinated federal and state NEPA/CEQA review
- Joint environmental documents
- Consolidated state & local permit
- Conditions of construction & operation
- Closure plan and site restoration





# OVERVIEW OF JOINT CEC and FEDERAL AGENCY PERMITTING PROCESS

## ■ PREFILING

- Application to Federal Agency
- Application acceptance by Federal Agency
- Internal scoping
- Information gathering
- Applicant's complete Transmission System Impact Study



# OVERVIEW OF JOINT CEC and FEDERAL AGENCY PERMITTING PROCESS

## DATA ADEQUACY

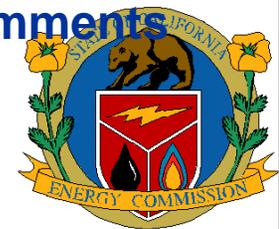
- Applicant files Application for Certification with CEC
- CEC issues notice of receipt and sends copy of application to agencies, tribes and interested parties
- Federal Agency publishes Notice of Intent in Federal Register
- Staff reviews AFC for completeness with regulations
- Agencies comment on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



# OVERVIEW OF JOINT CEC and FEDERAL AGENCY PERMITTING PROCESS

## ■ DISCOVERY AND ANALYSES

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



# Staff's Independent Assessment

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



# OVERVIEW OF JOINT CEC and FEDERAL AGENCY PERMITTING PROCESS

## ■ EVIDENTIARY HEARINGS AND DECISION

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

## ■ POST CERTIFICATION AND COMPLIANCE

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



# OVERVIEW OF JOINT CEC and FEDERAL AGENCY PERMITTING PROCESS

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



# OPEN AND TRANSPARENT PUBLIC PROCESS

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



# LOCAL, STATE and FEDERAL AGENCY COORDINATION

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



# JOINT STATE/FEDERAL ENVIRONMENTAL DOCUMENT

Staff Assessment / Draft Environmental Assessment

**BLYTHE ENERGY PROJECT TRANSMISSION LINE MODIFICATIONS**

Amendment Petition (99-AFC-8C)  
Riverside County



**CALIFORNIA ENERGY COMMISSION**

**STAFF REPORT**

MAY 2006  
99-AFC-8C  
CEC-700-2005-003  
BLM-CA-660-06-25  
WESTERN-DOE/EA-1522



# CEC INFORMATION

## ■ California Energy Commission Staff

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## ■ Information for Power Plant Developers

- [www.energy.ca.gov/sitingcases](http://www.energy.ca.gov/sitingcases)

