

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RIGHT-OF-WAY NOTICE TO PROCEED

Right-of-Way or Temporary Use Permit (TUP) Serial Number

CACA 48811

Date

11/4/10

Issuing Office

LLCAD060

Right-of-Way or TUP name

Blythe Solar Power Project

Certified/Registered Mail-Return Receipt Requested

INSTRUCTIONS — Use Certified or Registered Mail or hand deliver. Send or give original to Holder. Distribute other copies as indicated after receipt date.

Holder: Palo Verde Solar I, LLC

In accordance with the terms and conditions of the above referenced right-of-way grant or TUP you are hereby authorized to proceed with the activities noted below in the locations specified. Map(s) are attached. Yes No

Activity	Location
<p>Phase 1A of the Blythe Solar Power Plant Activities will include construction of the following:</p> <ol style="list-style-type: none"> 1. Access Road 2. Shared Facilities 3. Construction Power 4. Utilities Corridor 5. Water well 6. Portion of Unit 1 <p>See attachment for description of activities.</p>	<p>The proposed project site is located 8 miles west of Blythe, California and 3 miles north of Highway I-10. Current access to the site is from Exit #232, Airport/Mesa Drive on I-10 via Mesa Drive Road.</p> <p>The location of Phase 1A will be constructed as described in the Blythe Solar Power Project (CACA 048811) Plan of Development and is generally located within the following area: San Bernardino Meridian, Township 6 South, Range 21 East, section(s) 2, 1, 12, 11, 14, 23, 26, 35 and Township 6 South, Range 22 East, section 6</p> <p>See attached map for location of Phase 1A area.</p>

Authorized officer is:

John R. Kalish
(Name)

Field manager
(Title)

Onsite inspection and compliance of the Right-of-Way or TUP stipulations will be conducted by the authorized officer's representative

Holly L. Roberts
(Name of Authorized Officer's Representative)

1201 Bird Center Dr. Palm Springs, CA
(Office, Street Address, City, State, Zip)

760. 833. 7100
(Office Phone Number)

760. 413. 8922
(Cell Phone Number)

John R. Kalish
(Authorized Officer's or Representative's Signature)

11/4/10
(Date)

Holders Acknowledgement when notice is delivered in person

(Signature of Recipient)

(Firm Name)

(Name of Recipient)

(Date)

**Appendix 1:
Forecasted Construction Activities During Phase 1a**

Linear Features

Linear features can be cleared during any season after Project approval and issuance of NTPs for all sites. Linear features proposed as part of Phase 1a include the access road and the temporary construction power line, including the well area. Other linear features, including desert tortoise exclusionary fencing around plant site areas, may also be cleared and constructed during any season. A summary of these activities are provided below. Linear facilities constructed after Phase 1a will consist of similar construction activities as those defined for the Phase 1a components below.

Access Road

A section of Black Rock Road, the frontage road along I-10, will be paved from the Airport/Mesa Drive exit to the new turn-off for the plant access road. The new access road heading north from the Black Rock Road will be paved as well. The access road will also be used as a utility corridor for installation of telecommunication lines and a natural gas pipeline during this same timeframe. Access Road construction activities include, but may not be limited to the following activities:

- Fencing
- Clearing/grubbing
- Grading
- Survey
- Dust control
- Balancing dirt for road
- Excavating if required/installation of drainage/culverts
- Lay and compact road base
- Lay and roll asphalt
- Striping

Construction Power Line

A temporary construction 12.47 kV power line will be constructed from the Southern California Edison (SCE) distribution line through the well area to the future shared facilities area. Construction power line construction activities include, but may not be limited to the following activities:

- Fence/clear/grub
- Trench and lay conduit
- Pull wire
 - To the power block
 - To shared facilities
- Install transformers and pad

Well Area

The well is located along the future temporary construction line. A NEPA-compliant test well has been constructed pursuant to a Temporary Use Permit from BLM (DOI-BLM-CA-060-0010- 0036-DNA), signed

April 2, 2010 and issued to Solar Millennium May 5, 2010 ("Temporary Use Permit"). Initial access to the test well site is through Mesa Drive, an existing NECO Open Access road. Once the necessary construction authorizations have been issued, the test well will be uncapped and pumps will be installed to create a production well. To comply with various conditions of certification regarding dust suppression during construction and for construction of the desert tortoise fencing, Phase 1a activities will include installing water storage facilities around the well so that construction water trucks can access the well periodically and deliver water to Phase 1a construction locations. For the first weeks of construction, this area will also be used for storage until the shared facilities' area is prepared.

The areas around the well will be surveyed for desert tortoises, temporary tortoise fencing will be installed, and the entire area will be cleared of any tortoises before water storage facility construction and clearing and grubbing commence. Prior to DT clearance surveys and fencing, all of the activities surrounding the water well will occur within the area that BLM reviewed in granting its Temporary Use Permit.

Well construction activities include, but may not be limited to the following activities:

- Installation of pumps
- Fence/clear/grub
- Grade, install rock base if required to prepare equipment turn around area
- Install well equipment, pump, totalizing meter
- Locate water tanks/ baker tanks
- Prepare laydown areas
- Storage of fencing material, miscellaneous material

Non-Linear Features

Phase 1a non-linear area will include an area around shared facilities and, during the later period, a portion of Unit 1 solar field. These areas are located in predominantly low-quality habitat and are considered unoccupied with a very low potential for finding desert tortoise.

Since construction activities are planned to start in November, 2010¹, the clearance surveys for the non-linear areas would occur outside of the active season. However, clearance surveys will be conducted in accordance with standard clearance protocol methodologies. In the unlikely event that a desert tortoise is detected during clearance surveys conducted outside the active season (Phase 1a), a 1-hectare buffer will be established around the tortoise and monitoring will be implemented until the active season when the desert tortoise can be safely relocated/translocated. The details on this method will be presented in the relocation/translocation plan.

Shared Facilities Area

The shared facilities area will be grubbed and graded. This area will be the main lay-down area to prepare the site for construction and will also be the staging area for parking and work trailers. Construction of the concrete batch plant and fueling depot will also be in the Shared Facilities area.

¹ The CEC has issued its final decision on September 15. The Applicant is expecting an ROD shortly thereafter. Construction is expected to start after financial closing and after issuance of NTPs from BLM and CEC.

Construction of the Assembly Hall is expected to begin in later part of Phase 1a with the laying of its foundation. Shared facilities construction activities will include, but may not be limited to the following:

- Fence, clear, grub
- Assembly hall foundation
- Install batch plant
- Installation production well
- Install construction offices/trailers
- Storage/laydown
- Construction of warehouse space
- Survey shared facilities

Portion of Unit 1

In the later period, a portion of the Unit 1 area will be grubbed and graded. The area will be cleared for a portion of the solar field and the power block. Some geotechnical borings will be drilled. Depending on water supply, two additional wells would likely be installed by the power block during Phase 1a. Facilities development will begin, including forming the Power block's foundation. A portion of the planned rerouted drainages will be constructed through excavation and grading at the northeast corner (part of the "T" shape) to keep water off site. The rerouted wash portion will follow agreed upon design features (e.g., 3:1 slopes). In addition, desert tortoise exclusionary fencing will be installed to minimize access to the washes and potential trapping of desert tortoises. The design and construction of this portion of the northern wash will be included in the Storm Water Pollution Prevention Plan (SWPPP).

Phase 1a solar field construction activities will include, but may not be limited to, the following activities:

- Fence, clear, grub
- Grading
- Survey/solar field layout
- Caission installation, drilling and pouring
- Installation of a production well
- Power block foundations
- Power block undergrounds – wiring and piping
- BOP buildings – water treatment building, field erected tanks,
- Receive/begin install on pipe rack/structural steel
- Receive heavy haul/oversized loads
- Begin ACC installation

Phase 1a construction equipment for all components will include the use of multiple vehicles and pieces of heavy equipment including:

- Trencher/ditch witch
- Scrapers
- Excavators
- Graders
- Front end loaders
- Water trucks / water buffalo

- Pick ups
- Rollers
- Sheeps foot
- Dump trucks
- Concrete trucks
- Forklifts (Shared Facilities Construction)
- Tower crane or Friction Rig Crane (Solar Field Construction)
- Manlift (Solar Field Construction)
- Boom trucks (Solar Field Construction)
- Welding rigs (Solar Field Construction)
- Forklifts (Solar Field Construction)

The Phase 1a non-linear construction sequence will need to occur outside of the USFWS defined active season for desert tortoise (late March through May; September through October) to meet the required construction timelines. For Phase 1a non-linear areas, Solar Millennium requests deviations from the limitations on desert tortoise clearance surveys in non-linear areas as defined by the USFWS. Phase 1a non-linear areas have been defined to avoid and minimize impacts to the desert tortoise. Phase 1a construction activities are planned and timed so that the critical nodes for the construction of the site are completed first. Construction will begin in November, one month after the active season. To continue future construction activities, water must be accessed and the access road must be completed. The construction power line must be constructed to provide power to the site. The shared facilities area must be cleared for lay-down of equipment and materials and construction of the assembly hall for the solar facilities.