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20-07029

Public Utilities Commission of Nevada
Electronic Filing

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Reference:

Filed For: Iron Point Solar LLC

In accordance with NRS Chapter 719,
this filing has been electronically signed and filed
by: /s Linda Bullen

By electronically filing the document(s),
the filer attests to the authenticity of the electronic signature(s) contained therein.

This filing has been electronically filed and deemed to be signed by an authorized
agent or
representative of the signer(s) and
Iron Point Solar LLC

BULLEN LAW, LLC
8635 W. Sahara Ave. #454
Las Vegas, NV 89117

Linda M. Bullen
702-279-4040
linda@bullenlaw.com

May 17, 2021

Ms. Trisha Osborne
Assistant Commission Secretary
Public Utilities Commission of Nevada
1150 East William Street
Carson City, Nevada 89701-3109

Re: Application of Iron Point Solar, LLC Under the Provisions of the Utility Environmental Protection Act for Two Permits to Construct the Iron Point II Solar Project and Ancillary Facilities: Docket No. 20-07029

Dear Ms. Osborne:

Enclosed for filing in Docket No. 20-07029, please find the Application of Iron Point Solar, LLC Under the Provisions of the Utility Environmental Protection Act for Two Permits to Construct the Iron Point II Solar Project and Ancillary Facilities. It is accompanied with the \$200 for application filing fee.

If you have any questions about this filing, please do not hesitate to contact me at (702) 279-4040.

Best Regards,

/s/ Linda M. Bullen

Linda M. Bullen

Attorney for Iron Point Solar, LLC

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

IN THE MATTER OF:
Application of Aurora Solar LLC to Construct
A Generation Tie Line, Collector Line and
Access Road Associated with the Iron Point II
Photovoltaic Solar Facility

Docket No. 20-07029

**APPLICATION OF IRON POINT SOLAR, LLC UNDER THE PROVISIONS OF THE
UTILITY ENVIRONMENTAL PROTECTION ACT FOR TWO PERMITS TO
CONSTRUCT THE IRON POINT II SOLAR PROJECT AND ANCILLARY
FACILITIES**

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LIST OF EXHIBITS

- A. Site Location Map
- B. Regional Map
- C. Legal Description of Proposed Facility
- D. Scaled Site Plan Drawings
- E. Layout Diagram
- F. Environmental Statement
- G. BLM DNA
- H. Proof of Publication
- I. Proof of Service to County Clerk, Nevada State Clearinghouse and Other Agencies
- J. Draft Notice

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LIST OF ENCLOSURES

**APPLICATION OF IRON POINT SOLAR, LLC UNDER THE PROVISIONS OF THE
UTILITY ENVIRONMENTAL PROTECTION ACT FOR TWO PERMITS TO
CONSTRUCT THE IRON POINT II SOLAR PROJECT AND ANCILLARY
FACILITIES**

This application includes the following:

- A) \$200 Filing Fee
- B) Public Utilities Commission of Nevada Daft Notice;
- C) UEPA Application, comprised of the following:
 - 1) Table of Contents
 - 2) List of Exhibits
 - 3) Introduction
 - 4) Allegations of Material Fact
 - 5) Responses to Required Disclosures
 - 6) Description of the Location of the Proposed Utility Facility
 - 7) General Description of the Proposed Facility
 - 8) Studies of Environmental Impact
 - 9) Alternative Locations for Proposed Facility
 - 10) Public Notice
 - 11) Proof of Service
 - 12) Explanation of Probable Effect on Environment
 - 13) Ensuring Reliable Utility Service to Customers of State
 - 14) Balancing Adverse Effects
 - 15) Minimum Adverse Effect on Environment
 - 16) Conformance with Law and Regulation
 - 17) Serving the Public Interest
 - 18) Conclusion and Request for Relief
 - 19) Exhibits A-J

1 **BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA**

2 **Notice Pursuant to the Utility Environmental**
3 **Protection Act of an Application to a Federal**
4 **Agency by Aurora Solar LLC to Construct A**
5 **Generation Tie Line, Collector Line and**
6 **Access Road Associated with the Iron Point II**
7 **Photovoltaic Solar Facility**

Docket No. 20-07029

8 **APPLICATION OF IRON POINT SOLAR, LLC UNDER THE PROVISIONS OF THE**
9 **UTILITY ENVIRONMENTAL PROTECTION ACT FOR TWO PERMITS TO**
10 **CONSTRUCT THE IRON POINT II SOLAR PROJECT AND ANCILLARY**
11 **FACILITIES**

12 Iron Point Solar, LLC (“Iron Point Solar”)¹ hereby submits to the Public Utilities
13 Commission of Nevada (the “Commission”) this Application for Two Permits to Construct the
14 Iron Point II Solar Project under the Utility Environmental Protection Act (“UEPA”) (the
15 “Application”). This Application is made pursuant to Nevada Revised Statutes (“NRS”) 704.820
16 to 704.900 and Nevada Administrative Code (“NAC”) 703.415 to 703.427. Iron Point Solar
17 submits the following information in support of this Application.

18 **INTRODUCTION**

19 Iron Point Solar intends to construct, own, and operate the Iron Point Solar Project which
20 will consist of an approximately 150 megawatt alternating current (“MW/ac”) photovoltaic (“PV”) solar electric generating facility, battery energy storage system (“BESS”)² and associated facilities, on approximately 1,300 acres of privately-owned land, and a 120 kilovolt (“kV”) generation tie (“gen-tie”) line, a 34.5kV collector line and an access road on less than 5 acres of federally-owned land under the management of the Bureau of Land Management (“BLM”) (collectively, the

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26 ¹ Iron Point Solar is owned by Aurora Solar, LLC, the original applicant in this docket. Since the time of the filing of the Notice, Iron Point Solar was formed and has assumed responsibility for the development and construction of Iron Point II Solar.

27 ² The BESS for Iron Point II Solar was previously permitted in Docket No. 18-04002 for
28 the Iron Point Solar Project.

1 “Project”). The Project is located approximately 30 miles east of Winnemucca and 6 miles north
2 of Interstate 80 in Humboldt County, Nevada.

3 The electric generation facility is located entirely on private lands and no environmental
4 analysis is required by any federal agency for this portion of the Project (Phase One). Therefore,
5 an environmental statement by an environmental professional has been prepared for this the Project
6 facilities on private land pursuant to NAC 703.423.7(b). The gen-tie and collector line and access
7 road (Phase Two) cross Federally owned, BLM-managed land. The BLM has determined that the
8 National Environmental Policy Act (“NEPA”) requirements for these facilities are satisfied by a
9 Determination of NEPA Adequacy (“DNA”) and that no additional environmental review of the
10 Project is required. Accordingly, this Application is filed pursuant to the requirements of NRS
11 704.870(1) and NAC 703.423.
12

13
14 **ALLEGATIONS OF MATERIAL FACT**
15 **INFORMATION REGARDING THE APPLICANT**

16 Iron Point Solar’s principal place of business and mailing address is:

17 Iron Point Solar, LLC
18 1125 NW Couch Street, Suite 700
19 Portland, Oregon 97209
503-796-7000

20 All correspondence related to this Application should be sent to the undersigned counsel:

21 Linda M. Bullen
22 Bullen Law, LLC
23 8635 W. Sahara Ave. #454
24 Las Vegas, NV 89117
linda@bullenlaw.com
702-279-4040

25 **RESPONSES TO REQUIRED DISCLOSURES**

26 The information required by NAC 703.421 and 703.423 is provided below.

- 27 **1. A description of the location of the proposed utility facility as required by**
28 **subsection 1 of NRS 704.870 including:**

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(a) A general description of the location of the proposed utility facility, including a regional map that identifies the location of the proposed utility facility; (NAC 703.423(1)(a))

The Project is located approximately 30 miles east of Winnemucca, 6 miles north of Interstate 80, directly north of the North Valmy Substation, in Humboldt County, Nevada.³ See Exhibit A, Site Location Map. A regional map showing the location of the Project is attached as Exhibit B.

(b) A legal description of the site of the proposed utility facility, with the exception of electric lines, gas transmission lines, and water and wastewater lines, for which only a detailed description of the site is required; and (NAC 703.423(1)(b))

The Legal Description of the Project is attached as Exhibit C.

(c) Appropriately scaled site plan drawings of the proposed utility facility, vicinity maps and routing maps. (NAC 703.423(1)(c))

Scaled Site Plan Drawings of the Project are attached as Exhibit D.

2. A description of the proposed utility facility. (NAC 703.423(2))

(a) The size and nature of the proposed utility facility; (NAC 703.423(2)(a))

The Project will encompass approximately 1,300 acres of privately-owned land and under 5 acres of public land, and will consist of a PV solar array, a BESS and associated facilities including inverters, meteorological measurement stations, a substation, an operations and maintenance (“O&M”) building, an underground collection system, maintenance and access roads, a 120 kV gen-tie line, a 34.5kV collector line and an access road and perimeter fencing.

(b) The natural resources that will be used during the construction and operation of the proposed utility facility; (NAC 703.423(2)(b))

³ The portion of the gen-tie line from the point of change of ownership to the North Valmy Substation and upgrades to the North Valmy Substation will be addressed in a separate UEPA Application.

1 Natural resources that will be used during the construction and operation of the Project
2 include water for dust suppression (estimated at 350 acre feet for construction), aggregate, and
3 metals such as copper and steel.

4 **(c) Layout diagrams of the proposed utility facility and its associated
5 equipment; (NAC 703.423(2)(c))**

6 A Layout Diagram of the Project is attached hereto as Exhibit E.

7 **(d) Scaled diagrams of the structures at the proposed utility facility; and
8 (NAC 703.423(2)(d))**

9 Scaled Diagrams of typical structures at the proposed utility facility are attached as Exhibit
10 D.

11 **(e) A statement concerning whether the proposed utility facility is an electric
12 generating plant or the associated facilities of an electric generating plant
13 that uses renewable energy as its primary source of energy to generate
14 electricity. (NAC 703.423(2)(e))**

14 The Project will be an electric generating facility that will use renewable energy as its
15 primary source of energy to generate electricity.

16 **3. A copy and summary of any studies which have been made of the
17 environmental impact of the proposed utility facility as required by subsection
18 1 of NRS 704.870. (NAC 703.423(3))**

18 An Environmental Statement for the Project dated May 2021 is attached as Exhibit E and
19 is incorporated by reference into this Application. The Environmental Statement evaluates the
20 existing conditions associated with water and air quality, biological resources including threatened
21 and endangered plant and wildlife species, special-status plant species, special-status wildlife
22 species, general wildlife, migratory birds, cultural resources and Native American Concerns, visual
23 resources, and noise.

24 The DNA issued by the BLM, indicating that no additional environmental review is
25 required by the federal government under NEPA is attached as Exhibit F.

26 **4. A description of any reasonable alternate locations for the proposed utility
27 facility, a description of the comparative merits or detriments of each location**
28

1 **submitted, and a statement of the reasons why the location is best suited for**
2 **the proposed utility facility as required by subsection 1 of NRS 704.870. (NAC**
3 **703.423(4))**

4 The purpose of the Project is to provide electricity generated from a clean, renewable
5 energy source in a cost-effective manner. To meet these objectives, the Project is located in an area
6 with high quality solar irradiance, close to transmission lines and on available land with a minimum
7 of environmental conflicts. Alternative locations for the Project were considered including several
8 locations in Humboldt County and surrounding counties. The proximity of the Project to existing
9 transmission and the North Valmy Substation, the Project’s interconnection point to the grid, made
10 it the most environmentally and economically preferable location for the Project.

11 **5. A copy of the public notice of the application and proof of the publication of**
12 **the public notice, as required by subsection 4 of NRS 704.870. (NAC**
13 **703.423(5))**

14 A summary of this Application has appeared in a newspaper which is published and
15 distributed in the area where the Project is planned. *See* Exhibit G. A copy of this Application has
16 been filed with the clerk of the local government in the area in which the Project is to be located.
17 *See* Exhibit H.

18 **6. Proof that a copy of the application has been submitted to the Nevada State**
19 **Clearinghouse within the State Department of Conservation and Natural**
20 **Resources. (NAC 703.423(6))**

21 A copy of this Application has been submitted to the Nevada State Clearinghouse within
22 the State Department of Conservation and Natural Resources. *See* Exhibit I.

23 **7. An explanation of the nature of the probable effect on the environment. (NAC**
24 **703.423(7))**

25 **(a) A reference to any studies described in subsection 3, if applicable; (NAC**
26 **703.423(7)(a)**

27 A detailed environmental analysis of the Project is contained in the Environmental
28 Statement dated May 2021 and included with this Application as Exhibit E. The Environmental

1 Statement analyzes the direct, indirect and cumulative environmental impacts from the
2 construction and operation of the Project. In addition, the BLM has issued a DNA for the portion
3 of the Project located on Federally owned land, and this document concludes that no additional
4 environmental review is necessary for the portion of the Project on BLM-managed lands.
5

6 **(b) An environmental statement that includes:**

7 **(1) The name, qualifications, professions and contact information of**
8 **each person with primary responsibility for the preparation of**
9 **the environmental statement; (NAC 703.423(7)(b)(1))**

10 An Environmental Statement was prepared to support the Application by SWCA
11 Environmental Consultants. The Statement of Qualifications of the persons with primary
12 responsibility for preparation of the Environmental Statement is included in Section 4 of the
13 Environmental Statement, Exhibit E to this Application.

14 **(2) The name, qualifications, professions and contact information of**
15 **each person who has provided comments or input in the**
16 **preparation of the environmental statement; (NAC**
17 **703.423(7)(b)(2))**

18 A list of persons consulted in preparation of the Environmental Statement is included on
19 in Section 4 of the Environmental Statement, attached as Exhibit E.

20 **(3) A bibliography of materials used in the preparation of the**
21 **environmental statement; and (NAC 703.423(7)(b)(3))**

22 A bibliography of materials is provided in Section 5 of the Environmental Statement,
23 Exhibit E to this Application.

24 **(4) A description of: (NAC 703. 423(7)(b)(4))**

25 **I. The environmental characteristics of the project area**
26 **existing at the time the application is filed with the**
27 **Commission;**

28 The Environmental Statement evaluates the existing conditions associated with water and
air quality, biological resources including threatened and endangered plant and wildlife species,

1 special-status plant species, special-status wildlife species, general wildlife, migratory birds,
2 cultural resources and Native American Concerns, visual resources, and noise. A detailed
3 description of the environmental characteristics of the Project at the time of the Application is
4 provided in Section 3 of the Environmental Statement, attached as Exhibit E.

5
6 **II. The environmental impacts that the construction and
7 operation of the proposed utility facility will have on the
8 project area before mitigation; and**

9 A detailed description of the environmental impacts of the project is provided in Section 3
10 of the Environmental Statement. *See* Section 3, Exhibit E.

11 **III. The environmental impacts that the construction and
12 operation of the proposed utility facility will have on the
13 project area after mitigation.**

14 The following applicant-committed environmental protection measures and plans will be
15 implemented by Iron Point to minimize potential environmental impacts during construction and
16 operations of the proposed Project:

- 17 • Stormwater pollution prevention plan
- 18 • Noxious weed plan
- 19 • Emergency/fire response plan
- 20 • Traffic management plan
- 21 • Dust control plan
- 22 • Preconstruction avian nest surveys, if constructed during the nesting season (March 1–
23 August 31).

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26 A detailed description of the mitigation and environmental protection measures that will be
27 undertaken for the project is provided in Section 3 of the Environmental Statement, Exhibit E.
28

1 **8. An Explanation of the Extent to Which the Proposed Utility Facility is Needed**
2 **to Ensure Reliable Utility Service to Customers in this State.** (NAC 703.423(8))

3 **(a) If the proposed utility facility was approved in a resource plan or an**
4 **amendment to a resource plan or an amendment to a resource plan,**
5 **a reference to the previous approval by the Commission; or (NAC**
6 **703.423(8)(a)); and**

7 **(b) If the proposed utility facility was not approved in a resource plan or**
8 **an amendment to a resource plan, a description of the extent to which**
9 **the proposed utility facility will: (NAC 703.423(8)(b))**

10 **(1) Provide utility service to customers in this State; (NAC**
11 **703.423(8)(b)(1))**

12 The Project was not approved in a resource plan or an amendment to a resource plan but
13 can provide reliable utility service to residents of Nevada by producing cost-effective, clean energy
14 to the customers of the State.

15 **(2) Enhance the reliability of utility service in this State; and (NAC**
16 **703.423(8)(b)(2))**

17 Through diversification of the energy portfolio and employing energy storage technology,
18 the Project will increase the reliability of utility service in Nevada.

19 **(3) Achieve interstate benefits by the proposed construction or**
20 **modification of transmission facilities in this State, if applicable.**
21 **(NAC 703.423(8)(b)(3))**

22 The Project is not expected to have significant interstate benefits by the proposed
23 construction or modification of transmission facilities.

24 **9. An explanation of how the need for the proposed utility facility as described in**
25 **subsection 8 balances any adverse effects on the environment as described in**
26 **subsection 7.** (NAC 703.423(9))

27 The Project will not have any significant unmitigated impacts on the environment, as
28 detailed in the DNA, Exhibit F, and the Environmental Statement, Exhibit E.

10. An explanation of how the proposed utility facility represents the minimum
 adverse effect on the environment, including:

(a) The state of available technology; (NAC 703.423(10)(a))

1 The Project will use the latest commercially available technology in construction of the
2 facility which, when combined with the mitigation and minimization measures identified in the
3 Environmental Statement, will have the minimum possible adverse effect on the environment.

4 **(b) The nature of various alternatives; and (NAC 703.423(10)(b))**

5 Through implementation of identified mitigation measures, the Project will represent the
6 minimum adverse effect on the environment that is economically viable.

7 **(c) The economics of various alternatives. (NAC 703.423(10)(c))**

8 The cost of photovoltaic solar technology has declined in recent years and is currently the
9 most economically competitive renewable technology. The selected technology has the minimum
10 impact on the environment while being economically viable and providing clean, dependable
11 energy.
12

13 **11. An explanation of how the location of the proposed utility facility conforms to**
14 **applicable state and local laws and regulations, including a list of all permits,**
15 **licenses and approvals required by federal, state and local statutes, regulations**
16 **and ordinances. The explanation must include a list that indicates:**

17 **(a) All permits, licenses and approvals the applicant has obtained, including**
18 **copies thereof; and approvals the applicant is in the process of obtaining**
19 **to commence construction of the proposed utility facility. The applicant**
20 **must provide an estimated timeline for obtaining these permits, licenses**
21 **and approvals; and (NAC 703.423(11)(a))**

22 **(b) All permits, licenses and approvals the applicant is in the process of**
23 **obtaining to commence construction of the proposed utility facility. The**
24 **applicant must provide an estimated timeline for obtaining these permits,**
25 **licenses and approvals. (NAC 703.423(11)(b))**

26 **Phase One**
27 **Access Road and Gen-Tie Lines**

Permit/Authorization	Approving Agency	Date Obtained or Anticipated Date To Obtain
Determination of NEPA Adequacy	Bureau of Land Management	April 16, 2021
Right of Way Grant	Bureau of Land Management	May 2021
Pesticide Use Proposal	Bureau of Land Management	Q 2 2022

Surface Area Disturbance Permit	Nevada Division of Environmental Protection	Q 2 2022
Building Permit	Humboldt County	Q 2 2022
Conditional Use Permit	Humboldt County	Q 2 2022
Wildlife Energy Cost Recovery Fund Program	Nevada Department of Wildlife	February 25, 2020

**Phase Two
Solar Field and Ancillary Facilities**

Permit/Authorization	Approving Agency	Date Obtained or Anticipated Date To Obtain
Surface Area Disturbance Permit	Nevada Division of Environmental Protection	Q 2 2022
Building Permit	Humboldt County	Q 2022
Conditional Use Permit	Humboldt County	Q 2022
Wildlife Energy Cost Recovery Fund Program	Nevada Department of Wildlife	February 25, 2020

12. An explanation of how the proposed utility facility will serve the public interest; including: (NAC 703.423 (12))

(a) The economic benefits that the proposed utility facility will bring to the applicant and to this State; (NAC 703.423(12)(a))

The economic benefits of the project include employment of approximately 300 workers for construction and 4 full time employees for the operational life of the facility; as well as property and sales and use taxes; and direct and indirect benefits to local businesses from the Project's construction and operation.

(b) The nature of the probable effect on the environment in this State if the proposed utility facility is constructed; (NAC 703.423 (12)(b))

The Project will result in improvement to air quality by replacing fossil-fuel generated electricity with energy produced by a clean, renewable source.

(c) The nature of the probable effect on the public health, safety and welfare of the residents of this State if the proposed utility facility is constructed; and (NAC 703.423(12)(c))

The Project will improve air quality, which has a direct and positive impact on public

1 health. Public safety and welfare will also be improved with the addition of a reliable and
2 sustainable source of energy.

3 **(a) The interstate benefits expected to be achieved by the propose electric**
4 **transmission facility in this State, if applicable. (NAC 703.423(12)(d))**

5 The Project will interconnect to the North Valmy Substation and is unlikely to achieve
6 interstate benefits to the electric transmission grid.

7 **CONCLUSION AND REQUEST FOR RELIEF**

8 Iron Point Solar respectfully requests that the Commission proceed in the manner required
9 by law, and, in accordance with NRS 704.820 to 704.900 and NAC 703.415 to 703.427, issue an
10 order that:
11

12 Grants two Permits to Construct the Proposed Facility, as described in this Application;

13 Grants such conditions and modifications that may allow for the issuance of the UEPA
14 Permits to Construct or a compliance order with the condition that the Company may file any
15 outstanding required permits, licenses or approvals with the Commission prior to commencing
16 construction of wither phase of the Project;

17 Grants such deviations from the Commission's regulations as may be in the public interest;
18 and

19 Grants Iron Point Solar such other and further relief as the Commission may find
20 reasonable and appropriate under the circumstances.

21 Respectfully submitted on May 17, 2021.

22 Iron Point Solar, LLC

23 By: /s/ Linda M. Bullen

24 Linda M. Bullen

25 Bullen Law, LLC

26 8635 W. Sahara Ave. #454

27 Las Vegas, NV 89117
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