

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: August 22, 2012

Reference No.: 2.4c.(3)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Mark L. Weaver
Acting Chief
Division of Right of Way
and Land Surveys

Subject: **AIRSPACE LEASE - REQUEST TO CONTINUE DIRECT NEGOTIATIONS WITH
REPUBLIC CLOVERLEAF SOLAR, LLC**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) extend for one year the authorization to directly negotiate with Republic Cloverleaf Solar LLC (Republic) to allow the parties to continue to negotiate terms for a developmental lease that would permit Republic to install and maintain solar panels within seven parcels of operating right of way in Santa Clara County. This would also give Republic time to secure environmental approvals and a Power Purchase Agreement with a utility.

BACKGROUND:

May 2010 CTC Action: One Year Authorization Granted

At the May 19, 2010 meeting, the Commission voted unanimously to explore the Republic solar proposal by providing the Department a one-year authorization to directly negotiate with Republic.

May 2011 CTC Action: One Year Extension Granted

At the May 12, 2011 meeting, the Commission voted unanimously to extend the authorization for one more year to allow the developer to continue the environmental approval process for CEQA and NEPA.

Proposal Summary: Pilot Project to Install Solar Panels in Department Operating Right of Way

Republic proposes to develop, finance, construct, own, operate and maintain a networked photovoltaic (PV) power park on Department operating right of way primarily within and adjacent to existing interchanges along Highway 101 in Santa Clara County. The power generated by this PV power park will be sold to a utility through a power purchase agreement and the power distributed to consumers via the Santa Clara County power grid.

SUMMARY:

The Department requests that the Commission authorize the Department to continue direct negotiations with Republic for an additional year to allow the environmental review process to continue, to allow Republic to obtain a power purchase agreement, and to enable the parties to negotiate a developmental lease agreement.