



DOCKET 07-AFC-8	
DATE	MAY 15 2008
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May 15, 2008

Ms. Melissa Jones
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: Carrizo Energy Solar Farm (07-AFC-8)
Applicant's Responses to Comments from CEC Workshop Held on
April 12, 2008 (Carrizo Energy Solar Farm 07-AFC-8)
URS Project No. 27658060.01800

Dear Ms. Jones:

On behalf of Ausra CA II, LLC (dba Carrizo Energy, LLC), URS Corporation Americas (URS) hereby submits the Applicant's Responses to Comments from the CEC Workshop Held on April 12, 2008 (Carrizo Energy Solar Farm 07-AFC-8).

I certify under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge. I also certify that I am authorized to submit the Applicant's Responses to Comments from the CEC Workshop Held on April 12, 2008 on behalf of Carrizo Energy, LLC.

Sincerely,

URS CORPORATION

Angela Leiba
Project Manager

AL:ml

APPLICANT'S RESPONSES TO COMMENTS FROM CEC WORKSHOP HELD ON APRIL 12, 2008 (CARRIZO ENERGY SOLAR FARM [07-AFC-8])						
No.	Speaker	Page/Line	Question	Subject	Response	Additional Responses
5	Ms. Nolen	Page 53, Line 18	...there's a valley fever issue out in that area. I think dust abatement is a big concern.	Air Quality	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>...there was a concern about dust and valley fever. And I think this would be primarily during construction, but potentially also during operation. But this would be primarily construction. And we're proposing some mitigation measures to minimize construction-related fugitive dust. Which to reduce both PM10 and PM2.5, but would also result in reducing the overall amount of dust or things that are kicked up along with construction.</i>	See Response #65 to Comments from CEC Workshop held on 3-12-2008.
15	Ms. McMahon	Page 72, Line 14	I didn't see air quality addressed anywhere in the concerns under your issue areas of concern. And it seems like air quality could be a really big issue. It says you're working with APCD, so I'm sure you're talking with them about it. But I'd like to see it mentioned with the other concerns.	Air Quality	Comment noted.	
8	Mr. Nolen	Page 56, Line 3	One to the Energy Commission on how can they look at alternative sites when at the last meeting Carrizo Energy basically said they didn't look at any alternative sites. They didn't have any data. They said, well, they might buy a section in this township and this range somewhere.	Alternatives	Response given at the workshop. Ms. Holmes (CEC): <i>There was also a question about what's the scope of our alternatives analysis. It's the same as it would be under CEQA, to follow on to what I just said. We would look at a reasonable range of alternatives that could feasibly obtain most of the project's objectives. What those alternatives are hasn't been finally determined at this point. We're still working on developing them. And you will see them in the preliminary staff assessment. And we have taken into account a number of comments and suggestions from members of the public in assessing which alternatives we should be considering.</i>	
10	Mr. Nolen	Page 57, Line 1	...letter that California Fish and Game submitted to the Energy Commission basically stating that Carrizo Energy and their environmental company did not go through the proper inventorying and evaluation of endangered species on the site. And in particular, the blunt nosed leopard lizard and the corridor for kit fox, San Joaquin kit fox.	Biological Resources	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>There were some concerns about species. We received information from Fish and Game that they had concerns that 2007 was too dry a year to conduct a lot of the biological studies. We're going back out and re-doing those studies again. So that information will be coming in. There are certain times a year when you can do protocol surveys, and they are highly regulated and specified. So we can't go out and do all the surveys now, and then provide it to you, all the results a month from now. Those surveys have started and they will be ongoing.</i>	
14	Ms. McMahon	Page 72, Line 7	...how the CEQA process and the CEC process fit together. And I guess I'm kind of looking at whether -- I mean, could you clarify whether, for instance, a preliminary staff assessment is actually like a draft EIR, and I mean I don't quite understand how those fit together.	CEC	Response given at the workshop. Ms. Holmes (CEC): <i>I think that somebody asked the question as to whether or not the CEC process was the same as the CEQA process. We're subject to CEQA, we're the lead agency for the project under CEQA; and all of the CEQA policies regarding things such as assessing impacts and posing mitigation, looking at alternatives, are equally applicable to us as they are to the county approving a project. However, the process we use, the paperwork that we use to present that analysis is different than an EIR. And as you've heard us say a number of times today, we use different documents. We are allowed to do this because the Resources Agency has said that our process provides the same or more level of detail as an EIR would require. So, there isn't a one-for-one correlation, as Terry said, but all of the policies that are inherent in CEQA we are subject to as we go through this process.</i>	
24	Ms. Harvey	Page 92, Line 5	I'm curious from the California Energy Commission, the presentation that you gave today, is that the same one that you gave on the same -- is this the same information as the day that there was a tour?	CEC	Response given at the workshop. Ms. Dyas (CEC): <i>It's less.</i>	
16	Ms. McMahon	Page 72, Line 21	Cumulative impacts concerns me a little bit. Several people have made reference to the other projects that are out there on the drawing boards. And I'm particularly concerned in view of the different jurisdictions. ...how can you do an adequate analysis of cumulative impacts when you have these projects that are sort of on parallel tracks and different agencies reviewing the impacts?	Cumulative Impacts	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>As far as cumulative impacts on transmission and cumulative impacts of other projects, the way that works in general is you do a cumulative impacts analysis on all the other projects that are nearby that could create a cumulative impact that you have information on. We can't do a cumulative impacts analysis on a project that has yet to be proposed, or where there isn't any public information. We can only do cumulative impacts analysis on other projects that have been proposed, and where there is sufficient information to do an analysis. You know, so if that information isn't available, it isn't done, we can't do it. The information that is out there we have done and will continue to do as information becomes available.</i>	Response given at the workshop. Mr. O'Brien (CEC): <i>In terms of the issue of cumulative impacts, just kind of repeat something that Jane said. We want to be able to identify all the projects that are going to be in the area that are going to contribute to cumulative impacts, but they have to be reasonably foreseeable. And to that extent we're working with the other agencies, including San Luis Obispo County, to learn about those projects so they are included in our analysis. Response given at the workshop. Ms. Holmes (CEC): <i>Somebody also asked how can we evaluate cumulative impacts for projects that are outside our jurisdiction. Almost all of our cumulative impacts analyses involve projects outside our jurisdiction, since there are not frequently two CEC projects proposed side-by-side. We simply seek information from local governments, other state agencies, project proponents. As Jane said, once the information becomes available we fold it into our analysis.</i></i>
3	Ms. Nolen	Page 53, Line 6	I'm understanding this is eight square miles eventually, not just one.	Land Use	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>There were a lot of questions about expansion plans and other projects. Ausra cannot, you know, Ausra's not in control of other developers. And so, you know, what you may be hearing from other folks we may or may not have very good information on at this time. And we surely can't tell you what their plans are unless they've been announced publicly. At this point Ausra does not have any additional queue positions for any of the additional land that they have options on. So that's where that stands. And that includes that queue position 288 that I think Ms. Bell mentioned. ...They have six and a half sections. That's all they have.</i>	Response given at the workshop. Mr. O'Brien (CEC): <i>In terms of the issue of Cal-ISO and the queue issue, you know, Jane talked about that. We do this transmission system engineering impact analysis to determine whether or not this project, when it injects electricity into the existing grid, is going to have any adverse impacts on other portions of the existing electricity grid. And if that were to be the case, then we would recommend mitigation measures to insure that that did not occur.</i>
4	Ms. Nolen	Page 53, Line 9	We're talking about taking a lot of ag land off the market. I think that should be a concern to them.	Land Use	Comment noted.	
17	Mr. Strobridge	Page 77, Line 9	I need to know what the setbacks are to the nearest -- legal setbacks to the nearest residence, and the turbines.	Land Use	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>The power block section, the setback is 25 feet. The side and rear setbacks are 30 feet.</i>	See Response #80 to Comments from CEC Workshop held on 3-12-2008.
21	Ms. Bell	Page 85, Line 11	Fish and Game is now talking about parking spaces over there. ... So I'm just wondering how many people are they planning to drive individually. And if there are going to be any kind of overnight parking in that parking lot. Are people going to be allowed to drive an RV and stay there, which I don't think would be good for the neighbors.	Land Use	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>Let's see, there was a comment about whether workers could use the worker parking area and bring RVs in and stay overnight. You know, for a certain amount of time if they were working there. And I've talked to the construction guys and they said no, there won't be anybody pulling in their RVs and staying overnight. There will be construction trailers there, as is typical with any construction site of this size. But there won't be like people pulling in with their RVs and camping out. So you won't have their stereos and their generators and stuff at night. There'll be project stuff, but not individual.</i>	

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No.	Speaker	Page/Line	Question	Subject	Response	Additional Responses
25	Ms. Harvey	Page 92, Line 21	...mentioned to me that the CEC has already approved more than enough generation facilities to satisfy California's needs, but mostly they hadn't been built because they weren't financially feasible. Do you make those kind of -- do you take that kind of information into consideration when you're judging new applications?	Land Use	CEC to provide response.	
27	Ms. Harvey	Page 93, Line 14	...reasons that people say they want to put it out in the Carrisa Plain is because of a superior sun generating ability. And I'm wondering if there's been any analysis done as to what that actually amounts to? I mean, what's that coefficient that makes it so much greater? And how much added megawatts would have to be built somewhere else, or additional monies used to not be putting it in this unique place?	Land Use	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>...question about the difference in the solar values for the Carrisa Plains as opposed to say the Bakersfield area, which is over by 1-5. And in talking to the folks they say it's [the sun] about 10 to 15 percent worse in Bakersfield. So it's about 10 to 15 percent better at the Carrisa Plains than down in the valley... It's the value of the sun, the actual solar radiance that comes in and bounces off. It's because your elevation's better.</i>	
1	Mr. Galvin	Page 44, Line 19	...that Mr. Fontana mentioned the fact that they may work with CalPoly, but I would hope that they would keep an open mind and that maybe some of our students are interested in not only the construction, but the operation of a plant like that, may have an opportunity to be able to learn something from this project.	Socioeconomics	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>And another question that was brought up was on educational opportunities for K through 12, not just simply CalPoly. And I know that they've been very aware of that. There's a school nearby the facility, and they were actually, I know Perry has said this in the past, that Ausra has been very interested in working with the local school and others.</i>	
2	Mr. Dayton	Page 47, Line 7	...perhaps the Energy Commission can ask the CURE representatives if CURE has asked for a project labor agreement with Ausra, whether they're negotiating it, where this is going in the process. They can ask CURE if it intends to file burdensome data requests and file lawsuits until the project labor agreement is signed. They can also ask CURE if anything other than a project labor agreement will satisfy their environmental objections to this particular project.	Socioeconomics	CEC to provide response.	
13	Mr. O'Neil	Page 64, Line 5	And I have no issue with people who want to belong to a union, but I think that everybody ought to be allowed to compete.	Socioeconomics	Comment noted.	
7	Mr. Nolen	Page 55, Line 2	...concept of this being renewable energy since they're using water; and the Energy Commission, as well as the County general plan already states that the Carrisa Plain is in overdraft. So, if you're using more than what's going in, it's not necessarily renewable.	Soil & Water	URS will be preparing a hydrogeological report to help address additional questions relative to water, water use, and potential impacts associated with the project. This will be distributed for review and comment as soon as it is completed.	See Response #4 to Comments from Informational Hearing.
9	Mr. Nolen	Page 56, Line 11	When did the Army Corps of Engineers declare the waterway through the construction laydown area other waterway of the United States?	Soil & Water	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>We're moving on to Army Corps, the Army Corps determination. That has not been made. There is no determination yet by Army Corps. That determination could take up to three months. So we are waiting; the information has been filed and submitted. We'll provide it to the Commission and to all of you through these meetings and workshops whenever that decision is made. So, no decision has yet been made.</i>	The Jurisdictional Determination Request was submitted to the San Francisco ACOE in March, 2008, and was submitted to the DC Headquarters of ACOE and EPA in April. The Applicant is currently waiting for the determination from Headquarters and EPA and hoping to receive a determination by July, 2008.
12	Mr. Reil	Page 59, Line 6	I'm just curious about how are the mirrors cleaned? What is the environmental impact of the materials that you use?	Soil & Water	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>There was a question about how the mirrors are cleaned. And this has come up before. The mirrors are cleaned with softened water so the calcium and sodium carbonates have been removed. They use very little water. And it essentially evaporates as they're doing the cleaning. And so there isn't like a cleaning fluid that is used that ends up going down into the ground.</i>	See Response to Data Request #62.
18	Mr. Strobridge	Page 79, Line 16	They're claiming 19,000 gallons of water a day. They're going to pull them from the lower basin. We're all pulling our drinking water from the upper basin. And they're telling us that they do not connect in any way, it will not hurt us. I would personally like to see the paperwork that shows that, you know, the impermeable barrier between these two.	Soil & Water	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>So we are preparing a detailed well study. There were comments at the last workshop from California Energy Commission Staff on things they wanted included in that well study. And so we're doing a very detailed well study. We're expecting to get that out to everybody in four to six weeks. As a part of that URS has had folks on the ground doing some ground trooping to get as much information as they can on other wells that are located in the area. So the new information, since we've heard back from you that the information we had was very incomplete, we've got folks that are on the ground trying to verify that. Again, that information is confidential so it's not available from a state agency. So we do have to do a lot of ground trooping, and folks are doing the best they can to get as much information in.</i>	Response given at the workshop. Mr. O'Brien (CEC). <i>We are analyzing that issue. We're going to make a determination as to what we think the potential impacts are. And if the potential impacts are significant, we're going to recommend conditions of certification to eliminate those impacts.</i>
19	Mr. Strobridge	Page 80, Line 12	If my well goes dry, which would force me off my property, you know, this is not the only solar company. I got other solar companies pressuring me, telling me they're going to surround me, they got options on three sides of me, I need to sell to them, I need to move.	Soil & Water	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>There have been some comments about folks getting pressured to sell properties. We can only speak on behalf of Ausra, and Ausra has not tried to pressure anybody to sell property. So, you know, I think that anyone would think that that would be a concern.</i>	
22	Ms. Bell	Page 85, Line 25	CEC explained how they're going to monitor the water use. And that if it dropped more than five feet the plant would be shut down.	Soil & Water	CEC to provide response.	
26	Ms. Harvey	Page 93, Line 7	Do you have any idea when there'll be a determination on the jurisdiction of the waterway?	Soil & Water	See Response to #9, above.	

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28	Ms. Harvey	Page 94, Line 2	...13-gallon-a-minute well, is there any analysis done on, you know, when you're building houses you have to show that you have water enough for 20 years, you know, if you're doing suburbs. So, is there some analysis as to the capacity of water for this, for the lifetime of the plant?	Soil & Water	Response given at the workshop. Ms. Holmes (CEC): <i>And last, somebody asked a question about a water reliability assessment. I think you're referring to what is typically called an SB-610 analysis. It applies to projects of a certain size. This project would not trigger the need or an SB-610 analysis. But as part of the analysis that the Energy Commission Staff conducts of reliability, we do look to see whether or not there is a reliable supply of water available. So you wouldn't see something that looks like an SB-610 analysis, per se, but you will see an assessment of whether or not there is sufficient water over the long run for the project.</i>	
6	Ms. Nolen	Page 54, Line 3	...And the highway 58, which a lot of people have brought up as an issue... Fifty to 80 cars an hour on that highway...	Traffic & Transportation	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>The heavy haul routes and that additional analysis, along with the change that Perry announced last time, to do some manufacturing onsite, all of that will be included in the project supplement which is due out in about two months. So that will be a part of that. There have been a lot of concerns when we talk about truck routes and roads dealing with the estimates of the number of cars across the roads. I think there was a comment today that the peak hour car estimate was 80 cars. That came from Caltrans' information. You know, what we're hearing basically from the local folks is that that highly overestimates the number of cars that go across that road. That actually would only reduce the impacts of construction and traffic, which would be the primary concern. Or operational traffic if the actual number of cars are less. We have to use published data, and that's what was available.</i>	Response given at the workshop. Mr. O'Brien (CEC): <i>...the Commission absolutely has the authority to impose on any licensee, including this applicant, issues regarding transportation, how workers get to the site. Okay. So we are not going to -- the Commission, in my opinion, is not going to approve a project in which, if this happened, we came to the conclusion that there were transportation impacts that were significant, we would propose mitigation measures. And those would be measures that the applicant would have to comply with.</i>
20	Ms. Bell	Page 85, Line 5	I was hoping that maybe we would get an update on where things stand with the Army Corps jurisdiction and on the truck route.	Traffic & Transportation	Regarding the Jurisdictional Determination, see Response to #9, above. Regarding the haul route, see Response to #6, above.	
11	Mr. Reil	Page 59, Line 1	...please pay close attention to your nighttime lighting issues; to please not direct any lighting into the atmosphere; and keep it as minimal as possible.	Visual Resources	Response given at the workshop. Ms. Luckhardt (Ausra Counsel): <i>There was a question about night lighting. And this has come up before. And that is something where we are preparing a preliminary lighting plan. The preliminary lighting plan should be completed in about four weeks, to look at night lighting. That's been a concern. There will be a follow-on, a more detailed plan that will follow that will come out prior to the PSA. And that will come out after the supplement comes in, which has some project changes.</i>	
23	Ms. Bell	Page 86, Line 4	...we could get some more information on what the CEC does. For instance, what about Ausra said they would follow the CEC guidelines for visual impact and sound. Well, what are those guidelines? It would be really helpful if we knew what those guidelines were.	Visual Resources	CEC to provide response.	
29	Ms. Harvey	Page 94, Line 13	...because I was talking about safety issues and the Sheriff. And one of the answers was that the Highway Patrol patrols rural roads in San Luis Obispo County. And once in awhile there's Highway Patrol on rural roads in San Luis Obispo County. But having them occasionally. It's generally state roads because they're, you know, monitoring traffic issues on those. But, I don't think that that constitutes -- well, I hope you're not going to be considering that that's adequate mitigation for safety issues, considering the low amount of sheriff protection in this area of the county.	Worker Safety	See Response #78 to Comments from Informational Hearing.	

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
For the CARRIZO ENERGY
SOLAR FARM PROJECT

Docket No. 07-AFC-8

PROOF OF SERVICE
(Revised 2/5/2008)

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

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DECLARATION OF SERVICE

I, Kristen E. Walker, declare that on May 15, 2008, I deposited copies of the attached Applicant's Responses to Comments from CEC Workshop Held on April 12, 2008 (Carrizo Energy Solar Farm 07-AFC-8) in the United States mail (FedEx) with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

