



RESPONSES TO CURE DATA REQUESTS SET TWO

DOCKET

07-AFC-8

DATE SEP 26 2008

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**APPLICATION FOR CERTIFICATION (07-AFC-8)
Carrizo Energy Solar Farm
Carrizo Energy, LLC**



**Submitted to:
California Energy Commission**



**Submitted by:
Carrizo Energy, LLC**

With Support from:

URS

1615 Murray Canyon Road, Suite 1000
San Diego, CA 92108

September 2008



September 26, 2008

Mr. John Kessler
Project Manager
Attn: Docket No. 07-AFC-8
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512

Subject: Carrizo Energy Solar Farm (07-AFC-8)
Applicant's Responses to CURE Data Requests Set 2 (#47-95)
URS Project No. 27658060.01800

Dear Mr. Kessler:

On behalf of Ausra CA II, LLC (dba Carrizo Energy, LLC), URS Corporation Americas (URS) hereby submits the Applicant's Responses to CURE Data Requests Set 2 (#47-95) (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 CURE Data Requests Set 2 (#47-95) on behalf of Carrizo Energy, LLC.

Sincerely,

URS CORPORATION

A handwritten signature in black ink, appearing to read "Angela Leiba".

Angela Leiba
Project Manager

AL:kl

**Carrizo Energy Solar Farm
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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Federal Endangered Species Act Compliance

Data Request 47: Please provide any correspondence or other documentation among the Applicant, Count, federal action agencies and state and federal wildlife agencies regarding section 7 consultation for the Project.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 47 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Federal Endangered Species Act Compliance

Data Request 48: Please explain whether section 7 consultation would cover all components of the Project, or only the 380-acre construction laydown area. Please provide documentation to support your answer.

Response: Per the USFWS Section 7 Handbook (see section 4), the Action Area is defined as “all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.” [50 CFR §402.02]. This would include all areas proposed for ground disturbance or fenced by the proposed Project.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Federal Endangered Species Act Compliance

Data Request 49: If section 7 consultation will only occur for the laydown area, please explain the status of the process for developing a Habitat Conservation Plan for the remainder of the Project.

Response: See Response to CURE Data Request 48, above. There is no need for a Section 10(a) process.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Federal Endangered Species Act Compliance

Data Request 50: Please list the species that the U.S. Army Corps of Engineers will be consulting with USFWS on for the ESA section 7 consultation.

Response: Only Federally listed species are consulted on with the FWS. San Joaquin kit fox is the only listed species detected at the Project site and immediate vicinity.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to the California Condor

Data Request 51: Since endangered California condor live in the Carrizo Plain and the USFWS Recovery Plan states that the Carrizo Plain provides foraging for the condor, please provide an analysis of the Project's impacts on the foraging habitat and restoration of the California condor population.

Response: California condor has not been detected at the Project site during two years of site surveys. Critical habitat for California condor is located to the southwest of the CESF site; however, radio-telemetry/GPS data from USFWS indicates that condors do not fly over the California Valley near the CESF site. Condors scavenge carcasses of large mammals. To minimize stress to the cattle population, the current cattle operator promptly removes any dead cattle from the CESF site. The opportunity and potential for condors to successfully forage on the CESF site is limited, and incidental take of condors is not expected.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to the California Condor

Data Request 52: Please provide an analysis of cumulative impacts to the endangered California condor and its foraging habitat from all past, present and future projects in the Carrizo Plain, including the neighboring OptiSolar Topaz Solar Farm and the Sun Power project.

Response: Cumulative impacts to California condor are not significant with respect to the CESF project. California condors were not observed flying over the project area during radio-telemetry surveys by FWS. California Valley is dominated by privately owned lands that are not designated as Critical Habitat for condor. The Carrizo Plain National Monument and other publicly-owned lands in the Project vicinity contribute to the conservation and management of the condor. Land use changes in California Valley are not identified as being detrimental to condors.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Western Spadefoot Toad

Data Request 53: Please conduct a breeding survey for western spadefoot toad during the rainy season to determine potential impacts to breeding sites, and provide the results.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 53 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Western Spadefoot Toad

Data Request 54: Please conduct a survey for western spadefoot toad in areas upland of the creek to determine potential impacts to upland burrowing habitat, and provide the results.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 54 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 55: Please explain how the Applicant has addressed the Project's impacts to the short-nosed kangaroo rat.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 55 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 56: Please explain how the Applicant has addressed the Project's impacts to the bald eagle.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 56 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 57: Please explain how the Applicant has addressed the Project's impacts to the ferruginous hawk.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 57 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 58: Please explain how the Applicant has addressed the Project's impacts to the golden eagle.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 58 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 59: Please explain how the Applicant has addressed the Project's impacts to the loggerhead shrike.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 59 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 60: Please explain how the Applicant has addressed the Project's impacts to the mountain plover.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 60 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 61: Please explain how the Applicant has addressed the Project's impacts to the San Joaquin whipsnake.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 61 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 62: Please explain how the Applicant has addressed the Project's impacts to the Kern primrose sphinx moth.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 62 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 63: Please explain how the Applicant has addressed the Project's impacts to the coast (California) horned lizard.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 63 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Impacts to Special Status Species

Data Request 64: Please explain how the Applicant has addressed the Project's impacts to the Oregon vesper sparrow.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 64 on September 25, 2008.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Road-Kill Mortality

Data Request 65: Please provide an analysis of impacts on biological resources from increased traffic. Please include data for existing and potential road-kill mortality.

Response: The increased traffic associated with the Project construction phase will not be sufficient to expect a significant increase in road-kill rates along the segment of SR-58 accessing the Project site. There is no historical data documenting road-kill on SR-58. Most road-kill events occur during the night, when construction-related traffic would be minimal; therefore, there would be no significant change to impacts on biological resources from traffic.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Bird Mortality

Data Request 66: Please provide a discussion of bird mortality from the concentrated heat generated by the reflectors.

Response: There is no known bird mortality associated with the concentrated heat generated by the reflectors. The CLFR technology is proven safe, and workers at the Australian facility have witnessed birds flying between the mirrors and the receivers on numerous occasions. No monitoring data have occurred. The Applicant does not feel a mitigation plan is appropriate or necessary, since there is no known impact to birds from the CLFR technology. Subsequently, no significant impacts associated with bird mortality are expected, therefore, no mitigation measures are proposed.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Bird Mortality

Data Request 67: Please provide monitoring data from similar solar facilities.

Response: See Applicant's Response to CURE Data Request 66, above.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Bird Mortality

Data Request 68: If monitoring data is not available from similar facilities, please develop a monitoring plan to analyze whether the heat will cause significant impacts to birds.

Response: See Applicant's Response to CURE Data Request 66, above.

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TECHNICAL AREA: BIOLOGICAL RESOURCES

Background: Bird Mortality

Data Request 69: If it is determined that significant impacts will occur, please propose mitigation measures to avoid impacts to birds from the heat.

Response: See Applicant's Response to CURE Data Request 66, above.

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TECHNICAL AREA: WATER RESOURCES

Background: Clean Water Act Section 404 Permit

Data Request 70: Please demonstrate how the proposed Project is the least environmentally damaging practicable alternative to achieve the Project's purpose under the Clean Water Act.

Response: The Applicant has designed the Project to be the least environmentally damaging. The Applicant selected previously disturbed land (active agricultural land) that is adjacent to an existing transmission corridor to reduce impacts and obtain the least damaging alternative. The Applicant has avoided potential impacts wherever practicable associated with the permanent creek crossings. These crossings are necessary to accommodate the large solar assembly features associated with the Project, not just the fueling station. Therefore, the crossing cannot be avoided. Furthermore, the drainage in the laydown area does not support any vegetated wetlands and the functional value of the drainage (conveyance of flood flows) will not be adversely affected by the proposed culvert structure.

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TECHNICAL AREA: WATER RESOURCES

Background: Clean Water Act Section 404 Permit

Data Request 71: Please include an explanation of whether it is practicable for the Project to avoid impacts to the creek channel by employing temporary structures that span the creek, rather than creating permanent crossings.

Response: See Applicant's Response to CURE Data Request 70, above.

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TECHNICAL AREA: WATER RESOURCES

Background: Clean Water Act Section 404 Permit

Data Request 72: Please explain whether the Applicant is willing to relocate the fueling station proposed adjacent to the creek in order to obviate the need for crossings.

Response: See Applicant's Response to CURE Data Request 70, above.

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TECHNICAL AREA: WATER RESOURCES

Background: Floating Springs

Data Request 73: Please identify all floating springs within the watershed and provide a map of their locations.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 73 on September 25, 2008.

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TECHNICAL AREA: WATER RESOURCES

Background: Floating Springs

Data Request 74: Please provide an analysis of the potential impacts on floating springs from drawing groundwater for the proposed Project.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 74 on September 25, 2008.

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TECHNICAL AREA: WATER RESOURCES

Background: Groundwater Supplies

Data Request 75: Please provide a list of all wells located within three miles of the Project vicinity.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 75 on September 25, 2008.

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TECHNICAL AREA: WATER RESOURCES

Background: Groundwater Supplies

Data Request 76: Please revise the groundwater supply analysis to include all wells located within three miles of the Project vicinity. Please account for all proposed subdivisions of property and other projects located or proposed to be located within three miles of the Project vicinity.

Response: CESF provided a written notice of objection, together with a statement of reasons, to CURE Data Request 76 on September 25, 2008.

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TECHNICAL AREA: LAND USE

Background: Onsite Manufacturing

Data Request 77: Please clarify whether welding will occur in the manufacturing building.

Response: Welding will occur in the onsite manufacturing building.

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TECHNICAL AREA: LAND USE

Background: Onsite Manufacturing

Data Request 78: If welding will not take place in the manufacturing building, please explain in detail how the reflector frames will be completed. Please revise the Project description with an explanation and diagram of the specific activities that will occur in the manufacturing building.

Response: Refer to the Response to CURE Data Request 77, above.

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TECHNICAL AREA: LAND USE

Background: Onsite Manufacturing

Data Request 79: Please provide an analysis of how the proposed activities in the manufacturing building are consistent with the Land Use Ordinance and include specific cites relied upon for the analysis.

Response: Per telephone communication between John McKenzie (San Luis Obispo County) and Seth Hopkins (URS) on August 4, 2008, Mr. McKenzie confirmed that the County would consider the onsite manufacturing (including welding) to be an activity related to the construction of CESF apparatus. According to section 22.06.030 of the Land Use Ordinance (LUO), electrical generation is an allowable use in the agriculture district subject to a Conditional Use Permit (CUP) required by the specific use standards stated in section 22.32.020 of the LUO. According to the County, all construction related activities would be subject to the same CUP for the CESF Project, and therefore consistent with the General Plan and LUO.

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TECHNICAL AREA: LAND USE

Background: Onsite Manufacturing

Data Request 80: If welding will occur in the manufacturing building, please explain how welding is a permitted use on agricultural land under the Land Use Ordinance.

Response: Refer to the Response to CURE Data Request 79, above.

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TECHNICAL AREA: ENERGY

Background: Site Arrangement

Data Request 81: Please explain the effect of the alternative configuration on the Project's energy output.

Response: The alternative configuration has no change on energy output.

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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Impacts on Safety

Data Request 82: Please provide an analysis of the number and frequency of trucks crossing the centerline of State Route 58 and the resulting impacts on safety. Please include data to support the answer.

Response: See Response to Questions 1 and 10 in Applicant's Responses to Comments from the CEC Workshop Held On August 5, 2008.

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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Impacts on Safety

Data Request 83: If the analysis shows a likelihood that trucks and buses would cross the centerline of State Route 58, please provide specific measures (e.g., flagpersons) that the Applicant proposes to implement to ensure roadway safety.

Response: See Response to Question 10 in Applicant's Responses to Comments from the CEC Workshop Held On August 5, 2008.

Carrizo Energy Solar Farm
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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Impacts on Safety

Data Request 84: Please explain how measures to ensure roadway safety will affect traffic on State Route 58.

Response: Roadway safety measures on SR-58 will potentially increase travel time as travelers are advised to slow down at construction zone areas.

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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Impacts on Safety

Data Request 85: If the measures to ensure roadway safety will result in any traffic disturbances, please provide the following:

- a. The number of times the road will be stopped to through traffic as a result of the proposed Project;
- b. An analysis of traffic delays from the proposed Project; and
- c. An analysis of the Project's impacts on tourists using Highway 58.

Response:

- a. Roadway traffic can be stopped up to twenty times during the day to allow crossings between the construction laydown area and the Project site. (NOTE: The aforementioned crossing number is a conservative estimate.)
- b. A traffic delay assessment on the segment of SR-58 from SR-33 to the Project site, shows that traffic could get delayed by as much as 31 minutes per directional trip assuming a traveler's (non-Project) vehicle is following a Project-related truck without overtaking.
- c. Project added traffic would contribute to reduced speed and increased travel time for tourist related cars and buses.

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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Impacts on Safety

Data Request 86: Is the Applicant willing to accept a condition of certification that trucks will not use roads at night?

Response: Currently, construction activities will be scheduled to occur between 7:00 am and 7:00 pm, Monday through Friday. Additional hours may be necessary. The Applicant will comment on conditions once the California Energy Commission proposes them.

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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Cumulative Impacts

Data Request 87: Please discuss the cumulative impacts on traffic from the proposal to develop the Topaz Solar Farm, another solar power plant, adjacent to the Project site.

Response: Refer to the Applicant's Response to CEC Data Request 112 – Attachment A.

**Carrizo Energy Solar Farm
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TECHNICAL AREA: TRAFFIC AND TRANSPORTATION

Background: Cumulative Impacts

Data Request 88: Please discuss the cumulative impacts on traffic safety from the proposal to develop the Topaz Solar Farm adjacent to the Project site.

Response: Refer to the Applicant's Response to CEC Data Request 112 – Attachment A.

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TECHNICAL AREA: SOCIOECONOMICS

Background: Carrizo Plain National Monument

Data Request 89: Please provide an analysis of the Project's impacts on the local economy due to the Project's impacts on the loss of connectivity between populations of the San Joaquin kit fox, pronghorn antelope, and tule elk populations in the Carrizo Plain National Monument, the Project site, and other populations in the area.

Response: Loss of wildlife connectivity is not anticipated. CESF proposes to mitigate for impacts to pronghorn movement by providing an agricultural easement over key parcels adjacent to SR-58 and the CESF Project site to allow for continued pronghorn movement past the CESF site. Important SJKF linkages are not located within the vicinity of CESF in California Valley (Figure 1). Tule elk do not use the CESF site as a corridor (Figure 2). Because CESF is not anticipated to cause loss of connectivity, the CESF project is not expected to cause an impact on the local economy.

In addition, in reference to the Background information provided by CURE for this Data Request, please note the following: The March 26, 2008 letter from CDFG to CEC identified the CESF site as the south end of a corridor; however, per the FWS Recovery Plan, California Valley is not considered critical to the recovery of kit fox or other San Joaquin Valley listed species (Figure 51, USFWS Recovery Plan). The unconstrained landscape surrounding the CESF site allows for unhindered movement of kit fox.

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TECHNICAL AREA: SOCIOECONOMICS

Background: Tax Revenues

Data Request 90: Please explain which construction products could be purchased locally.

Response: The Applicant has not yet selected their construction contractor nor have they conducted a formal materials survey. Currently, the Applicant foresees local purchasing of select construction and operational materials (e.g., fuels, concrete, aggregate, small maintenance supplies and materials, etc.), as deemed practicable.

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TECHNICAL AREA: SOCIOECONOMICS

Background: Tax Revenues

Data Request 91: Please explain whether the Applicant is willing to accept a condition of certification that the Project will purchase products for construction when available. Please define “when available” (e.g. when available for purchase within a 150 mile radius of the Project site).

Response: See Applicant’s Response to CURE Data Request 90, above.

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TECHNICAL AREA: SOCIOECONOMICS

Background: Tax Revenues

Data Request 92: Please explain which operation materials could be purchased locally.

Response: See Applicant's Response to CURE Data Request 90, above.

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TECHNICAL AREA: SOCIOECONOMICS

Background: Tax Revenues

Data Request 93: Please explain whether the Applicant is willing to accept a condition of certification that the Project will purchase operation materials locally when available. Please define “when available” (e.g. when available for purchase within a 150 mile radius of the Project site).

Response: See Applicant’s Response to CURE Data Request 90, above.

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TECHNICAL AREA: SOCIOECONOMICS

Background: Tax Revenues

Data Request 94: Please explain how the Project will increase tax revenues for San Luis Obispo County on a long-term basis.

Response: As previously stated in the CESF AFC, local product purchases (as defined in Response to CURE Data Requests 90-93, above) will generate local sales tax revenue. In addition, the Applicant foresees the workforce associated with the Project will also generate local sales tax revenue.

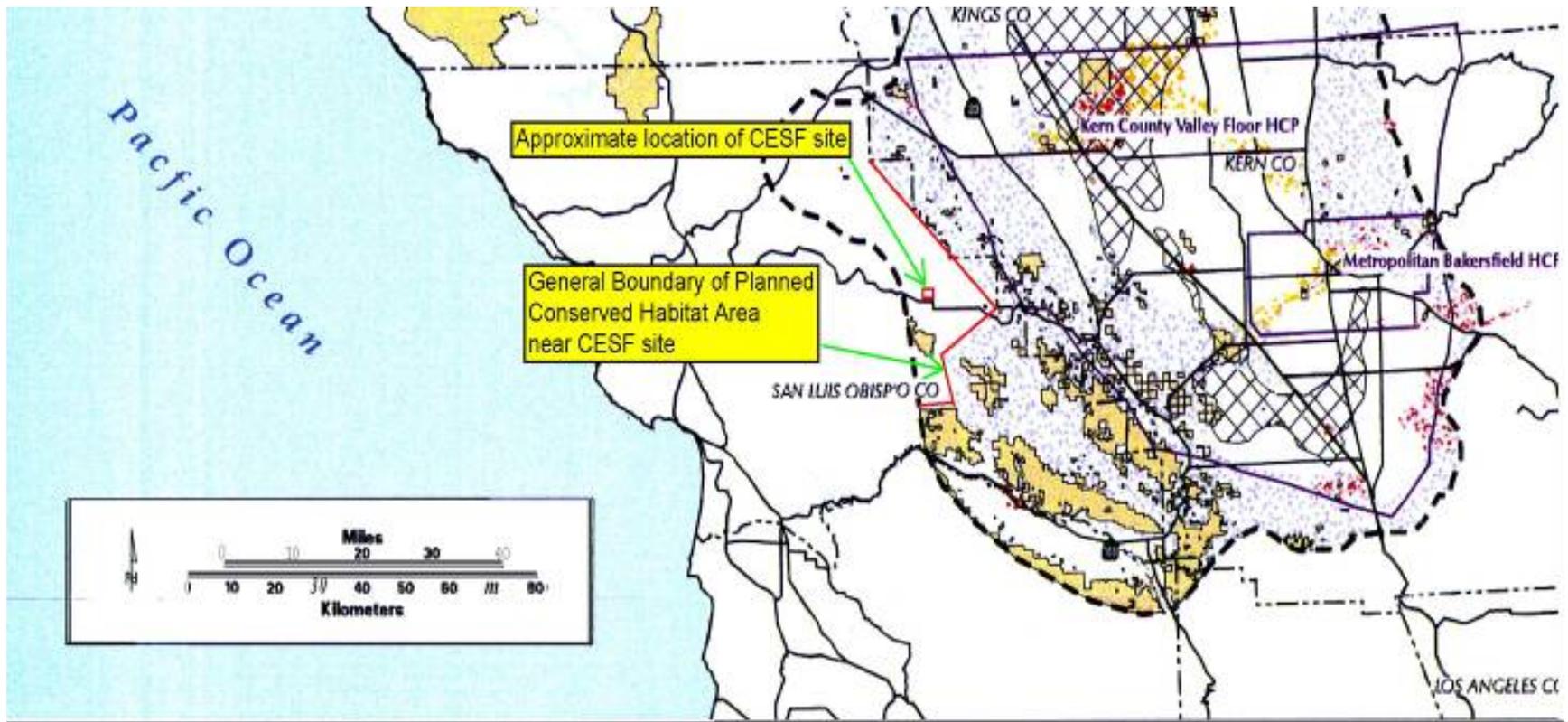
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TECHNICAL AREA: PROJECT DESCRIPTION

Background: Receivers

Data Request 95: How many 56-foot tall receivers are proposed to be constructed?

Response: One hundred and ninety-five (195) receivers are proposed for the Project, one per line.



-  Public lands: Federal, State & Conservation lands (some lands unsuitable for species addressed in this plan)
-  Areas along the valley's edges within which a contiguous band of natural lands and wildlife-compatible farmlands should be maintained
-  Proposed Specialty Reserve areas
-  Proposed areas where connectivity and linkages should be promoted

-  Drainage problems areas
Data Source: U.S. Bureau of Reclamation
-  San Joaquin Valley Multispecies Recovery Plan study area
-  Existing and proposed Habitat Conservation Plans

1997

**PLANNED LINKAGES FIGURE FROM USFWS
RECOVERY PLAN (PAGE 225)**

URS

NO SCALE

CREATED BY: TM

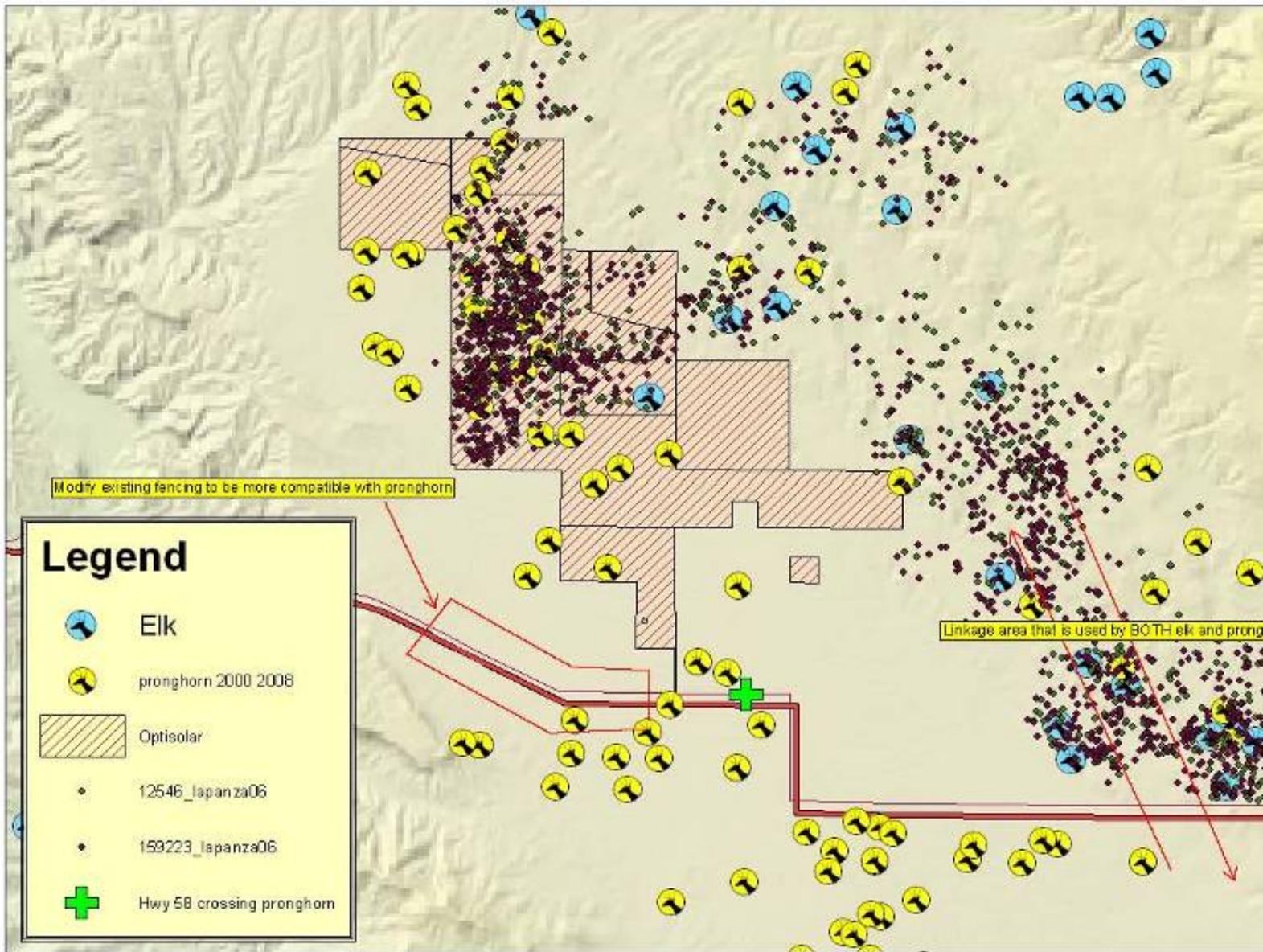
DATE: 9-23-08

FIG. NO:

PM:AL

PROJ. NO: 27658060

1



**RESULTS OF PRONGHORN AND ELK AERIAL
AND RADIO TELEMTRY SURVEYS AND APPARENT CORRIDORS**



NO SCALE

CREATED BY: TM

DATE: 9-23-08

FIG. NO:

PM:AL

PROJ. NO: 27658060

2

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 7/24/2008)

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:

***CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 07-AFC-8
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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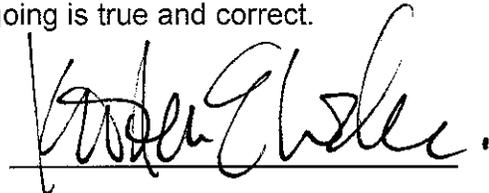
DECLARATION OF SERVICE

I, Kristen E. Walker, declare that on September 26, 2008, I deposited copies of the attached Applicant's Responses to CURE Data Requests Set 2 (#47-95) in the United States mail 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.



Kristen E. Walker