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STATE OF CALIFORNIA
State Energy Commission
And Development Commission

DOCKET	
07-AFC-8	
DATE	MAR 15 2009
RECD.	MAR 17 2009

In the Matter of:

The Application for Certification for the
Carrizo Energy Solar Farm by Carrizo
Energy, LLC

Docket No: 07-AFC-8

CARRISA PLAINS RESIDENT
JOHN RUSKOVICH'S
DECLARATION

Data Request Set 1

To: Mr. Perry Fontana, Vice President – Project, ASURA Inc.

John Ruskovich requests that you answer the following questions stated in this data request within 30 days. All information sought is relevant to the proceeding and is in the control of the applicant and not readily available from other sources. In answering this data request, you are required to furnish full and complete answers.

1. It is requested that an actual Water Report be completed with 2008/2009 data, not continual use of data from 1956 and the Kemnitzer Ground Water Study dated 1967. It is relevant that the Applicant be aware that Mr. Ruskovich's Ranch water use for the past year was: 1.75 million gallons or 5.35 Acre Feet Per Year of water on 3 ¾ sections of land, running 125 Head of Cattle average, Household use, outside landscaping and 6,000 square feet of lawn. This information is needed and is paramount because I will be directly affected by the change in the water supply.
2. Justify why the water use in the beginning of the process of this project was stated that water usage was going to be a maximum of 21 acre feet per year of water and today, your information states 144 acre feet or 47,044,800 gallons will be used the first year alone. Year number 2 will be 70 Acre Feet Per Year, and year number 3 will be 38 Acre Feet Per Year, or 254 Acre Feet of Water the first 3 years of operation. This amount is more than I would use in 50 years. **(see Attachment A)**. We request that part of the mitigation of the water issue be the monitoring of depths of water of local Wells to safeguard our water over this project. If for any reason we start having water issues procedures should be in place to rectify the issues. I require that the following Wells be continuously monitored for water depth and water quality. These belong to: John Ruskovich, Gordon Haye, Carrisa Plains Elementary School, California Valley Community Service District, and Mike Strobridge. This information is needed because I will be directly affected by the change in the water supply.

3. The applicant has stated that our average rainfall is 8 to 10 inches per year (**see Attachment B**). As you will see, only 2 of the last 9 years has our rainfall been above average. Justify the amount of water to be used, just in construction alone. Also justify the amount of water to be used when the plant is operational. Justify the amount of water to be used when the Governor of California has declared a drought emergency, and the County of San Luis Obispo is in record drought. (**see Attachment C**) This information is needed because I will be adversely affected by the amount of water the applicant states they will use and it will cause a change in the water supply for all residences without that aquifer.

4. Provide the data on the 11 big Ag Wells that you state in your water report that are on the Carrisa Plains (**see Attachment D**). Also provide the following:
 - a. Who are the current land owners of the property that these wells are located on.
 - b. What are the section numbers of these properties.
 - c. What were the gallons per minute pump down for these wells.
 - d. When was the date that each Well was last used and how many months out of the year were they ran.

This information is needed because I will be directly affected by the change in the water supply.

5. The Bechtel Report dated June 15, 1984 that URS refers to states in that report they have four Wells drilled on a 300 acre Project Site. The first two were dry wells and the third well drilled in the southwest corner was drilled 620 feet down and was a 12 inch diameter test Well. The estimated water was 115 gallons per minute. (**see Attachment E**). Provide the following information:
 - a. How many years was the Well used by Arco Solar.
 - b. Was there any long term pumping problems.
 - c. What was the quality of the water.
 - d. Was there any long term problems with neighboring Wells due to that pumping.
 - e. Provide the actual location of that Well.

This information is needed because I will be directly affected by the change in the water supply.

6. The Hydrology Report states that the applicant is planning on buying additional water and hauling it in two water trucks in a 30 minute time frame roundtrip. Since this is on the Carrisa Plains, who are you going to buy this water from? And where are the Wells located at that this water will be pumped from? This information is paramount, because whoever is selling the water, their neighbors will be adversely affected. Also, this water will still be coming out of the Carrisa Aquifer.

7. The Hydrology Report states, **(Attachment F)** that Mr. Tab, the owner of California Valley Restaurant and Hotel uses 14 acre feet of water per year. Provide the following information:
- How many days per week does the Restaurant operate, i.e., breakfast, lunch, dinner.
 - How many rooms does the Hotel have and what is the average nightly occupancy.
 - How many square feet of lawn is irrigated for the Restaurant and Hotel.
 - When the trees were planted that you state take up a 3 acres. And how long will these trees be under irrigated until their full growth.

This information is needed because I will be directly affected by the change in the water supply.

8. Provide justification to the size of the 380 acre Lay Down Site. Sun Powers Project is going to use a six acre lay down site within their boundaries. Please explain why you cannot use 6 to 10 acres within your boundaries. Please look at the attachments and justify. **(see Attachment G)**. This information is needed because the size of this industrial site will adversely affect my community-the elementary school-the visual affects of the area-flow of the natural creek-and increase the amount of water used by the applicant.
9. Provide us with the legal documentation stating you can legally change the Routing Trucking Traffic. On the URS February 17, 2009 Traffic Mitigation Plan, page 1-3 thru page 1-5, you are incorrect on small trucks being 65 foot in length due to California legal maximum length laws. SR-58 has a King Pin to Rear Axle length law from US-101 to CA-33. The King Pin to Rear Axle length is 30 feet, with 3 feet in front of King Pin, maximum of 5 feet after rear axle or legally approximately a 40 foot Trailer, along with a small Day-Cab Tractor is legal on this road, not your 65 foot legal length small trucks. We have discussed this issue at length at all Workshops and you have agreed to use Bitter Water Road for most deliveries and the bus routes for employees. Why have you resubmitted this new report, only using Hwy 58 in and out of your job. We have talked about this issue at great lengths. Why the change and no longer running Bitter Water Road.

3/15/09

Date

/s/

John Ruskovich

PROOF OF SERVICE IS ATTACHED

Executive Summary

plains. The actual rates of pumping for the irrigation wells were estimated based on discussions with local residents, land use or reported well yields at the time of installation. The degree of irrigation well pumpage in Layer 3 has some degree of uncertainty. To account for this uncertainty, a lower and upper range of total pumpage was modeled for the basin. Those wells known to penetrate the Lower Aquifer were included in Layer 3.

The model was run for Construction, Project and No-project Scenarios. A Combined Projects Scenario was also performed including the Topaz Solar Farm LLC/Optisolar, Inc. (OptiSolar) facility. There is also a SunPower facility proposed at least 6 miles east of CESF. This was not included in the model because previous modeling using similar pumpage showed that the effects were not significant.

The Construction Scenario included pumping from the proposed CESF well at three different average annual rates for the three years of the construction phase. The maximum average annual water use is estimated to be 144 af [128,500 gallons per day (gpd), or approximately 89 gpm] for Year 1. The water use for Years 2 and 3 decreases considerably to 72 af (64,300 gpd or approximately 45 gpm) in Year 2 and 38 af (33,900 gpd or 24 gpm) in Year 3. The construction scenario was simulated for transient flow conditions. Both the Combined Projects and Project Scenario includes pumping from the proposed CESF well at 18,500 gallons per day (gpd), approximately 13 gpm, the estimated average for operations. The Combined Projects Scenario also assumed pumping at the OptiSolar site at the maximum proposed water use appearing in its Conditional Use Permit Application. It was assumed that OptiSolar would also pump from the Lower Aquifer at a location between (north) both sites. This is the most conservative scenario, since there are residential wells between the sites. The overall pumpage in the model for the wells identified is 2,678 afy, which is 30% less than the Kemnitzer estimate (Kemnitzer 1967). This is consistent with the change in water use related to agriculture that has been reported by a number of long-time residents of the plains. Each of the post-construction model scenarios was conservatively run to steady state conditions to simulate the effects of long-term pumping.

In constructing the model, it was assumed that the proposed pumping well will be screened in the Lower Aquifer only. Therefore, if the existing CESF well were to be used, then the existing screen above the Lower Aquifer would be sleeved. The sleeve would serve to block flow from the Upper Aquifer into the well so that flow would only come from the Lower Aquifer. Additional No Project scenarios were run wherein the CESF well was included in Layers 1, 2 and 3 with no pumping to estimate borehole flow. Borehole flow, the transfer of water between aquifers through flow within the wellbore, was simulated in these scenarios using the multimodal well package of MODFLOW. A reduction in potential borehole flow associated with installation of the sleeve has the potential to mitigate drawdown in the Upper Aquifer.

Uncertainty in the hydrogeologic conditions was addressed through a sensitivity analysis that simulated the response of the system (groundwater elevations) for a wide range of input parameters and an alternative conceptual model for the basin. The differences in the resulting heads (groundwater elevations) between the No Projects (no pumping from the proposed CESF and OptiSolar wells) and Project and Construction scenarios (with pumping from the proposed CESF well and OptiSolar wells) indicates a plausible range of drawdown in the basin associated with pumping from the proposed CESF well. The results of these model runs for a range of hydrogeologic conditions indicated that the estimated change in head (drawdown) at the CESF property boundary were as follows:

San Luis Obispo County Public Works
Volunteer Precipitation Gauge Station
MONTHLY PRECIPITATION REPORT

Station Name and no. California Valley CDF # 175

*** All units are in inches ***

Water Year	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Total
2007-2008	0.00	0.00	0.00	0.39	0.00	1.04	4.70	0.00	0.00	0.03	0.00	0.00	6.16
2006-2007	0.00	0.00	0.00	0.10	0.02	0.10	0.68	1.15	0.01	0.16	0.10	0.00	2.32
2005-2006	0.00	0.00	0.00	0.00	0.25	0.80	4.05	0.56	4.33	3.78	0.50	0.00	14.27
2004-2005	0.00	0.00	0.00	2.58	0.30	1.55	2.49	1.80	1.68	0.15	0.60	0.00	11.15
2003-2004	0.00	0.00	0.00	0.00	0.70	1.28	0.25	3.05	0.52	0.00	0.00	0.00	5.80
2002-2003	0.00	0.00	0.00	0.00	1.65	1.63	0.27	1.66	0.00	0.00	0.00	0.00	5.21
1999-2000	0.00	0.03	0.55	0.00	0.35	0.03	1.04	3.27	0.80	1.63	0.10	0.07	7.87
1998-1999	0.00	0.00	0.98	0.20	0.32	0.68	2.25	0.58	1.50	0.94	0.00	0.00	7.45
1997-1998	0.00	0.00	0.06	0.00	2.55	2.09	2.25	9.70	2.04	1.29	2.22	0.02	22.22
1996-1997	0.00	0.00	0.00	1.68	1.78	2.40	2.93	0.20	0.02	0.03	0.03	0.03	9.10
1995-1996	0.05	0.00	0.00	0.00	0.53	1.05	0.69	5.22	0.89	0.46	0.32	0.02	9.23
1994-1995	0.00	0.00	0.69	0.81	1.65	0.88	7.47	0.65	6.96	0.37	0.88	0.31	20.67
1993-1994	0.00	0.00	0.33	0.24	0.71	0.82	1.02	2.57	1.09	0.20	0.55	0.00	7.53
1992-1993	0.30	0.00	0.00	0.97	0.00	3.36	5.46	4.72	2.96	0.02	0.00	0.00	17.79
1991-1992	0.00	0.00	0.30	0.30	0.12	1.82	0.00	4.53	2.46	0.10	0.00	0.00	9.63
1990-1991	0.00	0.00	1.03	0.00	0.10	0.00	0.00	1.45	5.68	0.15	0.00	0.01	8.42
1989-1990	0.00	0.00	0.67	0.05	0.22	0.00	1.40	1.61	0.18	0.20	1.25	0.00	5.58
1988-1989	0.00	0.00	0.00	0.00	0.51	2.72	0.52	0.99	0.19	0.06	0.30	0.00	5.29
1987-1988	0.00	0.00	0.00	1.46	3.56	1.74	1.64	0.86	1.29	2.60	0.01	0.01	13.17
1986-1987	0.01	0.00	0.16	0.06	0.68	0.49	1.87	0.77	1.87	0.00	0.00	0.10	6.01
1985-1986	0.01	0.24	0.16	0.18	2.37	0.41	0.83	3.63	2.04	0.17	0.00	0.00	10.04
1984-1985	0.01	0.00	0.40	0.25	1.53	3.72	0.81	0.18	1.11	0.33	0.00	0.00	8.34
1983-1984	0.00	1.88	0.43	1.68	1.02	2.04	0.14	0.15	0.24	0.25	0.00	0.00	7.83
1982-1983	0.00	0.05	0.71	0.67	3.57	1.47	4.57	3.37	3.34	1.30	0.27	0.00	19.32
1981-1982	0.00	0.00	0.00	0.98	1.13	0.21	3.27	0.66	4.50	2.24	0.00	0.10	13.09
1980-1981	0.00	0.00	0.00	0.00	0.00	0.70	1.93	1.06	2.59	0.28	0.00	0.00	6.56
1979-1980	0.00	0.00	0.11	0.27	0.25	0.22	2.79	4.49	1.84	0.53	0.22	0.00	10.72
1978-1979	0.00	0.00	1.98	0.00	0.70	1.59	2.96	3.13	1.84	0.00	0.14	0.00	12.34
1977-1978	0.00	0.00	0.00	0.00	0.13	3.56	3.17	5.39	5.64	2.89	0.00	0.00	20.78
1976-1977	0.00	0.56	3.54	0.00	0.50	0.83	0.99	0.00	0.65	0.00	0.94	0.03	8.04
1975-1976	0.00	0.00	0.05	0.26	0.02	0.00	0.00	2.01	1.30	1.00	0.20	0.09	4.93
1974-1975	0.00	0.00	0.00	1.70	0.29	3.17	0.00	2.86	1.06	0.70	0.00	0.00	9.78
1973-1974	0.00	0.00	0.00	0.46	1.45	1.06	3.63	0.05	2.88	0.84	0.00	0.00	10.37
1972-1973	0.00	0.90	0.00	0.74	2.48	0.72	2.71	3.57	3.27	0.00	0.00	0.00	14.39
1971-1972	0.00	0.00	0.05	0.08	0.40	2.94	0.50	0.17	0.00	0.07	0.00	0.04	4.25
1970-1971	0.00	0.00	0.00	0.00	2.87	2.14	0.61	0.40	1.25	0.54	0.00	0.00	7.81
1969-1970	0.01	0.00	0.09	0.01	1.04	0.11	1.50	1.56	1.65	0.02	0.00	0.00	5.99
1968-1969	0.00	0.00	0.00	1.19	0.41	1.27	8.58	7.46	0.58	1.49	0.00	0.00	20.98
1967-1968	0.00	0.00	0.11	0.00	2.17	1.02	0.69	0.60	2.34	0.35	0.00	0.00	7.28
1966-1967	0.00	0.00	0.00	0.00	1.36	5.50	1.74	0.26	1.51	3.11	0.20	0.04	13.72
1965-1966	0.20	0.00	0.17	0.00	3.52	1.50	0.78	0.91	0.00	0.00	0.00	0.00	7.08

AS OF March 15th 2009 we have had
 5.55 inches for this winter!

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA



A PROCLAMATION

BY THE GOVERNOR OF THE STATE OF CALIFORNIA

WHEREAS the State of California is now in its third consecutive year of drought; and

WHEREAS in each year of the current drought, annual rainfall and the water content in the Sierra snowpack have been significantly below the amounts needed to fill California's reservoir system; and

WHEREAS the rainfall and snowpack deficits in each year of the current drought have put California further and further behind in meeting its essential water needs; and

WHEREAS statewide, 2008 was the driest spring and summer on record, with rainfall 76 percent below average; and

WHEREAS the Sacramento and San Joaquin River systems, which provide much of the state's reservoir inflow, were classified as Critically Dry for the 2008 water year; and

WHEREAS in the second year of this continuous drought, on June 4, 2008, I issued an Executive Order proclaiming a statewide drought, and I ordered my administration to begin taking action to address the water shortage; and

WHEREAS because emergency conditions existed in the Central Valley in the second year of the drought, I issued an Emergency Proclamation on June 12, 2008, finding that conditions of extreme peril to the safety of persons and property existed in the counties of Sacramento, San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern caused by severe drought conditions, and I ordered my administration to take emergency action to assist the Central Valley; and

WHEREAS the drought conditions and water delivery limitations identified in my prior Executive Order and Emergency Proclamation still exist, and have become worse in this third year of drought, creating emergency conditions not just in the Central Valley, but throughout the State of California, as the adverse environmental, economic, and social impacts of the drought cause widespread harm to people, businesses, property, communities, wildlife and recreation; and

WHEREAS despite the recent rain and snow, the three year cumulative water deficit is so large there is only a 15 percent chance that California will replenish its water supply this year; and

WHEREAS in the time since the state's last major drought in 1991, California added 9 million new residents, experienced a significant increase in the planting of permanent, high-value crops not subject to fallowing, and was subjected to new biological opinions that reduced the flexibility of water operations throughout the year; and

WHEREAS because there is no way to know when the drought will end, further urgent action is needed to address the water shortage and protect the people and property in California; and

WHEREAS rainfall levels statewide for the 2008-2009 water year are 24 percent below average as of the February 1, 2009 measurement; and

WHEREAS the second snow pack survey of the 2009 winter season indicated that snow pack water content is 39 percent below normal; and

WHEREAS as of February 23, 2009, storage in the state's reservoir system is at a historic low, with Lake Oroville 70 percent below capacity, Shasta Lake 66 percent below capacity, Folsom Lake 72 percent below capacity, and San Luis Reservoir 64 percent below capacity; and

WHEREAS low water levels in the state's reservoir system have significantly reduced the ability to generate hydropower, including a 62 percent reduction in hydropower generation at Lake Oroville from October 1, 2008 to January 31, 2009; and

WHEREAS a biological opinion issued by the United States Fish and Wildlife Service on December 15, 2008, imposed a 30 percent restriction on water deliveries from the State Water Project and the Central Valley Project to protect Delta Smelt; and

WHEREAS State Water Project water allocations have now been reduced to 15 percent of requested deliveries, matching 1991 as the lowest water allocation year in State Water Project history, and Central Valley Project water allocations for agricultural users have now been reduced to zero; and

WHEREAS the lack of water has forced California farmers to abandon or leave unplanted more than 100,000 acres of agricultural land; and

WHEREAS California farmers provide nearly half of the fresh fruits, nuts and vegetables consumed by Americans, and the crop losses caused by the drought will increase food prices, which will further adversely impact families and economies throughout California and beyond our borders; and

WHEREAS agricultural revenue losses exceed \$300 million to date and could exceed \$2 billion in the coming season, with a total economic loss of nearly \$3 billion in 2009; and

WHEREAS it is expected that State Water Project and Central Valley Project water delivery reductions will cause more than 80,000 lost jobs; and

WHEREAS the income and job losses will adversely impact entire communities and diverse sectors of the economy supported by those jobs and income, including the housing market and commercial business; and

WHEREAS these conditions are causing a loss of livelihood for many thousands of people, an inability to provide for families, and increased harm to the communities that depend on them; and

WHEREAS this loss of income and jobs will increase the number of defaults, foreclosures and bankruptcies, and will cause a loss of businesses and property at a time when Californians are already struggling with a nationwide and worldwide economic downturn; and

WHEREAS the Central Valley town of Mendota, as one example, already reports an unemployment rate of more than 40 percent and lines of a thousand or more for food distribution; and

WHEREAS when jobs, property and businesses are lost, some families will move away from their communities, causing further harm to local economies, lower enrollments in local schools and reduced funding for schools; and

WHEREAS at least 18 local water agencies throughout the state have already implemented mandatory water conservation measures, and 57 agencies have implemented other water conservation programs or restrictions on water deliveries, with many agencies considering additional rationing and water supply reductions in 2009; and

WHEREAS the lack of water has forced local communities to draw water from their emergency water reserves, putting communities at risk of further catastrophe if emergency reserves are depleted or cut off; and

WHEREAS the state recently endured one of its worst wildfire seasons in history and the continuing drought conditions increase the risk of devastating fires and reduced water supplies for fire suppression; and

WHEREAS on February 26, 2009, the United States Department of Agriculture and the United States Department of Interior created a Federal Drought Action Team to assist California to minimize the social, economic, and environmental impacts of the current drought; and

WHEREAS the circumstances of the severe drought conditions, by reason of their magnitude, are beyond the control of the services, personnel, equipment and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS under the provisions of section 8558(b) of the California Government Code, I find that conditions of extreme peril to the safety of persons and property exist in California caused by the current and continuing severe drought conditions and water delivery restrictions.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, in accordance with the authority vested in me by the California Constitution and the California Emergency Services Act, and in particular California Government Code sections 8625 and 8571, HEREBY PROCLAIM A STATE OF EMERGENCY to exist in California.

IT IS HEREBY ORDERED that all agencies of the state government utilize and employ state personnel, equipment and facilities for the performance of any and all activities consistent with the direction of the California Emergency Management Agency (CalEMA) and the State Emergency Plan.

I FURTHER DIRECT THAT:

1. The California Department of Water Resources (DWR) shall, in partnership with other appropriate agencies, launch a statewide water conservation campaign calling for all Californians to immediately decrease their water use.
2. DWR shall implement the relevant mitigation measures identified in the Environmental Water Account Environmental Impact Report, Environmental Impact Statement, Supplement, and Addendums for the water transfers made through the 2009 Drought Water Bank. In addition, the California Air Resources Board shall, in cooperation with DWR and other agencies, expedite permitting and development of mitigation measures related to air quality impacts which may result from groundwater substitution transfers.
3. DWR and the State Water Resources Control Board (SWRCB) shall expedite the processing of water transfers and related efforts by water users and suppliers that cannot participate in the 2009 Drought Water Bank, provided the water users and suppliers can demonstrate that the transfer will not injure other legal users of water or cause unreasonable effects on fish and wildlife.
4. The SWRCB shall expedite the processing and consideration of the request by DWR for approval of the consolidation of the places of use and points of diversion for the State Water Project and federal Central Valley Project to allow flexibility among the projects and to facilitate water transfers and exchanges.
5. DWR shall implement short-term efforts to protect water quality or water supply, such as the installation of temporary barriers in the Delta or temporary water supply connections.
6. The SWRCB shall expedite the processing and consideration of requests by DWR to address water quality standards in the Delta to help preserve cold water pools in upstream reservoirs for salmon preservation and water supply.

7. To the extent allowed by applicable law, state agencies within my administration shall prioritize and streamline permitting and regulatory compliance actions for desalination, water conservation and recycling projects that provide drought relief.
8. The Department of General Services shall, in cooperation with other state agencies, immediately implement a water use reduction plan for all state agencies and facilities. The plan shall include immediate water conservation actions and retrofit programs for state facilities. A moratorium shall be placed on all new landscaping projects at state facilities and on state highways and roads except for those that use water efficient irrigation, drought tolerant plants or non-irrigated erosion control.
9. As a condition to receiving state drought financial assistance or water transfers provided in response to this emergency, urban water suppliers in the state shall be required to implement a water shortage contingency analysis, as required by California Water Code section 10632. DWR shall offer workshops and technical assistance to any agency that has not yet prepared or implemented the water shortage contingency analysis required by California law.
10. DWR shall offer technical assistance to agricultural water suppliers and agricultural water users, including information on managing water supplies to minimize economic impacts, implementing efficient water management practices, and using technology such as the California Irrigation Management Information System (CIMIS) to get the greatest benefit from available water supplies.
11. The Department of Public Health shall evaluate the adequacy of emergency interconnections among the state's public water systems, and provide technical assistance and continued financial assistance from existing resources to improve or add interconnections.
12. DWR shall continue to monitor the state's groundwater conditions, and shall collect groundwater-level data and other relevant information from water agencies, counties, and cities. It is requested that water agencies, counties and cities cooperate with DWR by providing the information needed to comply with this Proclamation.
13. DWR and the Department of Food and Agriculture shall recommend, within 30 days from the date of this Proclamation, measures to reduce the economic impacts of the drought, including but not limited to, water transfers, through-Delta emergency transfers, water conservation measures, efficient irrigation practices, and improvements to CIMIS.
14. The Department of Boating and Waterways shall recommend, within 30 days from the date of this Proclamation, and in cooperation with the Department of Parks and Recreation, measures to reduce the impacts of the drought conditions to water-based recreation, including but not limited to, the relocation or extension of boat ramps and assistance to marina owners.
15. The Labor and Workforce Development Agency shall recommend, within 30 days from the date of this Proclamation, measures to address the impact of the drought conditions on California's labor market, including but not limited to, identifying impacted areas, providing one-stop service, assisting employers and workers facing layoffs, and providing job training and financial assistance.
16. DWR and the Department of Food and Agriculture shall be the lead agencies in working with the Federal Drought Action Team to coordinate federal and state drought response activities.
17. The emergency exemptions in Public Resources Code sections 21080(b)(3), 21080(b)(4) and 21172, and in California Code of Regulations, title 14, section 15269(c), shall apply to all actions or efforts consistent with this Proclamation that are taken to mitigate or respond to this emergency. In addition, Water Code section 13247 is suspended to allow expedited responses to this emergency that are consistent with this Proclamation. The Secretary for the California Environmental Protection Agency and the Secretary for the California Natural Resources Agency shall determine which efforts fall within these exemptions and suspension, ensuring that these exemptions and suspension serve the purposes of this Proclamation while protecting the public and the environment. The Secretaries shall maintain on their web sites a list of the actions taken in reliance on these exemptions and suspension.

18. By March 30, 2009, DWR shall provide me with an updated report on the state's drought conditions and water availability. If the emergency conditions have not been sufficiently mitigated, I will consider issuing additional orders, which may include orders pertaining to the following:

- (a) institution of mandatory water rationing and mandatory reductions in water use;
- (b) reoperation of major reservoirs in the state to minimize impacts of the drought;
- (c) additional regulatory relief or permit streamlining as allowed under the Emergency Services Act; and
- (d) other actions necessary to prevent, remedy or mitigate the effects of the extreme drought conditions.

I FURTHER REQUEST THAT:

19. All urban water users immediately increase their water conservation activities in an effort to reduce their individual water use by 20 percent.

20. All agricultural water suppliers and agricultural water users continue to implement, and seek additional opportunities to immediately implement, appropriate efficient water management practices in order to minimize economic impacts to agriculture and make the best use of available water supplies.

21. Federal and local agencies also implement water use reduction plans for facilities within their control, including immediate water conservation efforts.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 27th day of February, 2009.


ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State

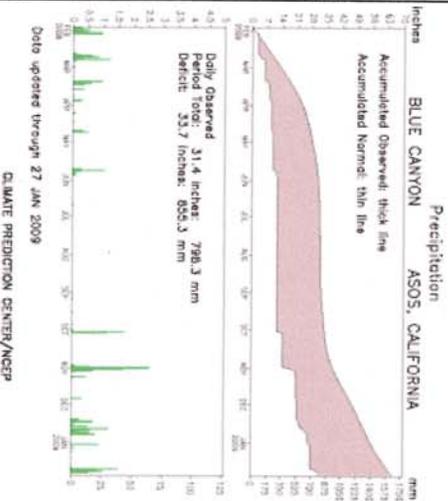
Drought grips California

Last update: 30 January 2009

Links

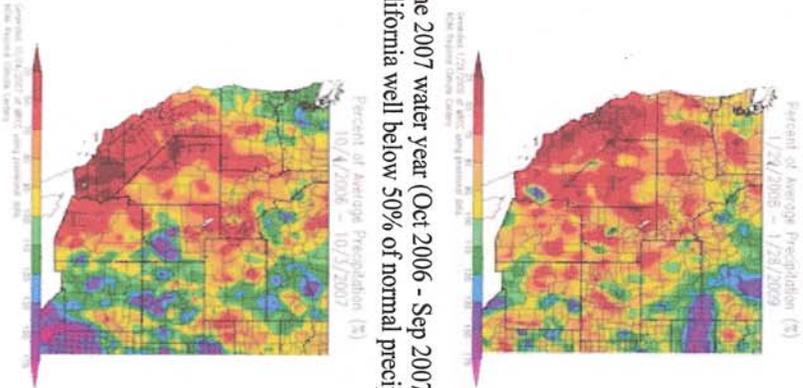
- [California Drought Preparedness Home Page](#)
- [Executive Update - Hydrologic Conditions in California](#)
- [Latest Global Sea Surface Temperature Anomaly map from Unisys](#)
- [Current California Snow Water Content](#)
- [California Snow Conditions](#)
- [SNOTEL Data Network](#)
- [California Water Supply - California Nevada River Forecast Center](#)
- [Western Regional Climate Center](#)
- [US Drought Monitor](#)
- [Program for Climate, Ecosystem and Fire Applications](#)

California sites show large precipitation deficits



Percent of Normal Precipitation

Most of California is at half the normal amount of precipitation for the last 12 months (Jan 2008 - Jan 2009), as shown in the image below from the Western Regional Climate Center.



The image for the 2007 water year (Oct 2006 - Sep 2007) also shows most of California well below 50% of normal precipitation.

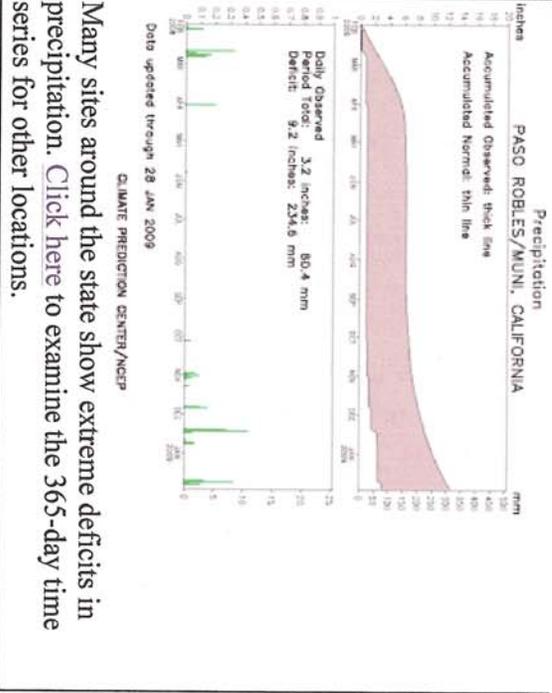
Attachment C

Dry conditions in the news
Low snowpack may mean a third dry year for California



Brian Heiland, left, and Frank Gehlke, scientists in the California Department of Water Resources, measure the snowpack south of Lake Tahoe. *Photo by: Jonah M. Kessel / Associated Press*

From: Los Angeles Times
 30 January 2009
 (summary; please click above for full article)



Many sites around the state show extreme deficits in precipitation. [Click here](#) to examine the 365-day time series for other locations.

SNOTEL - Basin Average Snow Water Content - January 30, 2009

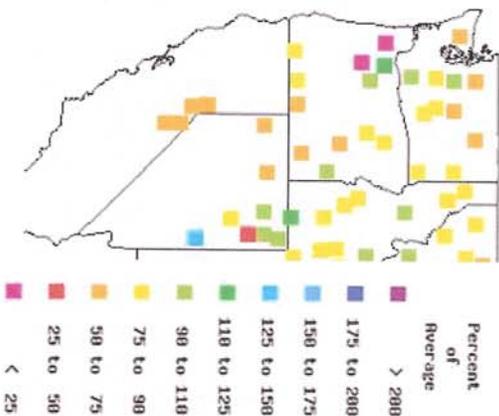
(This area is currently blank in the original document.)

Climate Tracker: South Coast region water year (Oct-Sep) precipitation

(This area is currently blank in the original document.)

The all-important Sierra Nevada snowpack remains well below normal, signaling that California may be headed for a third consecutive dry year.

When state workers took the second snow measurement of the winter Thursday, they found that statewide, the snow's water content was 61% of the average, over many years, for this point in the season. The figure was even lower in the northern Sierra, which feeds the state's biggest reservoirs.

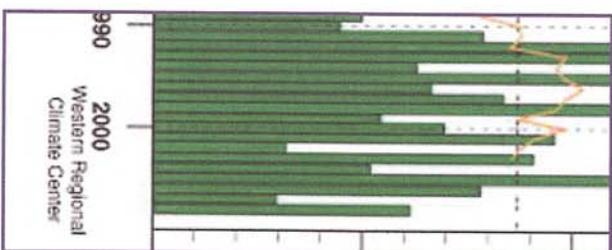


The SNOTEL river basin average snow water content and precipitation data are updated daily by the Western Regional Climate Center.

[Click here for most recent SNOTEL River Basin Precipitation](#)
 SNOTEL (SNOW TELemetry) data are from remote sites that use pressure pillows for measuring snowfall.

[Click here to learn more about SNOTEL](#)

Divisional Precipitation Time Series

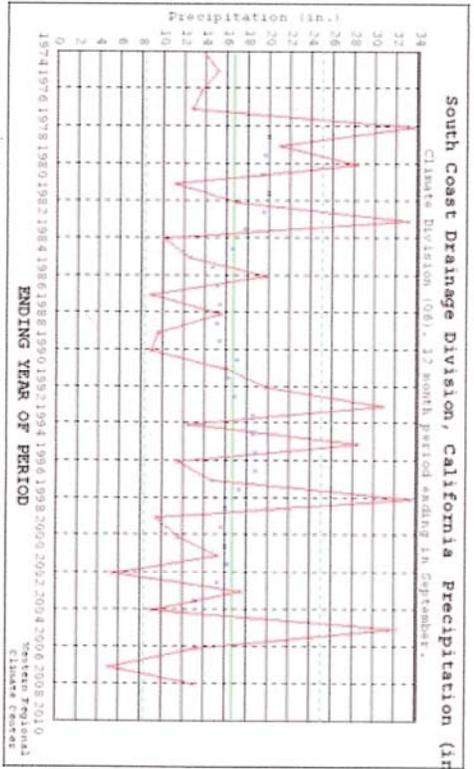


(Click here for full size image)

Plot of the climate tracker south coast region shows 7 of the last 10 years significantly below normal water year precipitation. Find more plots on the [Western Regional Climate Center's Climate Tracker web page](#).

Tropical Pacific SST Anomalies and OLR

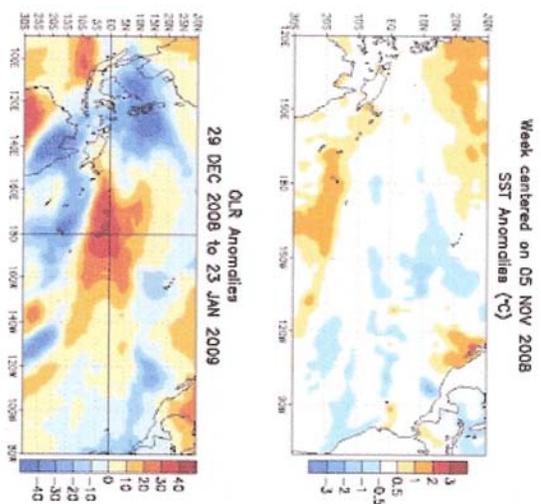
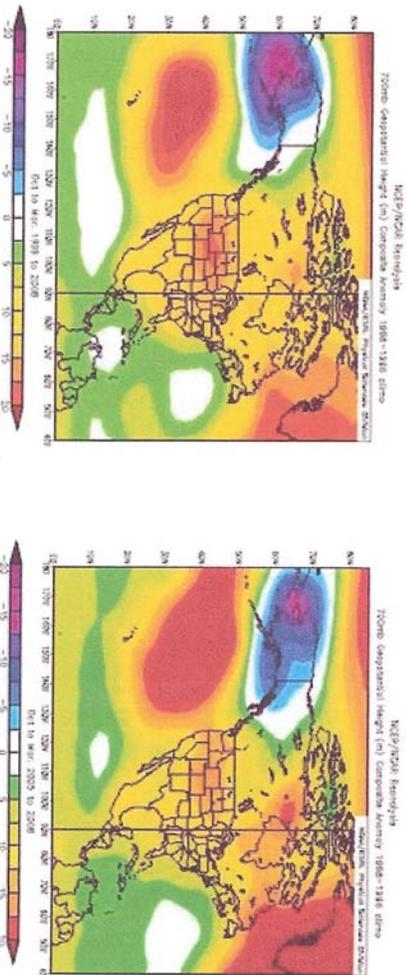
Attachment C



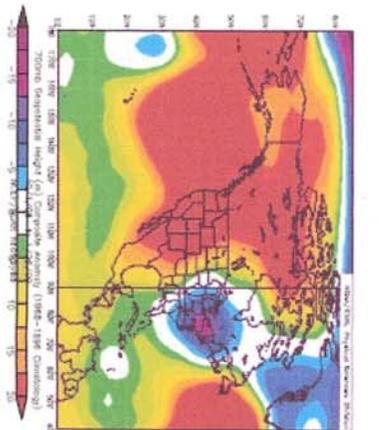
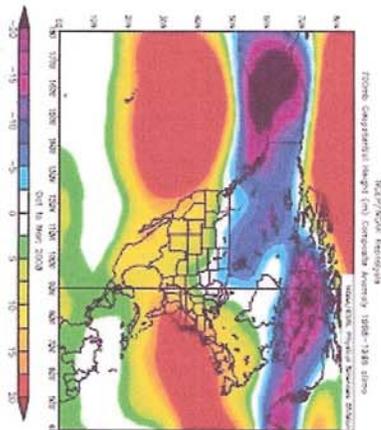
The California south coast division water year precipitation time series shows 7 of the last 10 water years have had below normal precipitation (normal shown by the solid green line). Using the tools at the been made using the Western Regional Climate Center time series can be made for other divisions.

High pressure dominates California region

The 700mb geopotential height anomaly plots to the right show a persistent pattern of increased height over the western Pacific, especially off the coast of California. The Oct-Mar 700mb height anomalies shown are: upper left 1999-2008, upper right 2005-2008, lower left 2008 and lower right 1 Oct 2008 through 25 Jan 2009. Note particular dominance of high pressure



California Drought Update -- 2009
during the current water year.



Executive Summary

Our study indicates that groundwater supply is generally produced from two zones, an upper zone (Upper Aquifer) that is generally less than 300 feet and a lower zone (Lower Aquifer) that exists at the site at a depth of approximately 450 to 600 feet below the ground surface (bgs). Limited well information indicates that potable water supplied to most residences and ranches is derived from wells within a depth of about 175 feet bgs in the Upper Aquifer. Kemnitzer (1967) identified 89 wells penetrating the Upper Aquifer, and estimated their average production to be about 6 afy (4 gallons per minute (gpm) with continuous pumping). Based on a well survey in March 2008, these wells penetrating the Upper Aquifer probably yield from a few gpm up to 40 gpm. Wells in the Lower Aquifer typically yield on the order of 500 to 1,100 gpm (Kemnitzer, 1967). He identified 11 irrigation wells in 1967 and of these, it appears that six were generally greater than 300 feet deep. It is from this zone that the CESF would derive its water supply.

URS conducted a well survey within approximately 3 miles of the proposed site, and visited residents to identify the characteristics of their wells. Although a well may have been identified during the survey, discussion with residents indicate some are no longer operating. This information was considered in the groundwater modeling conducted to evaluate the effects groundwater pumping related to this project. As a result of the survey and other data sources, 86 wells have been identified and included in the model. URS requested well data from California Department of Water Resources (DWR); however, release of this information is considered proprietary under California Water Code Section 13752 and our request was denied.

Groundwater quality appears to be variable within each of the aquifer zones, and is generally inferior in the Lower Aquifer, based on the limited water quality data available. URS evaluated the groundwater quality of the proposed CESF pumping well. Some constituents exceeded their respective Primary or Secondary Maximum Contaminant Levels (MCLs) for drinking water established by the State indicating that it is not suitable for drinking water without further treatment. The CESF will be using this inferior quality water from the Lower Aquifer for its water supply.

Pump testing data are available for a Lower Aquifer well that was located immediately adjacent to the site on the western edge of Section 27 at the former ARCO solar site. These data were considered in the groundwater modeling conducted to evaluate the potential affects of pumping and substantiate accounts that previous pumpage at the site at similar rates had no observable affects on neighboring wells. The United State Geographic Survey (USGS) model, MODFLOW was used for the groundwater modeling to simulate the potential affect of site pumping on neighboring wells and the Carrizo Basin. Actual geologic and hydrogeologic conditions were used in the model including data derived from the URS well survey, Kemnitzer (1967), information provided by the public and other available sources.

The model simulated groundwater flow in six layers for the basin. An inset model was used to be able to more accurately simulate and identify estimated drawdown and groundwater elevations in the site vicinity. The Upper Aquifer was Layer 1 and the Lower Aquifer was Layer 3 (greater than 400 ft below land surface). No-flow and general head boundaries were set to approximate basin conditions. Average annual recharge was applied to Layer 1 (60,000 afy), consistent with Kemnitzer (1967). Pumping from the basin was simulated using the locations and available data for 86 wells identified in the basin. Of these wells, it was assumed that the domestic supply wells penetrating the Upper Aquifer were pumped at an average rate of 0.62 gpm or approximately 1 afy, consistent with residential water use expected on the

SECTION THREE**Hydrogeology**

URS also made a well data request to the California Department of Water Resources (DWR) through completion of a Well Completion Report Release Agreement for an Agency Study under California Water Code Section 13752. Our request was denied because URS is not an agent for an Agency, in this case the CEC. No additional data were released to URS by the DWR.

3.3.2 Results

The locations of wells identified during the survey are shown on Figure 3-3. A limited set of data was obtained from the residents concerning well construction and yield information which has been included in Table 3-1. This includes wells identified on USGS topographic quadrangle maps for the site vicinity. These wells are shown with a number following the well symbol on Figure 3-3. It should be noted that although a well may have been identified during the survey, a local resident indicated after the August 5, 2008 workshop that some no longer operate. For example, Well G1 shown on the site has been abandoned. This information is noted in Table 3-1 and on Figure 3-3.

As a result of the survey and other data sources, 86 wells have been identified. Based on the information provided by residents, the wells that generally penetrate the uppermost zone to 100 to 200 feet below ground surface (bgs) have well yields ranging from 8 to 20 gpm. During one of the public hearings, one nearby resident to the proposed site indicated that his well that penetrates the Upper Aquifer has a well yield of approximately 12 gpm (M. Strobridge, April 14, 2008 Public Hearing). Some of the wells are screened through this interval to a depth of 200 to 300 feet. These wells appear to yield 40 to 150 gpm. The wells with higher yields appear to be used for irrigation. Of the limited information provided by residents, none of the wells appeared to be screened at a depth of 450 to 600 feet similar to the proposed pumping well at the CESF site. As indicated above, Kemnitzer (1967) identified six wells that penetrate to depths ranging from 300 to 700 feet bgs. These data served as a basis for the assumptions used in the groundwater model included in this study.

Table 3-1
Summary of Available Well Completion Data

Township, T##S	Range, R##E	Section	Quarter/ Other Indicator	Zone	Northing	Easting	Approx. Depth to Water (feet)	Approx. Well Depth (feet)	Depth of Screen Interval (feet - feet)	Approx. Pumping Rate (gpm)
Well Survey Data										
---	---	---	---	10S	766991	3917437	20	300	100-300	100-150
---	---	---	---	10S	765654	3918034	---	250	---	40
---	---	---	---	10S	764165	3918391	30	250	---	30
---	---	---	---	10S	764002	3920573	20	250	100-250	40
---	---	---	---	10S	763990	3920704	20	200	100-200	40
---	---	---	---	10S	763990	3920704	20	200	100-200	40
---	---	---	---	10S	764775	3920692	20	140	20-100	25

SECTION THREE**Hydrogeology**

Table 3-1
Summary of Available Well Completion Data
(Continued)

Township, T##S	Range, R##E	Section	Quarter/ Other Indicator	Zone	Northing	Easting	Approx. Depth to Water (feet)	Approx. Well Depth (feet)	Depth of Screen Interval (feet - feet)	Approx. Pumping Rate (gpm)
---	---	---	---	10S	772383	3912938	15	600	100-600	100
---	---	---	---	10S	772346	3912871	15	600	100-600	100
---	---	---	---	10S	227726	3914824	18	120	100-120	20
---	---	---	---	10S	227726	3914824	18	120	100-120	20
---	---	---	---	10S	227726	3914824	18	120	100-120	25
---	---	---	---	10S	227391	3915931	20	150	80-150	20
---	---	---	---	10S	228532	3915275	20	160	100-160	8
---	---	---	---	10S	228532	3915275	20	80(?)	UNK	8
Other Available Well Completion Data										
29	17	25	---	---	---	---	155	263	180 - 260	15
29	17	25	---	---	---	---	177	300	140 - 300	10
29	18	16	---	---	---	---	37	150	55 - 151	UNK
29	18	18	---	---	---	---	18	150	72 - 150	UNK
29	18	28	---	---	---	---	30	630	75 - 630	500
29	18	29	---	---	---	---	10	610	100 - 360	300
29	18	29	---	---	---	---	15	260	115 - 255	150
29	18	29	---	---	---	---	20	250	130 - 250	150
29	18	29	---	---	---	---	15	340	40 - 300	300
29	18	30	---	---	---	---	30	263	100 - 260	150
29	18	30	Lot1	---	---	---	60	200	40 - 195	50
29	18	30	Lot2	---	---	---	40	180	60 - 180	75
29	18	30	Lot3	---	---	---	40	175	55 - 175	75
29	18	30	Lot4	---	---	---	55	160	40 - 160	50
29	18	33	---	---	---	---	44	103	43 - 103	UNK
29	18	34	---	---	---	---	UNK	460	155 - 380	UNK
29	18	34	---	---	---	---	15	102	42 - 102	UNK
29	18	34	NE1/4	---	---	---	40	204	66 - 204	UNK
29	18	35	---	---	---	---	15	160	60 - 160	200
29	19	19	NE1/4	---	---	---	26	101	30 - 102	UNK

SECTION THREE**Hydrogeology**

Table 3-1
Summary of Available Well Completion Data
(Continued)

Township, T##S	Range, R##E	Section	Quarter/ Other Indicator	Zone	Northing	Easting	Approx. Depth to Water (feet)	Approx. Well Depth (feet)	Depth of Screen Interval (feet - feet)	Approx. Pumping Rate (gpm)
29	19	19	W	---	---	---	18	58	18 - 58	UNK
29	19	21	SW1/4	---	---	---	22	98	38 - 98	UNK
29	19	27	NE1/4	---	---	---	36	126	0 - 126	UNK
30	18	1	N	---	---	---	42	106	50 - 102	20
30	18	1	---	---	---	---	75	140	70 - 130	UNK
30	18	1	N	---	---	---	38	150	40 - 141	30
30	18	10	---	---	---	---	15	160	20 - 160	70
30	18	11	---	---	---	---	63	111	63 - 111	UNK
30	18	12	---	---	---	---	UNK	520	100 - 520	UNK
30	18	13	---	---	---	---	55	170	110 - 170	30
30	18	13	---	---	---	---	30	160	60 - 160	UNK
30	18	14	---	---	---	---	18	285	95 - 275	100
30	18	17	---	---	---	---	38	300	60 - 275	70
30	18	24	---	---	---	---	35	100	50 - 100	UNK

Notes:

Wells identified during the survey with well data are shown in yellow on Figure 3-3.

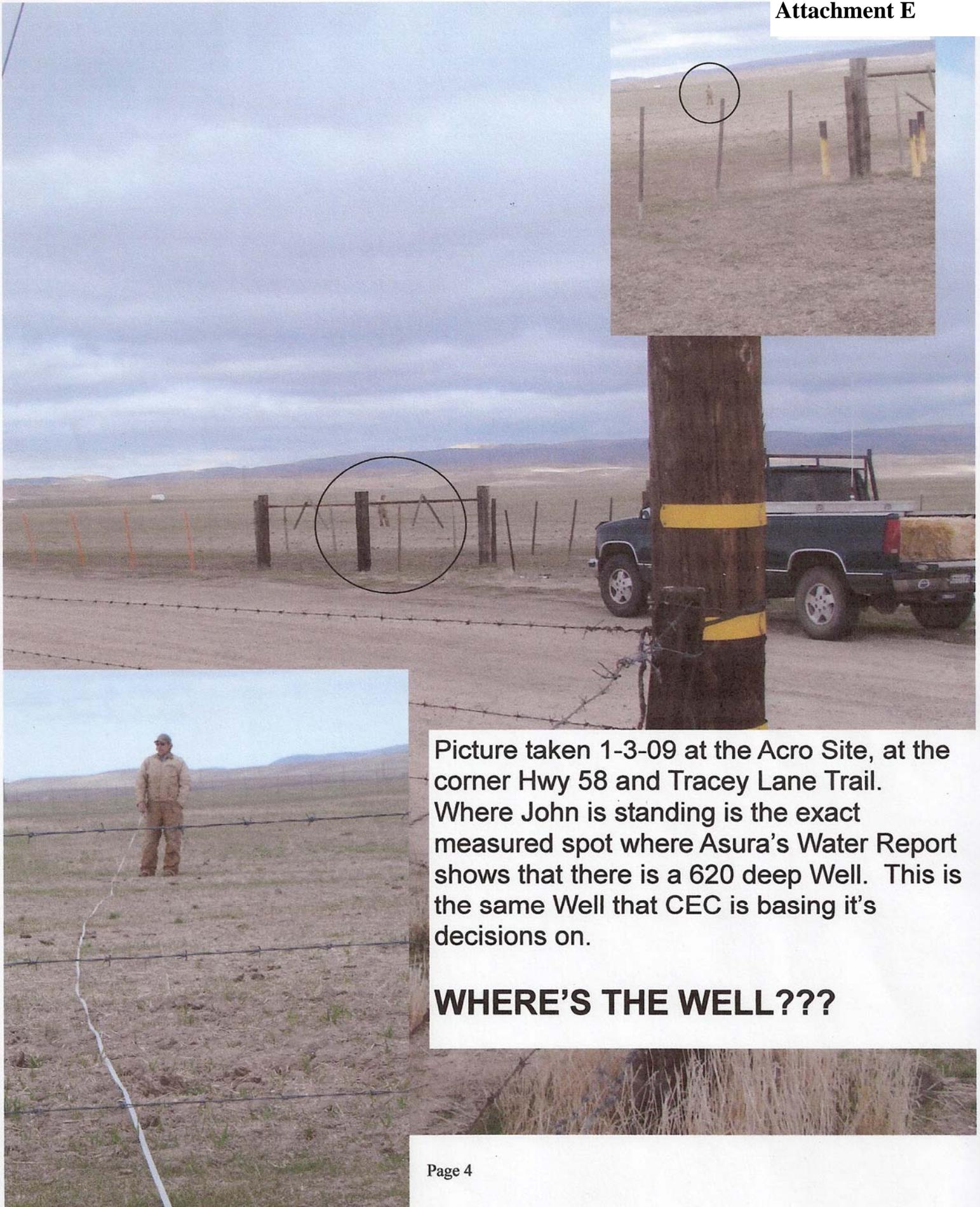
UNK: Unknown

3.4 AVAILABLE WELL INFORMATION

Publicly available well information for the Carrizo Plain is limited. The information provided below relies on the following:

- Kemnitzer (1967).
- Proposed pumping well data on the site.
- Data appearing in a hydrogeologic report prepared for the formerly adjacent ARCO solar facility.
- Well information provided by Mr. Kenny Tab for California Valley that is greater than 3 miles from the site (Tab 2008).
- Well information provided by Mr. John Ruskovich following the August 5, 2008 Workshop.

These data are provided in Appendices B, D and E.



Picture taken 1-3-09 at the Acro Site, at the corner Hwy 58 and Tracey Lane Trail. Where John is standing is the exact measured spot where Asura's Water Report shows that there is a 620 deep Well. This is the same Well that CEC is basing it's decisions on.

WHERE'S THE WELL???

SECTION THREE**Hydrogeology**

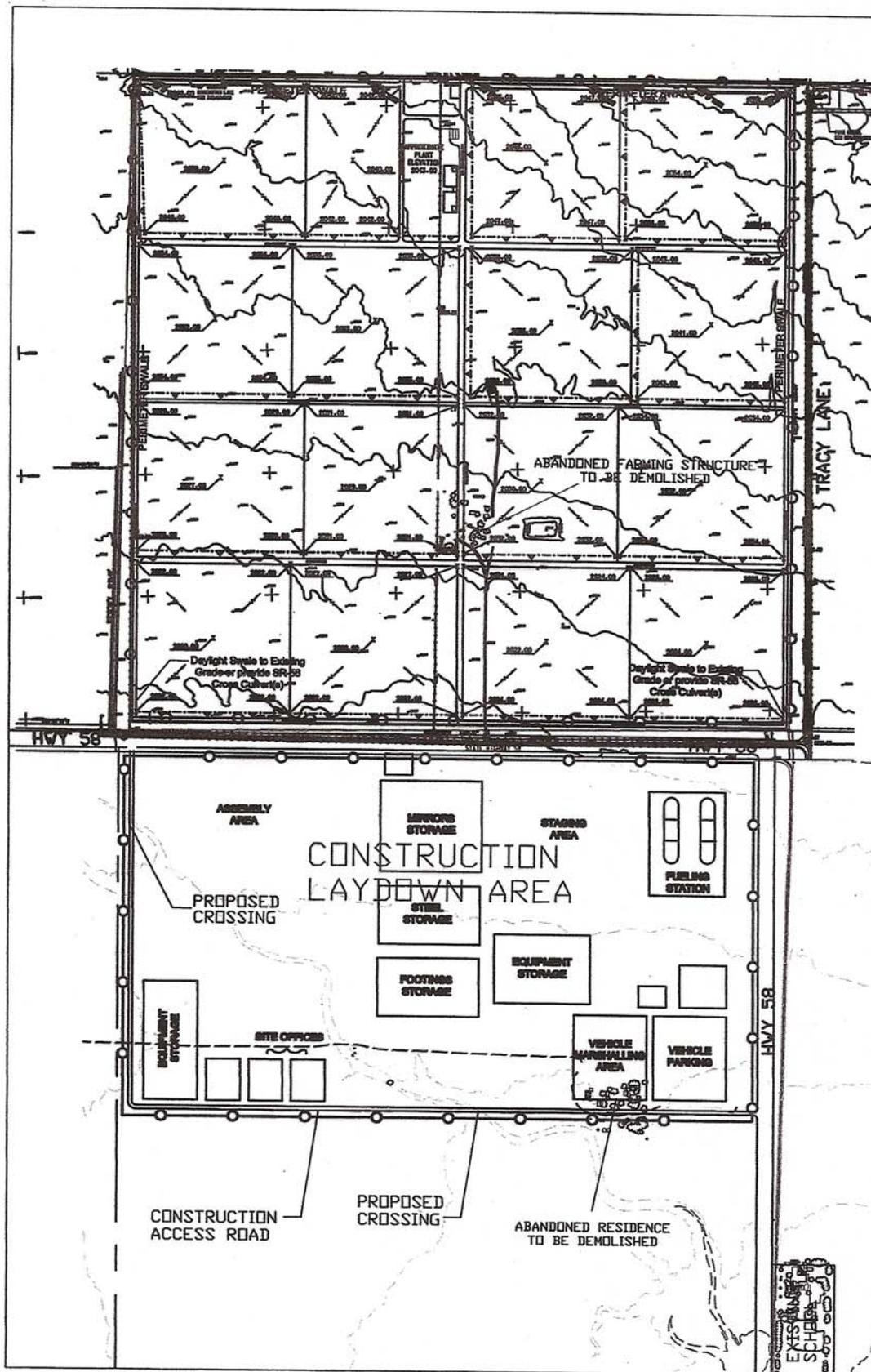
two rates of pumpage were considered to conservatively bracket a range of probable irrigation pumpage within the basin.

For the base model, it was assumed that the irrigation wells identified are operated year round using a 35% duty cycle at their estimated well yield at the time of their construction. Based on information provided by Mr. John Ruskovich, some of the irrigation wells are only pumped for three months out of the year to support the cultivation of spring hay. Others are also likely to be used for only part of the year. Others may not be used at all. Furthermore, during periods of the year when wells are being used for irrigation, a 35% duty cycle likely overestimates the duration of operation. Therefore, year-round operation with a 35% duty cycle represents an upper bound estimate for irrigation pumpage that conservatively maximizes groundwater withdrawal and drawdown, and therefore, maximizes any potential impacts of the CESF project and the proposed OptiSolar project on groundwater in the surrounding area. A lower bound for irrigation pumpage was considered in sensitivity analyses. To bracket a lower bound, it was assumed that all irrigation wells were only used for three months out of the year with a 35% duty cycle. Note also that Mr. John Ruskovich informed URS that several of the irrigation wells are no longer used and the pumping rates for these wells were set to zero in all model runs. In addition, there are a number of specific wells where water use has been estimated based on land use.

Pumpage was calculated for two properties where specific land use is known. First, there is a Lower Aquifer well at the California Valley restaurant and hotel that is not used to support agriculture, located in T30S R18E Section 12. A recent discussion with the owner, Mr. Kenny Tab, indicates that the well has an estimated yield of 500 gpm and supplies water to his restaurant, hotel and provides irrigation for landscaping. The landscaping includes a 3,000-foot row of trees (assumed to occupy approximately 3 acres). Based on calculations, it is assumed that the water use from this well for irrigation and other uses is the equivalent of 26 residential homes or approximately 14 afy. There are also approximately 8 water wells that provide irrigation supply to approximately 160 acres of olive groves at La Panza Ranch, approximately 3 miles southwest of the site in T30S R18E Section 6. It was assumed that 2.5 feet/year are required for irrigation to sustain the olive groves (see data appearing in Table 1-3). Each well was designated a pumping rate that is one-eighth of the total estimated annual water demand for the groves.

Site (CESF) Pumping Well: It was assumed that the site well will pump at a rate of 144 afy for the Construction Scenario and 20.8 afy for the Project Scenario from the Lower Aquifer (Layer 3).

Hypothetical Topaz/OptiSolar Well: The combined effect of pumping from the CESF project and the proposed Topaz/OptiSolar project to the north was also evaluated as requested by the CEC. The Topaz/OptiSolar well was included because the nearest areas of that project lie within a 3-mile radius of the CESF site and there are private parcels with residential wells located between the two projects that may have the potential to be affected by groundwater pumping. Topaz Solar Farms LLC/OptiSolar, Inc. (OptiSolar) indicates in its Conditional Use Permit (CUP) Application submitted to San Luis Obispo County that groundwater will be supplied to the project from existing wells within the site footprint. The document provides no further detail on the location of the wells or the aquifer that will be pumped. To provide a conservative evaluation of the combined effect of the CESF and OptiSolar pumping wells on the surrounding area, it was assumed that: 1) the OptiSolar well is located near the CESF site in a location where there are residential wells between the two proposed sites and, 2) the well will be pumping



NOTES:
 1. CONSTRUCTION AREA LAYOUT SUBJECT TO FUTURE REVISIONS
 2. SOIL DISTURBANCE AREA TO BE DETERMINED BY FIELD SURVEY
 3. CONSTRUCTION LAYOUT AREA TO BE DETERMINED BY FIELD SURVEY
 4. FUTURE REVISIONS TO LAYOUT TO BE DETERMINED BY FIELD SURVEY



**CBSF PROJECT SITE
 DRAINAGE, EROSION AND SEDIMENT CONTROL PLAN
 SITE DELINEATION MAP**

400 0 400 800 Feet
 SCALE: 1" = 800'

CHECKED BY: MM DATE: 02-09-2009
 PM: AL PROJ. NO: 22238472.01800

FIGURE
 2-3

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STATE OF CALIFORNIA
State Energy Commission
And Development Commission

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA 1516 NINTH STREET, SACRAMENTO, CA 95814 1-800-822-6228 – WWW.ENERGY.CA.GOV	
APPLICAION FOR CERTIFICATION FOR THE CARRIZO ENERGY SOLAR FARM PROJECT	Docket No. 07-AFC-8
	PROOF OF SERVICE
	(Revised 2/18/2009)

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STATE OF CALIFORNIA
State Energy Commission
And Development Commission

DECLARATION OF SERVICE

I, John Ruskovich, declare that on _____, I served and filed copies of the attached Data Request. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [http://www.energy.ca.gov/sitingcases/carrizo/index.html]. The document has been sent to all parties in this proceeding (as shown on the Proof of Service list) and to the commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

X sent electronically to all email addresses on the Proof of Service list;

_____ by personal delivery or by depositing in the United States mail at Atascadero, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses NOT marked "email preferred."

AND

For filing with the Energy Commission:

X sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

_____ depositing in the mail an original and 12 copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-8
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

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

/s/

John Ruskovich