John Ruskovich
13084 Soda Lake Road
Santa Margarita, CA 93453
agarnett@tcsn.net

DOCKET
07-AFC-8
DATE MAR 30 2009
RECD. MAR 30 2009

STATE OF CALIFORNIA
State Energy Commission
And Development Commission

In the Matter of: The Application for Certification for the Carrizo Energy Solar Farm by Carrizo Energy, LLC	Docket No: 07-AFC-8 PETITION FOR EXTENSION OF DATA DISCOVERY

Intervener John Ruskovich hereby petitions the Commission for reconsideration of Extension of the Discovery Period and other matters beyond the 365 day permitting processing, in the above referenced matter.

This petition is made on the ground(s) that:

1. Petitioner is being denied the right for the submittal of data request. This application process continues to be revised and as an intervener it is my right to request data as long as there are any revision to the project.

2. The application filed on December 19, 2007, so we are at 466 days since the application was filed and to this day there continues to be revised reports, i.e.; hydrology, traffic, wildlife, etc., thus showing proof for the need to continue the processing of data requests. An example of this is; the continuing change and rise in the amount of water used for this project. As stated in the minutes of the December 15, 2008 meeting, where Mr. Lindley states:

> "I'm taking them on their word, they're planning on pulling 20.8 acrefeet per year. And there may be times when they try to fill their raw water storage tank where they're going to pump a little bit more than their 18 gpm. But on an average annual basis, which the kind of timeframe you look at for groundwater withdrawal, I'm confident that they will not be able or legally able to pump more than 75 acrefeet in any three year period. And more than, I think, 38"
>
> "—65 in a year three-year period and 25 in any one."

In the applicants' hydrology report of February 2009, Executive Summary, page ES-5 it states:

> "The maximum average annual water use is estimated to be 144 acrefeet [128,5000 gallons per day, or approximately 89 gallons per minute]"…this is during the first year alone. (See attachment A)

Only two out of the last nine years have we had an average or above average rainfall year. The State of California or particularly the Carrisa Plains are in number 4 year of drought.

3. This project is the first of its kind and thus will set precedent. The hard work by the Energy Commission staff in permitting such a large and new type of project is commendable. But the data discovery process must be allowed to continue throughout the duration of this project.

4. State, Federal, County, and Interveners are still attending pre-determined workshops. These workshops are currently being formulated and will be held on specific issues of concern, which will cause more revisions.

5. Data will constantly be created and recorded from all phases of this project from application, construction, operation, to decommissioning.

I pray you find in our favor and extend the data discovery period.

3/30/09 /s/

Date John Ruskovich

PROOF OF SERVICE IS ATTACHED

John Ruskovich
13084 Soda Lake Road
Santa Margarita, CA 93453
agarnett@tcsn.net

STATE OF CALIFORNIA
State Energy Commission
And Development Commission

DECLARATION OF SERVICE

I, John Ruskovich, declare that on March 30, 2009, I served and filed copies of the attached Petition. 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

John Ruskovich
13084 Soda Lake Road
Santa Margarita, CA 93453
agarnett@tcsn.net

STATE OF CALIFORNIA
State Energy Commission
And Development Commission

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFONIA 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)

APPLICANT
Perry H. Fontana, QEP
Vice President-Projects
Ausra, Inc.
2585 East Bayshore Road
Palo Alto, California 94303
perry@ausra.com

APPLICANT CONSULTANT
Angela Leiba, GISP
Senior Project Manager
GIS Manager/Visual Resource Specialist
URS Corporation
1615 Murray Canyon Road, Suite 1000
San Diego, CA 92108
angela_leiba@urscorp.com

Kristen E. Walker, J.D.
URS Corporation
1615 Murray Canyon Road, Suite 1000
San Diego, California 92108
kristen_e_walker@urscorp.com

COUNSEL FOR APPLICANT

Jane E. Luckhardt
DOWNEY BRAND
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

INTERVENORS

***Mr. John A. Ruskovich**
13084 Soda Lake Road
Santa Margarita, California 93453
agarnett@tcsn.com

***Mr. Michael Strobridge**
9450 Pronghorn Plains Road
Santa Margarita, California 93453
mike_76@live.com

California Unions for Reliable Energy (CURE)
c/o Tanya Gulesserian
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
tgulesserian@adamsbroadwell.com

John Burch
Traditional Council Lead
Salinan Tribe
8315 Morro Road, #202
Atascadero, California 93422
salinantribe@aol.com

***Environmental Center of San Luis Obispo (ECOSLO)**
c/o Babak Naficy
P.O. Box 13728
San Luis Obispo, California 93406
babaknaficy@sbcglobal.net

ENERGY COMMISSION

JEFFREY D. BYRON
Commissioner and Associate Member
jbyron@energy.state.ca.us

Gary Fay
Hearing Officer
Gfay@energy.state.ca.us

John Kessler
Project Manager
jkessler@energy.state.ca.us

Caryn Holmes
Staff Counsel
cholmes@energy.state.ca.us

Michael Doughton
Staff Counsel
mdoughto@energy.state.ca.us

Elena Miller
Public Adviser
publicadviser@energy.state.ca.us

*indicates change

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:

POWER ENGINEERS

Ausra Carrizo Construction Water Estimate

Water Truck Delivery Capacity			
Quantity	2	EA	Average 2 water trucks during construction period
Annual Working Days	260	DAYS	52 - 5 day weeks
Annual Operation	2,080	HR	8 - hour days
Capacity	3,600	GAL	Typical capacity (bigger trucks available)
Discharge Rate	330	GPM	5 MPH and 24 FT swath
Discharge Time	11	MIN	
Recharge Time (travel and refill)	30	MIN	Elevated tank gravity quick fill system
Cycle Time	41	MIN	
Truck Cycles	12	CYC/DAY	Maximum, probably less
Available Annual Water Truck Delivery	**67.41**	**AFY**	

Construction Water Usage Estimates			
Dust Suppression			
Dust Suppression Water Usage	0.03	GAL/SF	Estimate (32 SF/GAL)
Disturbed Area Water Coverage	1,359	GAL/AC	
Active Roadway Water Coverage	3,960	GAL/MI	24 FT wide road
Maximum Unstabilized Disturbed Area	20	AC	equivalent to a 5 Line Block
Maximum Active Roadway	2.0	MI	Estimate of active roadway
Disturbed Area Application Interval	2	APP/DAY	Estimate based upon climate
Active Roadway Application Interval	4	APP/DAY	Estimate based upon climate
A) Annual Water Usage	**68.66**	**AFY**	
Grading Compaction			
Fill Volume	1,200,000	CY	Grading completed within first year
Soil Dry Density	100	LB/CF	Assumption per preliminary geotech report
Moisture Conditioning	5%		Assumed added moisture for optimum compaction
Water Losses	20%		Assumed losses to waste and evaporation
B) Total Water Usage	**71.56**	**AF**	
Concrete Hydration			
Concrete Quantity	75,000	CY	30,000 CY Power Block and 45,000 CY Solar Field
Moisture Requirement	48	GAL/CY	
C) Total Water Usage	**11.05**	**AF**	
Potable Drinking Water			**Assume provided by off-site bottled water**
Labor Force (avg)	290	PEOPLE	
Worker Consumption	1	GAL/DAY	16 - 8 OZ glasses
D) Annual Water Usage	**0.23**	**AFY**	
E) Sanitary System			**Assume provided by off-site portable chemical toilets**

Estimated Annual Construction Water Usage			
YEAR 1 (month 1-12)	**143.87**	**AFY**	Dust suppression, grading compaction and partial concrete hydration (A + B + 0.33C)
	375.64	**GPM**	Average on-site well rate during working hours.
YEAR 2 (month 13-24)	**72.31**	**AFY**	Dust Suppression and partial concrete hydration (A + 0.33C)
	188.80	**GPM**	Average on-site well rate during working hours.
YEAR 3 (month 25-35)	**37.98**	**AFY**	Partial dust suppression and partial concrete hydration (0.50A + 0.33 C)
	99.16	**GPM**	Average on-site well rate during working hours.

Notes:

1) Four water trucks required through month 12, two through month 24, and one through month 35.
2) Soil will be more permantly stabilized using an alternative to water as earthwork is completed in each area.
3) Water for consumption and sanitary services during construction will be sourced from off-site.