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07-AFC-8

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March 18, 2008

Mr. B.B. Blevins
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: Carrizo Energy Solar Farm (07-AFC-8)
Applicant's Responses to John Ruskovich's Comments (Carrizo Energy
Solar Farm 07-AFC-8)
URS Project No. 22239472.018000

Dear Mr. Blevins:

On behalf of Ausra CA II, LLC (dba Carrizo Energy, LLC), URS Corporation Americas (URS) hereby submits the Applicant's Responses to John Ruskovich's Comments (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 John Ruskovich's Comments on behalf of Carrizo Energy, LLC.

Sincerely,

URS CORPORATION

Angela Leiba
Project Manager

AL:ml

Attachments

APPLICANT'S RESPONSES TO JOHN RUSKOVICH'S COMMENTS (CARRIZO ENERGY SOLAR FARM [07-AFC-8])

No.	TOPIC		SUBJECT	RESPONSE	
1	Airstrip	a	Regarding FAA Compliance	Land use	The FAA requires that a Notice of Proposed Construction or Alteration Affecting the Navigable Airspace be filed for any construction or alteration of greater height than an imaginary surface extending outward and upward at 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport with at least one runway more than 3,200 feet in actual length, excluding heliports. The CESF project site is over 4 miles (21,120 feet) from the nearest edge of the California Valley Airfield landing strip, and the laydown area is over 3.5 miles (18,480 feet) from the nearest edge of the landing strip. The tallest structures at CESF are the 150 foot transmission line poles and the 115 foot air cooled condensers. The CESF project is not within 20,000 feet of the airfield and does not exceed the height of the imaginary surface extending at a slope of 100 to 1 from the airstrip in question; therefore, it is not required to file FAA 7460 Notice of Proposed Construction or Alteration.
		b	Regarding California Valley Airfield runway length and composition	Land Use	Section 5.11.1.4.4 in the Traffic and Transportation section of the Project AFC incorrectly stated that the California Valley Airfield runway is 2,500 feet long and graded; however, the California Valley Airfield is over 3,200 feet and paved.
		c	Regarding no visible plumes	Land Use	The CESF project will not generate thermal plumes or visible water vapor plumes because it is a closed loop system.
2	Highway 58 Traffic	a	Regarding typographic error in Data Adequacy Request 19	Traffic	SR-58 was erroneously typed as SR-38 in Response to Data Adequacy Request 19.
		b	Regarding the LOS rating of SR-58	Traffic	SR-58, with 50 to 80 vehicles per hour, is operating at Level of Service (LOS) A. The LOS rating describes the amount of traffic currently using the roadway. Mr. Ruskovich is referring to a study of future traffic conditions projected for the roadway that does not provide a LOS for current conditions. The roadway conditions that Mr. Ruskovich described are noted and were also described in Section 5.11.1.1.1 Regional Roadway Facilities, SR- 58 in the Project AFC.
		c	Regarding how limited manufacturing will occur on the Project site during the construction period to reduce truck trips on SR-58	Traffic	As part of our ongoing design process and in response to comments from the public, Carrizo Energy is in the process of revising its Project description to include limited manufacturing on the Project site during the construction period. The manufacturing component will be conducted entirely within the proposed maintenance building and will be removed once construction is complete. This modification will result in a significant reduction in truck trips on SR-58. A detailed description of the on-site manufacturing component is being developed and will be provided to CEC staff and the public.
		d	Regarding traffic associated with French Camp Vineyards	Traffic	The traffic volume on SR-58 was based on published information from Caltrans. It is anticipated that seasonal traffic from French Camp Vineyards or from other activities in the study area could be reasonably accommodated on SR-58 without degrading the LOS to unacceptable levels.
		e	Regarding shoulders and grades on SR-58	Traffic	Roadway shoulders and grades described in Section 5.11.1.1.1 Regional Roadway Facilities, SR-58 in the Project AFC are consistent with Mr. Ruskovich's photo exhibits.
		f	Regarding Project permitting process	Traffic	The permitting process includes reaching out to all potentially affected agencies and parties. Kern County is among these. To date, the Applicant nor the CEC has received requests for any additional information relating to the Applicant's application.
		g	Regarding road ware	Traffic	According to Mr. Kurt Hatton, Caltrans District 6, Program Management, Caltrans strives to maintain its facilities through a systematic maintenance program including pavement rehabilitation and repair through its Division of Maintenance. Through the Caltrans website, a maintenance service request is available for the public to report potholes and other road conditions that need immediate attention. A Traffic Congestion or Construction Problem Form is also available to direct questions to the appropriate person or specialist who can answer specific public questions.

APPLICANT'S RESPONSES TO JOHN RUSKOVICH'S COMMENTS (CARRIZO ENERGY SOLAR FARM [07-AFC-8])

No.	TOPIC		SUBJECT	RESPONSE	
3	Endangerment of Species	a	Regarding antelope and tule elk in vicinity	Biological Resources	Antelope were observed in and adjacent to Section 33 several times during the surveys in 2007. The antelope were most commonly observed associated with a cattle watering facility in the southern portion of Section 33, outside the area proposed for temporary disturbance. CESF is not stating that antelope do not use the site or that it is unsuitable for antelope or tule elk. However, the CESF site provides limited habitat in comparison to the adjacent lands and those located further to the south, which are lands that are not disturbed by disking on a regular basis.
					While the antelope and elk may benefit from the morning glory as a side-effect of the agricultural land uses, morning glory is not a native species and is not necessary for the survival of the antelope. It is also true that the antelope water in Section 33. The creek that runs through this section is substantial and supplies water to many different species. Antelope are using artificial sources of water other than the creek, an indirect affect of the agricultural activity in the area and not a natural part of the landscape.
		b	Regarding antelope and tule elk in vicinity	Biological Resources	The Beck and Twisselman Ranches, on which Mr. Ruskovich states the tule elk primarily reside, are located on the perimeter of the CESF project site. These parcels will not be impacted by the CESF project and will therefore, not remove the movement function for the elk or antelope. The Project site will be fenced during and after construction. This will minimize impacts on all wildlife species.
		c	Regarding the BLM and Nature Conservancy and their long-term conservation strategies	Biological Resources	Raptors such as golden eagle, kestrel, red-tailed hawk, and falcons have large foraging ranges and the agricultural habitat in and surrounding the CESF project site provide foraging habitat for raptors. The southern portions of the Carrizo Plain do support many endangered species, which is why it is planned for conservation by the Federal and state governments and the Nature Conservancy; however, the CESF project site is not included as part of the long-term conservation strategy by these agencies. The site has limited use by only one endangered species, kit fox. Special-status species locations are shown on Figure 5.6-3 in the Project AFC.
		d	Regarding kit fox	Biological Resources	As concluded in Section 5.6, Biological Resources, of the Project AFC, and after consultation with the regulatory agencies, it is determined that there may be impacts to the San Joaquin kit fox; however, mitigation agreed upon by the agencies will reduce impacts to a less than significant level.
		e	Regarding the laydown area on Section 33	Biological Resources	CESF is stating that the areas where the roads and offices are not located within Section 33 will be returned to the existing condition. Section 33 is currently chronically disturbed by agricultural activity.
		f	Regarding alternative sites	Alternatives	Alternative sites for the CESF Project were considered and described in Section 4.0, Alternatives, of the Project AFC. Additional information relative to these responses was also provided in the Applicant's Responses to Data Requests. Both are available for public review at the Project's Documents Page on the CEC website, located at http://www.energy.ca.gov/sitingcases/carrizo/documents/index.html .
		g	Regarding cumulative impacts	Cumulative Impacts	CEQA requires the applicant to review and assess all reasonably foreseeable projects when addressing cumulative impacts. CEQA requires that the analysis of cumulative impacts should include a discussion of projects under review by the Lead Agency and projects under review by other relevant public agencies, using reasonable efforts to discover, disclose, and discuss the other related projects. Discretionary permits filed within a reasonable distance from the project define the projects considered in the cumulative analysis. The other solar project has yet to file a permit application that the Applicant or the County is aware of, and therefore, the Applicant did not include this project in the cumulative analysis.
4	Water Concerns	a	Regarding ground surface treatment	Engineering	The Project site will be graded, which will remove surface vegetation. Final grading for the site will incorporate localized detention basins for controlling and collecting storm water, allowing it to percolate into the ground. No additional ground surface treatment is required. In the long-term, weeds may be managed by gravel or other suitable cover. If required, an environmentally friendly herbicide that is appropriate for the area may be locally applied. There will be no lasting damage to the soil.

APPLICANT'S RESPONSES TO JOHN RUSKOVICH'S COMMENTS (CARRIZO ENERGY SOLAR FARM [07-AFC-8])

No.	TOPIC		SUBJECT	RESPONSE
		<p align="center">b</p> <p align="center">Regarding ground surface treatment</p>	Water	<p>See response to 4a above. Additionally, the reflector washing operation is similar to commercial window washing using wet applicators or pressure nozzles and squeegees, and the solar thermal washdown water will evaporate from the reflector surface upon application with only a small fraction falling to the ground surface where it will evaporate. No washwater will reach the groundwater based on the minimal volume, high evaporation rate, clayey nature of the soil, and its depth (approximately 30 feet). Reflectors will be washed with softened water (i.e., calcium and sodium carbonates removed) with the addition of a highly diluted biodegradable dishwashing liquid. Any soap residue will biodegrade. All contact water will discharge to the oil water separator (OWS).</p> <p>Rain falling in the power block area will be collected and directed to the surrounding solar field using a system of swales integrated with the site grading plan. Rainfall from vehicle parking and paved areas in the power block will be collected and directed to an OWS prior to discharge to the raw water tank for recovery. Therefore, there are no potential impacts to groundwater quality.</p>
		<p align="center">c</p> <p align="center">Regarding Project water usage</p>	Water	<p>The estimated average water usage accounts for expected fluctuations in the rate. The estimated peak rate of water use is 74,000 gallons over the course of a single day [48.6 gallons per minute (gpm)] to clean the air cooled condenser one time per year. This is a conservative assumption since the air cooled condensers at a similar facility in a similar environment in Nevada required cleaning once every five years. The expected average water use will be approximately 20.8 acre-feet per year (afy), or approximately 18,500 gallons per day (gpd). This volume of water used daily is considerably less than the irrigation requirements for dry farming and irrigated agriculture that is currently conducted on the Plains and could be conducted on the property.</p>
5	<p align="center">Deeds & Deception</p>	<p align="center">a</p> <p align="center">Regarding Applicant control of various parcels in the vicinity of the CESF</p>	Ausra	<p>The Applicant controls sections 28, 31 through 35, and part of 26. Applicant has proposed to develop Section 28 for the CESF and use part of Section 33 for construction laydown. Applicant's experience with power project development suggests that it is prudent to control additional land in the event that such land is necessary to accommodate design changes, or is required for mitigation. At this time the Applicant has no plans for expansion of the CESF. Any proposal for future development of the parcels would go through the appropriate permitting authorities as a separate land use development.</p>
		<p align="center">b</p> <p align="center">Regarding demolition of existing structures</p>	Ausra	<p>The party responsible for demolition of existing structures is determined by contractual agreement in the site control documents. For any necessary demolition, Applicant is not the responsible party per the terms of those agreements.</p>
		<p align="center">c</p> <p align="center">Regarding cumulative impacts</p>	Cumulative Impacts	<p>Please refer to response to item 3g above.</p>
				<p>The main point that the commenter appears to be making is that extreme winter temperatures tend to be colder than the climatological average minimum temperatures reported in Table 5.2-1 of the Project AFC. The Applicant acknowledges that extreme cold temperatures can occur and confirms that the design of the proposed project considers these conditions; however, per the CEC's Data Adequacy Worksheet for Air Quality, Appendix B(g)(8)(H) of the siting regulations requires "One year of meteorological data collected from either the Federal Aviation Administration Class 1 station nearest to the project or from the project site, or meteorological data approved by the California Air Resources Board or the local air pollution control district." Additionally, per Appendix (g)(8)(H)(ii) of the siting regulations, "The data shall include quarterly wind roses, ambient temperatures, relative humidity, stability and mixing heights, upper atmospheric air data, and an analysis of whether this is representative of conditions at the project site."</p> <p>In accordance with these regulations, the Applicant summarized "long-term average temperature...data...collected at the nearest meteorological station, approximately 8 miles west of the Project at La Panza, California" in Section 5.2.1.1 and Table 5.2-1 of the Project AFC. A subsequent review of monthly temperature data at the La Panza weather station from 1992 to the present showed that the lowest individual temperature readings recorded at this location during the winter months of November, December, January, and February varied between the following values in specific years:</p>

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6	Climate	a	Regarding extreme cold temperatures versus climatological average minimum temperatures reported in Project AFC	Air Quality	The coldest November lows ranged from 17 degrees F (1993, 2004, 2006) to 29 degrees F (1997)			
					The coldest December lows ranged from 7 degrees F (1998) to 25 degrees F (1995)			
					The coldest January lows ranged from 4 degrees F (2007) to 25 degrees F (1995, 2003, 2005)			
					The coldest February lows ranged from 16 degrees F (2002, 2006) to 30 degrees F (2000).			
Other factors that could explain differences between the average temperature data reported in the AFC and the environment that was experienced by the commenter include a separation of some 8 miles between the La Panza station and the project boundary, and an elevation rise of about 400 feet from La Panza to the proposed Project site on the Carrizo Plain. A difference in land-use characteristics between the La Panza station environment and the Project site environment may also cause a difference in temperature between the two locations. Thus, it would not be surprising if temperatures at the Project site reach more extreme low and high values compared with the La Panza station, which is the nearest full-time weather station with an extended record of data collection.								
La Panza station lows do drop into the 20s and below. In fact, the monthly average low temperature for December 2006 was 25 degrees F, and, as shown above, conditions have occurred in which temperatures during this month have dropped to the low single digits. However, the average low for December over a 16 year period at La Panza is 30 F, as presented in Table 5.2-1. Mainly due to higher elevation, temperatures may reach higher or lower extremes in the immediate vicinity of the Project site than at La Panza. Snow could definitely accompany winter storms when local temperatures are at or below freezing. The record of measurements at La Panza provides the most representative information currently available for this rural portion of San Luis Obispo County. Also, please note that these data were used for a descriptive climate summary and played no role in the quantitative screening modeling conducted to evaluate air quality impacts of the operational CESF.								
7	Height Limit	a	Regarding the County's height limit exception	Land Use	The County has indicated that exceptions to height limitations in the Agriculture, Rural Lands land use category can be made pursuant to a Conditional Use Permit.			
		b	Regarding cumulative impacts	Cumulative Impacts	Please refer to response to item 3g above.			
8	Noise	a	Regarding noise levels	Noise	Table 5.12-1 (pg. 5.12-3 of the Project AFC) shows a table that associates typical noises and sound environments with decibel levels. Table 5.12-7 (pg. 5.12-15 of the Project AFC) shows that predicted operational noise levels at selected noise-sensitive locations are all below 50 dBA, which Table 5.12-1 suggests is comparable in magnitude to "light traffic at 100 feet." Because the Project's pair of dry cooling systems are expected to be the dominant plant operational noise sources, the character of the sound will probably resemble that of a household window fan (at low speed setting), clothes dryer, or dehumidifier at 3-5' distance. (Source of these analogies: USEPA, "Noise from Construction Equipment and Operations, Building Equipment and Home Appliances", NTID300.1, December 31, 1971.)			
9	Misc Problems/Concerns	a	Regarding land values	Land Use	Per the Applicant's responses to Robin Bell, the Applicant is not aware of any studies showing long-term decrease in property values in connection with the construction of a nearby solar power plant. Studies on the impacts to property values associated with other types of power plants acknowledge that decreases in property values can result from perceptions of dangers associated with coal, gas, and nuclear power plants, such as emissions, odors, heavy machinery, accidental releases, and pollution, etc. However, solar power is clean and renewable and the perceived dangers associated with other types of power facilities are not likely to be associated with solar power plants. Therefore, this Project has the potential to be received positively by potential buyers. Alternatively, the CESF may actually enhance property values by stimulating the local economy. For additional information, see response to 3g, above, and Responses to Robin Bell Questions.			
					b	Regarding the septic system	Engineering	The CESF will have a septic system and leach field constructed per San Luis Obispo County requirements. Septic systems and leach fields are acceptable in this portion of San Luis Obispo County.
					c	Regarding outdoor lighting	Visual Resources	Lighting design for the CESF would be consistent with CEC lighting requirements and local LORS. Please see discussion on lighting design prepared as a Response to CEC Data Request 9 as well as the lighting design description provided in Section 3.4.10.1, Lighting, in the Project AFC.

APPLICANT'S RESPONSES TO JOHN RUSKOVICH'S COMMENTS (CARRIZO ENERGY SOLAR FARM [07-AFC-8])

No.	TOPIC		SUBJECT	RESPONSE
	d	Regarding hiring of workers	Ausra	The Applicant is currently in negotiations with Union representatives regarding a possible PLA; however, the Applicant has stressed in these negotiations its desire to include local labor in this Project, and we anticipate that any resulting labor agreement will allow for us to use local resources for the Project.
	e	Regarding alternative sites	Alternatives	<p>There is not a specific parcel indicated by Mr. Ruskovich so Applicant has no way to adequately evaluate the feasibility of obtaining the site indicated. As to the general area indicated by Mr. Ruskovich, Applicant did consider the area and considers it inferior to the proposed site on a variety of dimensions: solar resource, land use feasibility, water availability and use.</p> <p>1. The CESF site has a better solar resource than the area indicated by Mr. Ruskovich due to higher potential incidence of cloud cover and fog in that area.</p> <p>2. Applicant considers the process for site certification on DOE or BLM land to be untested in the context of solar thermal in California and therefore uncertain, putting the project schedule at risk.</p> <p>3. Based upon the location described, it appears that the California Aqueduct managed by DWR crosses through the area identified. There is also a canal called Westside Canal in the vicinity. The use of aqueduct or canal water is not typically the preferred source for water from the regulators' standpoint.</p>
	f	Regarding hazardous waste disposal	HazMat	<p>The CESF will generate and dispose of non-hazardous and hazardous wastes that are significantly less than wastes generated and disposed of during construction and operation of "traditional" power plants. Table 5.14-2 and Table 5.14-3 of the CESF Project AFC describe the construction and operation management waste streams and management methods. Small amounts of non-hazardous and hazardous waste will be generated during construction and operation of the CESF. Non-hazardous waste will be segregated, where practical, for recycling. Hazardous wastes will also be recycled whenever possible. Managed and disposed of properly, these wastes will not cause significant environmental or health and safety impacts. The small quantities of non-hazardous and hazardous waste that cannot be recycled are not expected to significantly impact the capacity of the Class I or Class III landfills in California.</p>
				<p><u>Tracy Lane</u>: Tracy Lane travels from south to north along Sections 28 and 27, then bends at a 90 degree angle and travels from east to west along sections 22 and 27. The road then bends at another 90 degree angle and continues to run south to north across Section 22.</p> <p>In the Project AFC Tracy Lane is mentioned on the following pages: 1-2, 3-2, 3-3, 3-28, 3-39, 5.5-4, 5.6-1, 5.7-3, 5.8-2, 5.11-2, 5.13-2, 5.13-4, 5.13-10, 5.13-13, 5.13-15, 5.13-17, 5.13-21, and 5.13-26, however only pages 3-2, 5.6-1, and 5.11-2 address the directionality of the road. On page 3-2, Tracy Lane is described as bordering the eastern side of the project. This refers to when the road is traveling south to north, to the east of Section 28 and to the west of Section 29, and can be visualized in either of the attached maps. On page 5.6-1, Tracy Lane is described as being located south of Section 27 and north of Section 34. This refers to the continuation of Tracy Road after intersecting SR-58 as identified in 2000 Census information.</p> <p>On page 5.11-2 Tracy Lane is referred to as providing local east-west access.</p> <p>In the Supplemental Information in Response to CEC Data Adequacy Requests Figures.13-16, 5.13-17, 5.13-18, and 5.13-19 mention Tracy Lane, although only figures 5.13-18 and 5.13-19 address the directionality of the road. In Figures 5.13-18 and 5.13-19 a photograph shows the viewer looking north up Tracy Lane, which runs north and south at this location.</p> <p><u>Grain tanks v. water tanks</u>: Water tanks are mentioned in the Application for Certification on the following pages: 3-6, 3-11, 3-14, 3-14, 3-16, 3-18, 3-22, 3-15, 3-26, 3-40, 5.5-7, 5.5-8, 5.13-18, 5.14-6, and 5.17-14. The water tanks described in this document refer to tanks that will be used in the construction and operation phase of the project. To clarify, because these tanks refer to future uses rather than existing uses, the tanks were correctly identified as water tanks.</p>

APPLICANT'S RESPONSES TO JOHN RUSKOVICH'S COMMENTS (CARRIZO ENERGY SOLAR FARM [07-AFC-8])

No.	TOPIC	SUBJECT	RESPONSE
	9	Regarding errors in supplemental information	<p>General</p> <p>Water tanks and grain elevators are mentioned in the Supplemental Information document in Attachment VISRES-A as a part of input from San Luis Obispo County. It describes the height limit exceptions for these structures and does not refer directly to the project.</p> <p><u>Location of Hubbard Hill:</u> Hubbard Hill is mentioned in the Application for Certification on the following pages: 5.13-2, 5.13-3, 5.13-4, 5.13-5, 5.13-8, 5.13-9, 5.13-10, 5.13-11, 5.13-13, 5.13-15, 5.13-19, 5.13-22, and 5.13-24, however only pages 5.13-3, 5.13-5, 5.13-8, 5.13-10, and 5.13-24 mention locations for the Hubbard Hill-Freeborn Mountains. Descriptions of the location of the Hubbard Hill-Freeborn Mountains in these pages remain consistent, estimating that the Hubbard Hill-Freeborn Mountains lie approximately 3.5 miles west of the project site. It is possible that confusion arose on page 5.13-10 in the description of Sensitive Viewing Area and KOP 4. The photograph is described as being taken only 2.5 miles from the project site and is a representation of the "worst case" view from the Hubbard Hill-Freeborn Mountain area. In the description it is explained that the Hubbard Hill-Freeborn Mountain area is actually 3.5 miles away, and therefore views are considered more distant than the one represented. To clarify any confusion excerpts from the AFC are inserted below.</p> <p>Pg. 5.13-3 Overall, the CESF site is clearly visible from several nearby residents and nearby roadway users (within 0.5 mile), middleground views from the Carrisa Plains School and other residences (within 1.0 mile), and sporadic locations within the valley and surrounding mountains, most notably the Hubbard Hill-Freeborn Mountain area (3.5 to 5.0 miles and beyond).</p> <p>Pg. 5.13-5 A nearby open space area, Hubbard Hill-Freeborn Mountain lies approximately 3.5 miles west of the Project site (at the closest point).</p> <p>Pg. 5.13-8 After discussions with CEC visual staff, and a review of surrounding land uses, it was determined that sensitive viewing areas within the visual sphere of influence (VSOI) consisted primarily of adjacent residential areas, travelers along SR-58, and potential recreational users within the Hubbard Hill-Freeborn Mountain area to the west.</p> <p>Pg. 5.13-10 Sensitive Viewing Area and KOP No. 4: This image was taken from approximately 2.5 miles west of the site along SR-58 (west of Bitterwater Road) to represent "worst-case" potential recreational user views from the Hubbard Hill-Freeborn Mountain open space/SRA area as well as elevated traveler views along SR-58 (Figure 5.13-20, see also Figure 5.13-1 for KOP location). This view illustrates the location from which the Project would be most visible from the Hubbard Hill-Freeborn Mountain area. Although the Hubbard Hill-Freeborn Mountain area is approximately 3.5 miles away; therefore, considered to have more distant views, potential recreational users are at an elevated viewing position, and would virtually have a direct line-of-site to the Project vicinity.</p> <p>Pg. 5.13-24 Sensitive Viewing Area and KOP 4: Hubbard Hill-Freeborn Mountain area is approximately 3.5 miles away, and therefore considered to have more distant views.</p> <p>Hubbard Hill is referred to in the Supplemental Information document in Figures 5.13-20 and 5.13-21, which show existing and simulated views of KOP 4 from Hubbard Hill. For these figures, identical photographs were used, so it can be assumed that this is not the error referred to by Mr. Ruskovich.</p> <p><u>Photo/Carrizo Plain National Monument:</u> Mr. Ruskovich is referring to Fig. No. 5.13-7 Photo Location 8, which is meant to represent the "worst case" view from the Carrizo Plain National Monument. The inset of the Carrizo Plain National Monument sign does not represent the location of the "worst case" view taken, as there was no view of the project site from the sign. Following the instructions of a BLM representative for the Carrizo Plain Area, Kristen Walker and Amy Gramlich took Photo Location 8 at the closest elevated view, located at the end of Branch Mountain Road. This is clarified in the caption below Photo Location 8, which states that the photo location is 5 miles to the southeast of CESF site and notes that the Carrizo Plain National Monument is 6.5 miles from the site at the closest point. The photograph was taken approximately 2.92 miles from the entrance to the preserve and 2.89 miles from the closest border of the preserve. Figure 3 illustrates the respective locations of the Project Site, Photo Site 8, and the entrance to the Carrizo Plain National Monument.</p> <p>Please note that this figure is located in the AFC and not in the Supplemental Information in Response to CEC Data Adequacy Requests.</p>

KEY TO APPLICANT'S RESPONSES TO J. RUSKOVICH'S COMMENTS
CESF (07-AFC-8)

February 19, 2008

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DATE	FEB 19 2008
RECD.	FEB 20 2008

Mary Dyas
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

RE: Questions regarding Carrizo Energy Solar Farm
Docket# 07-AFC-08

Submitted By:

John A. Ruskovich
Ruskovich Ranch & Ruskovich Ranch Trucking
13084 Soda Lake Road
Santa Margarita, CA 93453
805-475-2255 (home) or 805-441-7006 (cell)
agarnett@tcsn.net

Dear Ms. Dyas:

As stated in PG&E's booklet "How To Go solar", "Maybe it's the California Solar Initiative incentives or maybe it's the love for the environment." Because of this statement it is California's ambitious goal to install 3,000 megawatts of new solar energy by 2017. Two different companies are attempting to build power plants in the Carrizo Plain with power totaling about 360 megawatts. These companies, Ausra/Carrizo Energy Solar Farm (CESF) and OptiSolar out of Hayward, California, are both looking to buy between them 15 sections (9,800 acres) of land on the Carrizo.

I have been in and around construction most of my life and after reading their plans and your guide-lines, I believe that their proposals have been rushed through so fast by URS of San Diego, that I have found a lot of mistakes that must be corrected before they can continue with any thoughts of purchasing and building on the Plains.

Following are questions/concerns from me and the major majority of landowners, who call the Carrizo Plain (or known to us as Carrisa Plains) our home.

1. Airstrip

As stated in CEC's Rules of Practice and Procedure & Power Plant Site Certification Regulations, Siting Regulations under Traffic and Transportation (*attachment 1*) it states, "If the proposed project including any linear facility is be located within 20,000 feet of an airport runway that is at least 3,200 feet in actual lengthdiscuss the project's compliance with the applicable sections of the current Federal Aviation Regulation Part 77 – Objects Affecting Navigable Airspace, specifically any potential to obstruct or impede air navigation generated by the project at operation; such as, a thermal plume, visible water vapor plume....."

1 a.

Now, as stated in Section Five, Environmental Information, 5.11.1.4.4 Airports (*attachment 1a*) of the URS's proposal, they state in writing, therefore perjuring themselves that...

An existing private airport is located in California Valley approximate 4.0 miles southwest of the CESF project site. As described in the Shandon Carrizo Area Plan, California Valley Airport is privately operated, with a II-C (General Aviation) functional classification. The airport has a 2,500-foot graded runway with minimal traffic.

This Airstrip is in fact 4,200 feet long and PAVED! (**attachment 1b**).

(*check with the FAA for airstrip number, as we are a certified strip) and within the 20,000 foot mark from the proposed project site. The Airstrip is owned by John Ruskovich, is used privately and as a landing site for CHP, BML, CalFire, and emergency medical Helicopter evacuation. This strip has the capacity to land a Super-King aircraft, which it has on numerous occasions, bringing in government officials to the National Monument.

We request, as stated in your regulations, that a Federal Aviation report be completed because of the potential thermal plumes and water vapor plumes. Also, that the length and type of strip be corrected in the proposal.

2. Highway 58 Traffic

We are very concerned that CEC did not consider this a major issue and did not request additional data regarding Traffic and Transportation. In CESF's Supplemental Information in response to CDC Data Adequacy Requests, states "Two-lane state highways such as SR-38 can carry up to 1,900 passenger car capacity per hour per lane." (*attachment 2*). Also please look at CESF's statement in Section Five, Environmental Information 5.11.1.3.1 Existing Roadway Segment Analysis (*attachment 2b*). In regards to their statement, we have the following questions and statements:

2a. { What is SR-38 (*see attachment 2*).

2b. { Highway 58 is not an "A" rated road. Signs are posted at either end of 58 stating limited truck traffic. Both ends of Highway 58 are either a "D" or "E" rating on the LOS scale, with no shoulders, steep and extremely sharp turn, with poor visibility in foggy conditions (Kern County side) (*see pictures—attachment 2c*). With 53-foot trailers transporting materials from Ausra's manufacturing plant in Las Vegas, NV, it would be extremely unsafe travel. It is actually unsafe for even me to pull my 34-foot End-Dump on this road, since corners are so tight (See attached photos taken of Hwy 58, showing the route trucks will be taking to bring in materials). I have hauled material on this road, but only because I know the road and I live here and it is only once in a great while and not everyday.

2d. { On Table 5.11-1 (*see attachment 2a&b*) it stated SR-58 at Cammati Creek. Cammati Creek is 30 miles from the proposed site and not anywhere near Carrisa Plains. So part of that traffic analysis done during the time frame, on their report, was traffic created from French Camp Vineyards transporting its seasonal grape harvest/ workers and trucks coming out of Navajo Rock & Block Sand Quarry, at mile post 27, all going west.

2e. { CESF states (*attachment 2a*) that 58 is 4 to 8 feet shoulders on flat terrain, and moderate grades. Also stating, bike lanes. (*see pictures—attachment 2c*) which show that the roadway is anything but straight, there are no shoulders and is very dangerous for bike traffic.

2f. { A report regarding road usage and safety should be requested from Kern County.

2g. { Even though they are tax exempt, CESF needs to guarantee (in writing) that they will pay for all the road wear and damage done during the construction period from the potential truck and vehicle growth. Our road is minimally maintained right now.

3. Endangerment of Antelope Herd, Elk, Eagles, Hawks, and Falcons

3a. { CESF states in Section 5.6.1.2.2 Wildlife Resources (attachment 3)... "The CESF project study area provides limited habitat to support wildlife species as a result of the chronic disturbance caused by the historical and current extensive dry-land agricultural and grazing activities."
This statement is a lie. The Antelope and Tule Elk thrive on the planted farmlands. Their favorite food in the summer time is Morning Glory, which is a by-product of farming. They water often in section 33. As of this date the Antelope are foraging between the Cavenagh Ranch (what is to be the laydown area) and the Beck Ranch flat (next to the school). (attachment 3a) (the top pictures was taken on February 18, 2008, picture is not entirely clear, but it is obvious that the animals in the distance are Antelope.) Also listed are other Antelope photos taken within the last 2 years.

3b. { The Beck Ranch, King Ranch, along with what is known as the Cavenagh Ranch is a "Wildlife Corridor" for the Prong-Horned Antelope. The Tule Elk reside mostly on the Beck and Twisselman ranches. It is very important to keep the migration paths of these animals clear and undisturbed.

3c. { CESF states in Section 5.6.1.2.3.2 - that is because of farming, urbanization,... have eliminated up to 95 percent of the habitat for special status wildlife. If this is true then when do I see Golden Eagles, Falcons, Hawks everyday. Also why do BLM and the Nature Conservancy list us as having many endangered species. WHO IS LYING?

3d. { CESF - Section 5.6.2.1 - makes no sense as first they say they will significantly impact endangered wildlife, then they state that they will not.

To me this is nothing but legal jargon. They will dramatically affect many species of wildlife, especially the Antelope and bird population.

3e. { CESF states that the affects will only be temporary in the laydown area. How can they state this as their offices and such as listed in the plans as staying in the laydown area. Are they stating that they will be returning that section of property back to its natural state following the completion of the project? Also, once the Antelopes migrating corridor has been disturbed, the damage is already done.

3b. { CESF even states themselves in Section 5.6.1.2.4 - that animals have a natural aversion to situations or physical settings they perceive to be dangerous and will often shy away from situations in which they are exposed without cover and escape routes.

This is a true statement. The Prong Horned Antelope are well known for being very shy easily frightened creatures. I am afraid that the construction of this plant would disturb them to the point of their extinction on the Carrisa Plains. The Federal Government has spent millions of tax payers dollars to bring them back from extinction in this area. Only with the cooperation and assistance of the local ranchers have these animals survived.

3f. { We would like, in writing, why the other areas that were considered were denied. Stating the exact reasons why, i.e., could pass environmental impact report, wildlife, etc.

3g. { In conclusion, we are not just looking at the one section; we are looking at the 15 sections of total land that the two solar companies are opting for along the PG&E High Voltage Lines. In the end there will be no feed for any wildlife.

4. Water Concerns

4a. { How are they going to sterilize 640 acres of soil that is then covered with mesh/rock underneath the solar panels? How do you keep the ground free of grasses without getting the sterilant and the cleaning solutions (see attachment 4), or any of the other hazardous chemicals used on this site from getting into the water system and polluting everybody down stream.

4c. { From the beginning of this project we were told that they would be using 1,800 gallons of water per day, which in itself is too extreme for this area. Now we find as stated in the data request (see attachment 4a).....how often the total peak daily water usage of 700,000 gpd will occur. This amount of UNACCEPTABLE!!!!!! Will the CESF guarantee, in writing, to compensate all land owners that no longer have water or their water is contaminated.

5. Deeds & Deception

5a. { We were lead to believe that all CESF/Ausra was purchasing was the 640 King piece, and 380 acres of the Lowery as the lay down site. We have now found, according to County Records, that CESF/Ausra has placed options on all of sections 31, 32, 33, 34, 35, 28, 27 and part of 26. A total of 4,980 acres.

5b. { Why are they placing options on so much additional land if they are only going to build on 640 acres. Also, according to Alberta Lewis, she did not know that they had to remove all abandon buildings and equipment, prior to transfer of ownership. (attachment 5) Is the Lowery family also unaware of this fact?

5c. { OptiSolar is looking at 9 sections of property north of the proposed site. So, in truth, within one year, this proposal could be in your hands. The community would prefer to stay agricultural and not become an industrial valley.

6. Climate

6a. This is issue should be one of your major areas of concern, as the information that CESF states in Section Five, 5.2.1.1 Climate and Meteorology is highly inaccurate. (attachment 6 and attachment 6a) Their documentation states, Summer Averages in the high 80's to mid 90's, reaching into the 100's and Winter Averages in the mid 60's and low 30's

It is well known and documented that winter temperatures average in mid 50's during the daytime hours. Lows average in the low 20's, going as low as 2 degrees. In 2007 there was about a week of 8 degrees at night. In January of 2007 I was breaking 2" solid ice off water troughs for cattle to drink out of for 20 days straight.

High plains do get snow. Check the pictures of Highway 58 (attached) in the road section; the sand on the pavement is from the last snow and ice storm that closed our local State Highway 58 in approximately mid-January 2008.

7. Height Limit

7a. { Agricultural land height limits are 35 feet. Most of this project is 56 feet and higher. No one in the area is happy at all about the extreme heights of this project, especially the 115-foot tall block houses/air cooling condensers.

7b. { The proposed development from OptiSolar is stated as being 5 feet tall.

8. Noise

8a. { We want to know what will be the level of noise this plant will create. As of this date, Aura has sidestepped this question. Their report does not state how loud this plant will be in terms for us to understand.

9. Miscellaneous/Concerns

Problems that need to be looked at:

9a. { • Land Values – Will CESF guarantee land values will not go down because of this eye sore, primarily agricultural people buy out here for the beauty and peacefulness and I feel the price of our land will lose value being within 3 miles of an industrial site. Will CESF guarantee to purchase our land at its stated value prior to the construction of the Solar Plant.

9b. { • Septic System - 1-3, 1,000 tank for all toilets and sinks with 70 full-time employees is extremely too small. 1200 to 1500 gallon tank is used for a 3 bedroom 2 bath home in San Luis County.

9c. { • Outdoor Lighting – 1,768 outdoor lights, a minimum of 35 feet high, are going to make this plant look like a Prison from a long distance.

9d. { • 341319 Promise to Hire Local People – CESF and the local union will enter into a project labor agreement to ensure that sufficient supply of skilled craft workers is available for the project. No one in this area is in the Union. But there is a large family owned Construction Company, Switzer/Twissleman Construction that is based out of Carrisa Plains and Paso Robles. But we cannot work on the job for we are non-union. We need a compromise. CESF keeps saying they want to work with the local people. All we get is "Submit an application On-Line", with no reply back. Navajo Sand & Gravel (also a local company) needs to know about the rock. Ruskovich Ranch Trucking would like to haul the material, but even at the last meeting at the old school house Perry Fontana, of Ausra did not even know that they were building a production plant in Los Vegas to pre-fab the solar plant. We found that out on-line searching about other solar companies. More deception wanting to work with locals????

9e. { • Alternative Sites – The best site for this plant is located at Highway 33, Lo Kern Road and Highway 58, west of Buttonwillow. With the only neighbors being a Haz-Mat Dump and to the west the oil fields. No one lives close to this location and would complain about the heights, the night-lights, and the water since there is an aqueduct through the property and it is half the distance to Bakersfield and the majority of the labor force. Transportation savings costs would pay the additional costs, if any, for the land sense it is owed by the Department of Energy and BLM. This is not the land that was previously looked at by I-5 and Buttonwillow. This is also a sign of a young and immature company.

- 9f. {
- Hazardous Material Haul off. If this is a "Green" system, then why is there any hazardous materials being hauled off and why so much? It is also our concern that CEC did not request additional data on Hazardous Materials Management and does not consider it a major issue. Please reconsider this action.
- 9g. {
- Errors in Supplemental Report (too many to list). Only people that live in the Carrisa Plains would catch these common mistakes, such as, Tracy Road is listed as going North & South and then in another document it is listed as going East & West; Grain tanks are listed as water tanks; Hubbard Hill has changed location 3 times; a picture of the entrance of the National Monument that was actually taken on Branch Mountain Road (10 mile difference). Just a lot of little mistakes that add up to a very poor job from URS. Was this done as a favor to Perry Fontana since he used to work for them, so they covered up a lot of facts?

As stated at the beginning of this letter, the majority of the population on the plains does not want this solar plant. In conclusion, we need to know the truth, what their intention are from the start, from any company wishing to build here. It is a shame that the Energy Commission will decide on destroying 15 sections of land and natural wildlife in our area to create the same amount of energy that Morro Bay Power Plant creates today, so it can be torn down. To correct the multiple problems in the supplement I would be willing to travel to Sacramento and work with you for a day to find and address the errors.

Thank you for your assistance and support.

Sincerely,

John A. Ruskovich

attachments

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

APPLICATION FOR CERTIFICATION
For the CARRIZO ENERGY
SOLAR FARM PROJECT

Docket No. 07-AFC-8

PROOF OF SERVICE
(Revised 2/5/2008)

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

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-8
1516 Ninth Street, MS-14
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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 Luckhardt, Esq.
Downey Brand Law Firm
555 Capitol Mall, 10th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

INTERESTED AGENCIES

Larry Tobias
CA Independent System Operator
151 Blue Ravine Road
Folsom, CA 95630
ltobias@caiso.com

Electricity Oversight Board
770 L Street, Suite 1250
Sacramento, CA 95814
esaltmarsh@eob.ca.gov

INTERVENORS

* 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

ENERGY COMMISSION

Jackalyne Pfannenstiel
Chairman and Presiding Member
jpfannen@energy.state.ca.us

Jeffrey D. Byron
Commissioner and Associate Member
jbyron@energy.state.ca.us

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

Mary Dyas
Project Manager
mdyas@energy.state.ca.us

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

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

Public Adviser's Office
pao@energy.state.ca.us

DECLARATION OF SERVICE

I, Kristen E. Walker, declare that on March 18, 2008, I deposited copies of the attached Applicant's Responses to John Ruskovich's Comments (Carrizo Energy Solar Farm 07-AFC-8) in the United States mail (FedEx) 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.



A handwritten signature in black ink, appearing to read "Kristen E. Walker", is written over a horizontal line.