



DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

March 11, 2008

Dale Edwards, Manager
California Energy Commission
1516 Ninth St.
Sacramento, CA 95814-5512

DOCKET
07-AFC-8

DATE MAR 11 2008

RECD. MAR 11 2008

RE: Supplemental Agency Response of the Carrizo Energy Solar Farm Project (07-AFC-8)

Mr. Edwards,

This letter, along with our February 18 letter, responds to the CEC letter of February 6, 2008.

1. Under Land Use, regarding permitting levels, a Conditional Use Permit is required.
2. Under Land Use, regarding Agricultural Policy 24, this policy is intended to discourage the conversion of ag lands to non-ag uses by following one or more of four actions listed. The first three do not apply as they relate to urban sprawl and residential development around urban fringes.

The last item speaks to avoiding the location of new public facilities outside urban or village reserve lines unless they either serve a rural function or there is no feasible alternative location within the urban and village reserve lines. Given the following needs of a solar power plant, it is not feasible to locate such a facility within a VRL or URL because the plant:

- ✓ requires very large, contiguous tracts of land to make it economically feasible (not found within existing URL/ VRL's);
- ✓ must have a large percentage of clear days of clean air with favorable access to the sun (e.g., level or south-facing slopes away from steep terrain shadows); and
- ✓ must be relatively close to regional transmission lines.

In addition, while the entire 640 acres (and the 320 acre staging area) is made up of Class II (irrigated) soils (Class IV non-irrigated), there is very limited water for potential irrigation of crops, and due to the low annual rainfall, dry land grain production may have low yields and the carrying capacity for grazing animals may be diminished. This should be analysed in the environmental document

3. For habitable structures within the Agriculture and Rural Lands land use categories, the height limit is 35 feet. If the project cannot be redesigned to achieve this height limit, under the exception provision of the ordinance (LUO 22.10.090.C.2) a modification can be requested if the following findings can be made:

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- a) the project will not result in substantial detrimental effects on the enjoyment and use of adjoining properties, and
- b) that the modified height will not exceed the lifesaving equipment capabilities of the fire protection agency having jurisdiction.

The further from any property line the habitable building can be located, the easier the argument can be made to meet item #a. If the county were processing this permit, on item #b, we would be asking for a response from Cal Fire on the significance of the proposed height, and if supportable, what specific measures they would need to see to maximize fire protection.

After speaking with Rick Swan (Cal Fire), please be aware of the following additional concerns/ requirements that would be likely if the permit were going through the county:

- 1) one, possibly two interior, fire-rated stairwell access(es) to the roof;
- 2) building would be sprinklered;
- 3) to provide access to most interior areas for fire and life safety vehicles, adequate widths and vertical clearances of equipment/structures on the site would be needed, along with well-placed, all-weather roads;
- 4) perimeter access around entire site would be necessary;
- 5) while not a requirement, due to the long distance to any medical facility, a paved area (away from any potential fire sources) should be designated for helicopter landings.

For non-habitable structures, such as for the turbine, the condensers, and the transmission pole, they would fall under the "Exceptions to height limitations" for "public utilities".

4. With regards to conditions and findings, many of the conditions are based on the environmental impacts, and are not typically generated until the environmental analysis is completed. We will work with CEC staff to develop conditions as the environmental analysis is completed. At such time, we would have a better understanding of the impacts, and could provide more detailed or applicable conditions and/or findings.
5. With regards to lot clarification APN 072-091-001 is the correct parcel of the power plant. The staging area is on APN 072-091-010. With regards to parcel legality/restrictions for APN 072-091-001, this parcel is considered a legal parcel. Staff has no information on any specific restriction on this property.
6. Due to the project's size and uniqueness, first a referral would have been sent to Caltrans and a traffic study would likely have been required to assess impacts from and improvements for: traffic safety from introduction of slow-moving construction vehicles (including left-turn movements); develop a detailed construction traffic management plan, evaluate long-term and cumulative impacts. Due to the narrowness and curves of Highway 58, we would probably have asked that the modeling look at the potential for county roads being used instead of Highway 58, where favorable. While some of these issues have been evaluated in the URS information, the analysis does not cover all of these issues. The traffic study should include measures to mitigate any significant impact. We will work with CEC staff to develop conditions as the environmental analysis is completed.
7. With regards to visual resources, please see our February 18th letter. It is correct that the Land Use Ordinance does not address plains development specifically on visual issues and is left to be addressed through the CEQA process. Therefore, due to the industrial appearance of this facility combined with its height and size, all efforts should be made to reduce heights of all structures to the maximum extent feasible, minimize night lighting to the maximum extent (e.g., keeping light standards as low as possible, illumination levels should be at the lowest levels possible, and all lights fully shielded from all surrounding properties). Perimeter landscape screening should be used to soften these impacts and designed in a manner to

have as much of a natural appearance as possible. We will work with CEC staff to develop conditions as the environmental analysis is completed.

We appreciate your consideration of our supplemental comments as the CEC conducts their internal analysis and completion of the Preliminary Staff Assessment. We look forward to working with you in the future. Should you have any questions, please give me a call at (805)781-5452.

Sincerely,



John McKenzie
Environmental Specialist

c - URS, Seth Hopkins

- Ellen Carroll, Environmental Coordinator, County of San Luis Obispo

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

APPLICATION FOR CERTIFICATION
For the CARRIZO ENERGY
SOLAR FARM PROJECT

Docket No. 07-AFC-8

PROOF OF SERVICE
(Revised 2/5/2008)

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

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DECLARATION OF SERVICE

I, Christina Flores, declare that on March 11, 2008, I deposited copies of the attached San Luis Obispo County Supplemental Responses in the United States mail at with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

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

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


Christina Flores