

CEC No. 02-AFC-02

**SALTON SEA GEOTHERMAL UNIT 6
Power Plant Project**

**Comments To:
California Energy Commission
Preliminary Staff Assessment**

**Application for Certification (02-AFC-02) for
Salton Sea Geothermal Unit 6 Power Plant Project**

Submitted by:

CE Obsidian Energy LLC

Submitted to:

**California Energy Commission
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Introduction

The Applicant would like to take this opportunity to commend the Commission Staff in the preparation of the Preliminary Staff Assessment (PSA) that is comprehensive and detailed. The Applicant is providing the following comments to clarify some issues and to address areas where the Commission Staff indicated it does not have the necessary data to complete its analysis. The following comments are by topic area and reflect the contents of the PSA.

The Applicant is looking forward to discussing these items during the upcoming PSA Workshop in El Centro, CA on May 14th and 15th.

Additional comments may result from the Applicant's ongoing review of the PSA.

Executive Summary

The Applicant commends the Commission Staff in the preparation of this comprehensive summary. The Applicant provides the following comment:

Page 1-1, INTRODUCTION

The first paragraph states that the CEC “evaluates all aspects of the project except for geothermal production...” The Applicant proposes clarifying this language to make it clear that for CEQA purposes, the CEC evaluates all aspects of the project.

Project Description

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment:

Page 3-5, Linear Facilities, 3rd paragraph

The discussion of the transmission line configurations as a double circuit does not reflect the January 7, 2003 submittal revising the transmission lines configuration to a single circuit lines. Please amend to reflect this submittal.

Air Quality

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments to the preliminary staff assessment. Supporting information will be provided by the Applicant during the workshop on May 14 and 15, 2003.

Page 4.1-33

The Applicant will not conduct flow testing of the plant injection wells. This will result in decreasing the total impact of the well flow testing as proposed in the AFC, and will reduce impacts from temporary activities even further below the level of significance without additional mitigation proposed by the CEC staff (i.e., higher stacks).

Page 4.1-35, Line 12

Correction: ISCST Version 02035 used for operation impacts.

Page 4.1-36, Line 7

Correction: ISCST Version 02035 used for operation impacts.

Page 4.1-39

The proposed change of not conducting flow testing of the plant injection wells will result in decreasing the total impact of the well flow testing, and will reduce impacts from temporary activities even further below the level of significance without additional mitigation proposed by the CEC staff (i.e., higher stacks).

Page 4.1-41

The Applicant disagrees that the project's ammonia emissions have the potential to cause a significant impact related to secondary PM10 formation. Furthermore, Applicant does not believe that the technologies identified by staff as potential additional mitigation are feasible for the project.

Page 4.1-43

The Applicant proposes to limit public access west of Gentry Road and north of Lindsey Road during the 14-day commissioning period. Maximum impacts occur very close to the facility, and limiting access to these areas decrease significantly potential public exposures. The measure proposed by the Applicant will reduce impacts associated with the commissioning period below the level of significance, and will eliminate the need for 80-foot stacks.

Page 4.1-59, Condition of Certification AQ-C3

The Applicant requests that items e), i), j) and p) be deleted.

For e) the Applicant has proposed employing tire cleaning and gravel ramps prior to entering a public roadway to limit accumulated mud and dirt deposited on the roads, washing tires does not appear to be necessary and wasteful of the water.

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For i) roadways next to construction areas are elevated therefore runoff onto the roads is not expected.

For j) the Applicant has proposed sweeping the public roadways affected by the construction twice a day, additional sweeping does not appear to be necessary.

For p) the Applicant has proposed CARB fuel.

Page 4.1-61, Condition of Certification AQ-C6, 3rd line and Page 4.1-63 Recommended Condition #2

The Applicant requests that this condition be deleted or that stack heights be determined per the AFC.

Limiting public access around the immediate facility during the commissioning period and eliminating plant well flow testing provides the same environmental benefit as the taller stacks.

Page 4.1-61, Condition of Certification AQ-C7, 8th line

The Applicant requests that this condition be deleted. The proposed SSU6 Project will have no net increase of H₂S and therefore, further background level definition is not warranted for this project.

Page 4.1-61, Condition of Certification AQ-C9, 2nd line

The Applicant requests that “ultra low sulfur fuel diesel, which contains no more than 15 ppm sulfur” be replaced with “CARB diesel” as originally proposed.

Biological Resources

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis of the project area, project impacts and proposed mitigation. In way of a general comment, the Applicant suggests a careful review of the spelling of the species scientific names. The remainder of the Applicant's comments is on specific text presented in the SSU6 PSA.

Page 4.2-7, Existing Vegetation and Wildlife, 1st paragraph, 4th sentence

Staff has omitted the fact that a vast majority of the project area is dominated by agricultural fields. In addition, it is our understanding that the common name for *Ambrosia dumosa* is burrow bush and not bittlebush.

Page 4.2-8, Existing Vegetation and Wildlife, 1st paragraph, 3rd sentence

The referenced habitat value of agricultural lands is too broad. Agricultural lands provide cover and nesting habitat for some species, but not all.

Page 4.2-11, Yuma Clapper Rail, last sentence

The characterization of the project area as having many mature cattail-bulrush stands and open water areas is not completely accurate. The predominant habitat type in the project area is agricultural in nature, with existing mature cattail-bulrush stands sporadically throughout. It should be noted that most of the irrigation water supply and drainage canals are void of vegetation due to ongoing maintenance by IID.

Page 4.2-11, Riparian Birds, 1st sentence

It should be noted that tamarisk is generally considered poor habitat for wildlife and is non-native and highly invasive. The CDFG is currently undertaking measures to remove tamarisk from the project area.

Page 4.2-11, Mountain Plover, 1st sentence

The characterization of the Mountain Plover using agricultural fields is an overly broad statement and should be revised to reflect the fact that Mountain Plovers are associated with hay and alfalfa fields and not other types of agricultural fields (i.e., lettuce, broccoli, melons, etc...).

Page 4.2-13, Refuges, Wilderness Areas and Parks, 1st paragraph, 2nd sentence

It should be noted that the Refuge's jurisdiction over large open water areas is due in part to the rising level of the Salton Sea. Islands that may have been present in the past may be under water now.

Page 4.2-16, L-Line Transmission Line, 2nd paragraph, 2nd sentence

The Applicant has requested brown pelican mortality data due to existing power lines in the project area from the USFWS. The USFWS has indicated that they do not have specific data on brown pelican collisions with transmission lines.

Page 4.2-16, L-Line Transmission Line, 3rd paragraph, 3rd sentence

This sentence implies that the mature tamarisk represents suitable habitat for wildlife and as noted above, tamarisk is non-native and is being removed by the CDFG in the project area.

Page 4.2-17

Brandt and Lindsey is nearly a mile from the Midway transmission line.

Page 4.2-18, Brine Supply and Injection Pipelines and Wellheads, 1st paragraph, second to last sentence

The characterization of the jurisdictional features impacted by the project is incorrect. The Applicant estimated 0.4 acres of jurisdictional features would be impacted by the project, and proposed mitigation at a 2:1 ratio which resulted in 0.8 acres of jurisdictional feature mitigation (Jurisdictional Wetlands Analysis, Appendix K, AFC).

Page 4.2-18, Brine Supply and Injection Pipelines and Wellheads, 3rd paragraph, 2nd to last sentence

The characterization of the Yuma clapper rail is not completely accurate. Yuma clapper rails prefer areas with dense vegetation and the supply canals around the project site do not support vegetation due to being lined with concrete and constantly maintained by the IID.

Page 4.2-19, Power Plant and Construction Laydown Area, 2nd and 3rd paragraphs

The need for silenced steam blows and quiet pile-driving techniques outside the Yuma clapper rail breeding season is not necessary because steam blows and pile driving do not result in a significant impact.

Page 4.2-20, Linear Facilities, 1st paragraph

The Applicant believes that temporary construction impacts will not equate to loss of habitat due to their temporary nature.

Page 4.2-21, Linear Facilities, 5th paragraph, last sentence

The statement in this sentence is confusing based on the previous discussion of Imperial County's Noise Element presented in the PSA LORS section. The Applicant suggests modifying this sentence to be consistent with the Imperial County Noise Element requirements.

Page 4.2-22, Linear Facilities, 1st full paragraph, 1st sentence

The Applicant believes this statement understates the proximity of the OB3 wellhead on Obsidian Butte to brown pelican loafing areas. The Applicant believes the OB3 wellhead construction would place construction equipment and personnel approximately 1,000 feet from brown pelican loafing areas.

Page 4.2-22, Linear Facilities, 1st full paragraph, last sentence

The recommendation that the County require the Applicant to delay maintenance at production wellhead OB3 or its pipeline until the shorebird breeding season does not take into account emergency situations that would require work in these areas during

the breeding season. Therefore, the Applicant suggests a recommendation limiting scheduled maintenance work in the area of wellhead OB3 and the associated pipeline to outside the shorebird breeding season.

Page 4.2-23, Wetland Losses, 2nd paragraph, last sentence

Please clarify the amount of impacted jurisdictional features from the amount of mitigation proposed from the Applicant (see the Applicant's comments on Page 4.2-18).

Page 4.2-23, Linear Facilities, 3rd paragraph, 6th sentence

As the CDFG has not determined if a Section 1603 permit is required, please clarify the discussion of the CDFG 1603 permit to allow for the possibility that a permit will not be necessary.

Page 4.2-37, Condition of Certification BIO-3, #1

The language of this condition is overly broad and could be construed to prohibit approved construction activities and does not reflect impacts to fully protected species. The Applicant suggests revising the condition to reflect impacts to biological resources outside those approved by the issuance of the CEC license and prohibit impacts to fully protected species.

Page 4.2-41, Condition of Certification BIO-7

Please incorporate into this condition the possibility that CDFG may not require the Applicant to apply for an Incidental Take Permit.

Page 4.2-41, Condition of Certification BIO-8

Please incorporate into this condition the possibility that CDFG may not require the Applicant to apply for a Section 1600 Permit.

Page 4.2-41, Condition of Certification BIO-9

Please incorporate into this condition the possibility that the RWQCB can issue either a Section 401 State Clean Water Act Water Quality Certification or a waiver.

Page 4.2-42, Condition of Certification BIO-11

Please incorporate into this condition the possibility that the U.S. Army Corps of Engineers may authorize the Applicant to construct the project under a Nationwide Permit. The Applicant suggests incorporating the following language: "...provides evidence of compliance with the U.S. Army Corps of Engineers Section 404 program of the federal Clean Water Act...".

Page 4.2-42, Condition of Certification BIO-12, #2

This requirement does not appear applicable to the project as the Applicant is proposing to use irrigation canal water and not natural waterways for its water supply.

Page 4.2-42, Condition of Certification BIO-12, #9

The requirement to silence steam blows to meet a 60 dBA limit at all sensitive areas may not be technically feasible. Should it become necessary to perform steam blow during breeding season, the Applicant suggests including a silencer, designed by Fluid Kinetics

Corporation that would result in a noise level of 74dB at 100 feet. (Please see PSA Condition of Certification NOISE-4).

Page 4.2-43, Condition of Certification BIO-13, #1

The Applicant suggests deleting the reference to material types and inserting the following replacement text: “The temporary fence shall be constructed of materials that are approved by USFWS and CDFG”.

Page 4.2-43, Condition of Certification BIO-13, #9

This requirement appears partly redundant with #6. The Applicant suggests merging the two and/or eliminating one of them.

Page 4.2-44, Condition of Certification BIO-14, Verification, bullet 2

The Applicant commits to paying into the mitigation bank fee for enhancement of the species. Existing surveys indicate the habitat is poor or marginal, and additional surveys likely would not be helpful.

Page 4.2-44, Condition of Certification BIO-14, Verification, bullet 3

All surveys performed for the Yuma clapper rail have indicated they exist in the marsh north of McKendry Road. The Applicant does not see any rationale for conducting additional surveys when avoidance measures will be implemented for the species. Furthermore, the Yuma clapper rail breeding season for 2003 already has passed, making compliance with this condition infeasible if construction is scheduled to start later this year.

Page 4.2-44, Condition of Certification BIO-14, Verification, bullet 6

As noted above, the Flat-tailed horned lizard is not expected to occur in the project due to the lack of suitable habitat. The Applicant suggests deleting this requirement.

Page 4.2-45, Condition of Certification BIO-16

The Applicant believes the numeric noise criteria presented in this condition has not been approved by the USFWS and the CDFG and suggests that Commission Staff consider replacing the numeric noise criteria proposed with the following language: “The project owner will provide evidence that construction noise during the breeding season in the sensitive areas will not exceed noise levels determined by the USFWS and CDFG”. Furthermore, the Applicant believes that spot noise monitoring required by this condition will not result in any meaningful data and will not provide the evidence required.

Page 4.2-46, Condition of Certification BIO-18

The requirement to allow disturbed areas to naturally revegetate with pre-disturbance native species is not feasible in light of the agricultural nature of most of the project area. The Applicant suggests removing the pre-disturbance native species requirement. This requirement will be difficult if not impossible to accomplish due to the invasive weed population present in the area.

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Page 4.2-46, Condition of Certification BIO-19

The Applicant suggest rewording this condition and the Verification to require mitigation only if burrowing owl habitat is converted or destroyed.

Cultural Resources

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

The Commission Staff identified five areas where additional data is needed to complete their analysis for the SSU6 project. These areas are presented below with the Applicant's response.

1. Staff has requested the results of test excavations of these five sites (CA-IMP-4931, -7804, BB-1, -2, and KH-1) to determine whether the sites are eligible for the National Register of Historic Places or the California Register of Historical Resources. Once the eligibility is determined, then the impact to the sites and any required mitigation measures to reduce the impacts to less than significant can be determined.

Site CA-IMP-4931 was recorded, mapped, and collected by WESTEC Services, Inc., San Diego during data recovery program for the I.T. Corp. (Imperial Valley College Museum Archaeological Site Survey Record dated 12-2-1982). The former location of CA-IMP-4931 will be avoided by design of power pole locations away from this former site. No test excavations, therefore, are needed. Data Request Response Set #1 (filed with the CEC on 12/2/02) stated that CA-IMP-4931 was collected in 1982.

Sites CA-IMP 7804, BB-1, BB-2, and KH-1 will be avoided by design of power pole locations away from these sites. The official mapped locations of these archaeological resources, secured from CHRIS DPR-523 forms (USGS topographic maps), will be overlaid by qualified GIS technicians upon matched-scale air photographs. The proposed power pole locations will be sited to avoid archaeological resources by at least 200 feet. To ensure that these sites will not be adversely impacted by the project, prior to construction, each proposed pole location will be field-investigated by a qualified archaeologist who will conduct an intensive surface reconnaissance survey of each power pole location in the vicinity of these archaeological resources, and, will hand-excavate a standard 50 x 50 cm square shovel test unit over the central point of each power pole location in the vicinity of these archaeological resources. If archaeological remains are found either on the surface, or in subsurface shovel test units, the proposed location of the power pole will be moved. To avoid further disturbance, hand excavation of any shovel test unit that begins to yield archaeological materials will cease and the test unit will be backfilled.

2. A complete record of the resource at Obsidian Butte needs to be prepared, clearly identifying the elements of the resource that might be within a corridor for the pipeline or impacted by the well and pipeline construction. A determination of

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whether the resource meets the eligibility requirements of the CRHR needs to be made. Contacts with Native Americans need to be made to determine whether Obsidian Butte could qualify as a traditional cultural resource and if the construction of the power plant, well pad OB-3 and the associated pipeline would impact such a resource.

The Applicant submitted an evaluation of Obsidian Butte on March 24, 2003, that included a DRP 523 form documenting the results of the Obsidian Butte evaluation.

3. Staff has requested documentation that the buildings and structures located 1) near the intersection of II Midway Interconnection and the Union Pacific Railroad and 2) east of State Route 86 and south of the north boundary of Section 4, 3) at the north end of Crummer Road (interconnection line segment L-1 and L-2, Figure 2) and 4) east of the proposed plant site along Gentry Road are less than 45 years of age or that a record and evaluation of the resource be completed. The age of the resources or evaluation of the resource and impact assessment will be provided in the Final Staff Assessment.

The Applicant submitted documentation of the structures located at the intersection of IID's Midway Interconnection and the Union Pacific Railroad, east of SR 86, the north end of Crummer Road, east of the proposed power plant along Gentry Road on March 24, 2003.

4. Additional information has been requested to clearly determine the eligibility of the Vail Ranch and assess the impact of the project. It may be possible to assess the impact of the project assuming eligibility of the resource since changes caused by the project will mainly affect aspects of integrity such as the setting of the resource.

The Applicant submitted documentation the potential eligibility of the Vail Ranch on March 24, 2003. This documentation includes a DPR 523 form for Vail Ranch prepared by a Department of the Interior-qualified Architectural Historian.

5. Staff has requested specific information on the changes in the aspects of integrity for the Westside Main Canal. The change from an earthen canal to a concrete lined canal is of particular importance to this section of canal in terms of its eligibility and whether this segment could contribute to the potential historic district. If the lining was changed within the period of significance (1941-1950), changes in integrity are much less than if the lining was added after the period of significance. Since the proposed project's major impact to the canal is an alteration of the setting, an assessment of the importance of the setting to the eligibility of the resource may be sufficient to determine if the project could materially impair the eligibility of the resource.

The Applicant submitted documentation the potential change in aspect of integrity for the Westside Main Canal on March 24, 2003.

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Page 4.3-21, Condition of Certification CUL-3, #5

The Applicant proposes to delete this item on the basis of the lack of response from Native American tribes to letters from the Applicant and the CEC staff.

Hazardous Materials

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 4.4-7, Condition of Certification HAZ-2, 2nd line

The Applicant proposes to replace “to the CUPA” with “to appropriate local agencies”.

Land Use

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 4.5-9, Conversion of Prime Farmland:

The Applicant proposes that references to “173 acres” of “land considered... Prime Farmland” be changed to 97.2 acres, in accordance with AFC Table 5.3-3.

Page 4.5-13, Condition of Certification LAND-6

The Applicant proposes exploring the basis for this Condition of Certification during the upcoming workshop.

Noise and Vibration

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 4.6-17, Condition of Certification NOISE-6, 3rd line

The Applicant requests that the 39 dBA numeric value be revised to 41 dBA. The reasons for this request are that: 1) the CEC considers an increase over pre-project ambient noise levels of less than 5 dBA to be insignificant; and 2) and the pre-project ambient noise levels for this location (from NOISE Table 4) was measured at 36.3 dBA. Therefore, Applicant believes that a project noise impact of 41 dBA at the residence at the Sonny Bono National Wildlife Refuge headquarters will result in an insignificant impact based on the 5 dBA criteria.

Page 4.6-18, Condition of Certification NOISE-6, Verification

The Applicant requests that the timeline for submitting the noise monitoring results be extended from 15 days to 30 days.

Public Health

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 4.7-16, Condition of Certification Public Health-1

The Applicant is still reviewing the feasibility of this requirement and will provide comments, if any, during the upcoming workshop.

Socioeconomic Resources

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 5, Section Housing, 2nd sentence

This sentence begins with “As of 1998 (see Table 5.9-5 of SSU6 AFC) ...” The text of the AFC states that the housing data is “as of 2000 ...” but Table 5.9-5 refers to 1998 which was in error. A review of the Census database and the data referenced indicates that these data are from the 2000 Census.

Page 6, Section Schools, 2nd paragraph, 2nd sentence

This sentence begins with “Given that Calipatria Union School District assesses ...” The AFC estimates the square footage as 3,484,800 square feet (1,320 x 2,640). However, the Applicant provided revised estimates of the roofed square footage for the project site in the response Data Request Set 3, #127B. Therefore, the Socioeconomic Section of the FSA should reflect the revised roofed square footage of 34,458.

Soil and Water Resources

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 4.9-13, Section Fresh Water Supply, 2nd paragraph, last sentence

This sentence references that the Applicant has identified a brine salinity of 25 percent, and it should note that this concentration is the worst-case concentration. The Applicant believes it is unlikely that the SSU6 project will experience this concentration of brine over the life of the project, as noted in the first paragraph, last sentence on Page 4.9-14 of the PSA.

Page 4.9-23, Section Conclusions and Recommendations, 1st paragraph

The CEC Staff indicates it requires additional water delivery data from IID to complete its analysis. The following table presents additional data from IID on water deliveries to Vail Lateral 4A, gates 459 and 460 for the period of 1996 through 2002.

Salton Sea Unit 6

Historic Water Use at Vail 460

Year	Water Use in Acre-Feet		Total Water Use
	Gate 459	Gate 460	Acre-Feet
2002	362.4	425.7	788.1
2001	373.3	321.5	694.8
2000	191.8	379.9	571.7
1999	388.2	384.4	772.6
1998	267.2	383.6	650.8
1997	415.9	396.7	812.6
1996	559.5	459.4	1018.9

Page 4.9-24, Condition of Certification SOIL & WATER-1

The Applicant proposes to delete the requirement that the Applicant submit a copy of the SWPPP to the County, assuming that a copy to the RWCQB suffices under the relevant regulation.

Page 4.9-24, Condition of Certification SOIL & WATER-2

The applicant proposes to delete the requirements that the Applicant submit a copy of the SWPPP to the County, assuming that a copy to the RWCQB suffices under the relevant regulation.

Page 4.9-25, Condition of Certification SOIL & WATER-6

The Applicant proposes to delete this Condition of Certification. The Applicant provided in Response to CURE Data Request 328 an explanation regarding the choice of an open storage tank as opposed to an enclosed tank. In addition to these reasons, it is worth mentioning that the SSU6 Project, because of its ability to utilize condensate for most of its process use, reduces water consumption when compared to a standard combined cycle project by approximately 3,400 afy (293 afy for SSU6 vs. estimated 3,660 afy) which result in a positive impact about 170 times larger than the 20 afy negative impact. The enclosed tank proposed by the CEC staff would add approximately \$2m of capital cost to the SSU6 Project. Geothermal power plants have long been uncompetitive against traditional fossil plants due the large capital investment required with these projects. The Applicant believes that the SSU6 Project provides a significant positive impact on the water requirement associated with the generation of 185 MW, and additional and cost prohibitive improvements are neither warranted nor sustainable.

Page 4.9-27, Condition of Certification SOIL & WATER-12

The Applicant proposes to insert the word “process” between the “fresh” and “water”.

Traffic and Transportation

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

The Commission Staff identified six areas where additional data is needed to complete their analysis for the SSU6 project. These areas are presented below with the Applicant's response.

1. Emergency Access Routes.

The Applicant provided the emergency access route information to the Commission on March 18, 2003.

2. Impact of operational truck traffic on local roads and intersections.

The Applicant provided the operational truck traffic impacts on local roads and intersections to the Commission on March 18, 2003.

3. Possible conflicts between SSU6 construction and Caltrans construction sites.

The Applicant provided information regarding the potential for construction conflicts to occur between SSU6 construction and Caltrans construction to the Commission on March 18, 2003.

4. Clarification of information in the AFC traffic and transportation tables.

The Applicant provided clarification on the AFC traffic and transportation tables to the Commission on March 18, 2003.

5. The location of the private airstrip and portion of the low-level military route that could be impacted by the new transmission lines.

The Applicant provided information on the private airstrips located near the L-Line Interconnection route the Commission on March 18, 2003, and has requested information on the low-level military route from the NAF El Centro. This additional information will be forwarded to the Commission when received.

6. The name of the project sponsor of the Solar Evaporation Pond Pilot Project noted as a source of potential cumulative impact.

The Solar Evaporation Pond Pilot Project was developed by the Salton Sea Authority. Per telephone conversation with Dan Cain of the Salton Sea Authority (760-564-4888), this facility is no longer in operation and is being abandoned in place. The Authority will review the possibility of using this area again in the future, but does not have any plans to use the facility currently.

Transmission Line Safety and Nuisance

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis.

The Applicant and the Imperial Irrigation District will address this section during the upcoming workshop. No comments are available at this stage but progress has been made towards finalizing open issues identified in the Preliminary Staff Assessment.

Visual Resources

The following are the Applicant's comments on the SSU6 Preliminary Staff Assessment.

Page 4.12-6, Electrical Transmission Interconnection, 1st Paragraph

The design of the "L" line has been changed, and it will now be a single circuit line between the power plant and the proposed IID Bannister switching station. This information was communicated to Robert Worl, CEC Project Manager, in a letter from Bernard Raemy, CE Obsidian Energy LLC SSU6 Project Manager dated January 7, 2003.

Page 4.12-13, KOP 6 – IID Midway Interconnection Transmission Line, Viewer Exposure, first paragraph

The reference to the Santa Rosa Mountains in this paragraph is probably intended to be a reference to the Chocolate Mountains.

Pages 4.12-16 & 4.12-17, Impacts of Power Plant Structures, KOP 3- Residence on Lack Road

The name assigned to this KOP needs to be changed to "Viewpoint on Lack Road at Bowles Road" to reflect the fact that the nearby structure is being used as a utility building, not a residence and that there are no residential viewers in the area. This analysis also needs to be modified to take into account the fact that although the simulation used as the basis for the analysis depicts a double circuit transmission line, the design of the project has been changed, and that this line will now be a single circuit facility, similar in appearance to the transmission lines depicted in the Applicant's Visual Resources Figures 5b and 6b.

Page 4.12-17, Impacts of Power Plant Structures, KOP 4- View from Rock Hill, Visual Contrast, first paragraph

The text incorrectly characterizes the color of the project facilities as "tan". The simulation depicts project features which are more taupe in color, and which thus present only a moderate degree of visual contrast with the colors of the soil, agricultural crops, and far distant mountains. Because the project facilities are not seen against the backdrop of the Salton Sea, the reference to the relationship of the color of the project features to the color of this water body is not germane to the analysis.

Page 4.12-20, Transmission Line Crossing of SR 111, View Disruption, first paragraph

The reference to the Santa Rosa Mountains is probably intended to be reference to the Chocolate Mountains.

Page 4.12-19, Linear /facilities, Interconnection transmission lines, first paragraph

The reference to a double circuit line that will extend 16 miles and cross SR-86 should be changed to reflect the current plans for this to be a single circuit line.

Page 4.12-21, Lighting, first paragraph

The assertion that night lighting in the area is relatively minimal is not accurate. Recent nighttime observations in the area reveal that the existing geothermal facilities in the area are brightly lit, giving this area a nighttime appearance that is reminiscent of that of a major industrial complex.

There are a number of places in this assessment of the Visual Resources issues where the conclusions that Staff has reached are not adequately supported. These include:

- Pages 4-12.16 and 4-12.17. Conclusion regarding impacts on views from KOP 3, Lack Road.
- Pages 4-12.17 and 4.12-18 Conclusions regarding impacts on views from KOP 4, Rock Hill.
- Page 4-12.25. Conclusion regarding impact of the dilution water heater plumes.
- Page 4.12-26. Conclusions regarding whether the project would have a substantial adverse effect on a scenic vista.
- Pages 4.12-26 and 4.12-27. Conclusions regarding whether the project would substantially degrade the visual character or quality of the site or its surroundings.
- Pages 4.12-27 and 4.12-28. Conclusions regarding cumulative impacts.
- Page 4.12-28 In the Environmental Justice discussion, assertions about the impacts of the project on views from residences within two to three miles from the project.
- Page 4.12-29. Conclusions regarding compliance with Federal standards.
- Table 7, pages 4.12-30 through 4.12-32. Conclusions regarding consistency with Imperial County General Plan Land Use Element Goal 3 and Imperial County General Plan Geothermal and Transmission Element Policy G.
- Pages 4.12-36 and 4.12-37, Condition of Certification VIS-3, landscaping. Significant impacts that require this mitigation measure have not been demonstrated.
- Page 4.12-38, Condition of Certification VIS-5, heat exchange condenser. Significant impacts that require this mitigation measure have not been demonstrated.

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COMMENTS ON THE PRELIMINARY STAFF ASSESSMENT

- Page 4.12-38, Condition of Certification VIS-6, relocation of cooling towers. Significant impacts that require this mitigation measure have not been demonstrated.
- Appendix 1, Salton Sea Power Plant Project Visual Resources Staff Assessment – Summary of Analysis. Many of the cells of this summary table include unsupported conclusions that are the same as or related to those identified in the preceding list. No rationale is provided for requiring imposition of Condition of Certification VIS 6 to address impacts to KOPs 3, 5, and 6.

Waste Management

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 4.14-3, Project and Site Description, 3rd Paragraph

The Commission Staff identified one area where additional information is needed to complete their analysis for the SSU6 project. This additional information is being requested based on the California Department of Toxic Substances Control's (DTSC) March 26, 2003 review letter of the SSU6 project's hazardous waste management activities. In this letter, DTSC suggest that "Additional evaluation of the site may be warranted if any spills of geothermal brine, diesel fuel, oil and hydrochloric acid on the existing geothermal plants northwest and southeast of the site has adversely impacted soil or ground water at the subject site." However, based on the evaluation of the potential of spills at the existing geothermal plants impacting the SSU6 project site (contained in the project's Phase I Environmental Site Assessment which was filed as Appendix O of the AFC), the existing geothermal plants are hydraulically cross-gradient and approximately $\frac{3}{4}$ mile away from the SSU6 project site. The Phase I concludes "it would be unlikely that spills at the existing facilities would adversely affect soil and groundwater conditions at the SSU6 site."¹ Nevertheless, the Applicant agrees with the Commission Staff's suggested mitigation measures Waste Management Conditions of Certification WASTE-1 and WASTE-2 to mitigate any potential waste management impacts associated with the unexpected encounter with hazardous waste materials during the construction of SSU6. Furthermore, the Applicant believes these two Conditions of Certification provide an adequate measure of protection to public health and the environment.

¹ Phase I Environmental Site Assessment, Salton Sea Unit 6, Imperial County, URS Corp. January 29, 2002.

Worker Safety

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis. The Applicant does not have any comments to this section of the Preliminary Staff Assessment at this stage.

Facility Design

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and does not have any comment at this stage.

Geology and Paleontology

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 5.2-12, Condition of Certification PAL-4, Verification, paragraph 2

This paragraph requires the submittal of a script for the WEAP training to the CPM for approval. The Applicant is concerned that numerous iterations of the script will be required and that if the PRS does not adhere exactly to the script, it will represent a violation of PAL-4. Therefore, the Applicant suggests that a detailed outline be submitted for review and approval to the CPM, thereby providing the CPM with the nature of the material being presented but not the exact wording.

Power Plant Efficiency

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and does not have any comment at this stage.

Power Plant Reliability

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and does not have any comment at this stage.

Transmission System Engineering

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis.

The Applicant and the Imperial Irrigation District will address this section during the upcoming workshop. No comments are available at this stage but progress has been made towards finalizing open issues identified in the Preliminary Staff Assessment.

Alternatives

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis. The Applicant does not have any comments at this stage.

General Conditions

The Applicant commends the Commission Staff on preparing a detailed and comprehensive analysis and provides the following comments on the Preliminary Staff Assessment.

Page 7-8, COM-8, Vulnerability Assessment

This Condition of Certification requires the preparation of a Vulnerability Assessment for the project. The Applicant is unaware of any regulatory requirement to prepare this assessment, and the DOJ guidance document referenced states “This vulnerability assessment methodology is therefore focused primarily on terrorist or criminal actions that could have significant national impacts (e.g., through the loss of chemicals vital to the national defense or economy) or cause serious injuries or fatalities among facility employees, contaminate adjoining areas, and cause injuries or fatalities among adjoining populations.” The SSU6 project does not meet the criteria identified, as it does not produce a significant quantity of electrical power, is not vital for national defense or the economy, and would not cause environmental or worker safety impacts that would affect a major population center or environmental resource. Therefore, the Applicant requests the elimination of this requirement.