STATE OF CALIFORNIA -- THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, Governor

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512

June 22, 2007

DOCKET
07-AFC-1
DATE JUN 22 2007
RECD. JUN 22 2007

Mr. Tom Barnett
Inland Energy, Inc.
3501 Jamboree Road
South Tower, Suite 606
Newport Beach, CA 92660

RE: VICTORVILLE 2 HYBRID POWER PROJECT (07-AFC-1)
DATA REQUEST SET 1 (1-111)

Dear Mr. Barnett:

Pursuant to Title 20, California Code of Regulations, Section 1716, the California Energy Commission staff seeks the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

This set of data requests (#1-111) is being made in the areas of Air Quality (#1-9), Biological Resources (#10-23), Cultural Resources (#24-50), Geology and Paleontology (#51-54), Hazardous Materials (#55-56), Land Use (#57-61), Soil and Water Resources (#62-85), Traffic and Transportation (#86-91), Visual Resources (#92-105) and Waste Management (#106-111). Written responses to the enclosed data requests are due to the Energy Commission staff on or before July 23, 2007, or at such later date as may be mutually agreeable.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to both the Committee and me within 20 days of receipt of this notice. The notification must contain the reasons for not providing the information, and the grounds for any objections (see Title 20, California Code of Regulations, Section 1716 (f)).

If you have any questions, please call me at (916) 654-4679 or email me at jkessler@energy.state.ca.us.

Sincerely,

Eileen Allen FOR JOHN KESSLER

John S. Kessler
Project Manager

Enclosure
cc: Docket (07-AFC-1)
Proof of Service List
Agencies

PROOF OF SERVICE (REVISED 6/14) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 6/25

VICTORVILLE 2 HYBRID POWER PROJECT
(07-AFC-1)
DATA REQUESTS

Technical Area: Air Quality
Author: Tuan Ngo

Potential Violations of the State NO_2 standard

BACKGROUND

The Application for Certification (AFC), page 6.3-61, states that the oxides of nitrogen (NOx) emissions from project construction equipment and activities may cause an impact as high as 817 $\mu g/m^3$ (without background) for nitrogen dioxide (NO_2). This would cause a violation of the State's 1-hour NO_2 air quality standard, which is 470 $\mu g/m^3$. The AFC further indicates that the potential new violations of the State 1-hour NO2 standard can be avoided with restrictions on the facility's construction hours.

DATA REQUEST

1. Please provide an analysis showing the effectiveness of daily restrictions on construction hours as mitigation to avoid potential violations of the State 1-hour NO_2 air quality standard.

2. Please provide a NO_2 construction emissions mitigation proposal for the project containing, but not limited to, restrictions on daily hours of construction, enforcement methods, compliance monitoring, and effectiveness measurements tools.

Potential Violations of State and Federal PM Standards

BACKGROUND

The AFC, page 6.3-62, states that particulate matter less than 10 microns (PM10) emissions from construction equipment and activities may cause PM10 impact as high as 106 $\mu g/m^3$. This would cause and contribute to violations of the State and Federal 24-hour PM10 air quality standards (of 50 $\mu g/m^3$ and 150 $\mu g/m^3$ respectively) in the air basin. The AFC also indicates that the restriction of daily construction hours would "...have a significant positive impact on reduced modeled particulate concentrations."

DATA REQUEST

3. Please provide an analysis showing the benefits of restricting the daily hours of construction, and describe how the effectiveness in reducing the project's construction PM10 impacts is measured.

4. Please identify the expected locations of maximum construction impacts derived from modeling the emissions of PM10.

Cooling Tower PM10 emissions

BACKGROUND

Pages 6.3-56 and 57 of the AFC describe the method used to calculate the cooling tower PM10 emissions. The method assumes that only 50 percent of total suspended particulate (TSP) emissions from the cooling tower are PM10. In all past siting cases, staff has assumed that 100 percent of the TSP emissions from the cooling tower are PM10. The emissions, which are calculated by modeling and accounting for the cooling tower water total dissolved solids (TDS), cooling tower total circulating water, and the cooling tower drift eliminator efficiency, would require PM10 mitigation.

DATA REQUEST

5. Please provide evidence and analysis to support the AFC assumption that no more than 50 percent of the cooling tower TSP emissions are PM10.

Inter-Basin/Inter-Pollutant Trading

BACKGROUND

The AFC, pages 6.3-84 and 85, indicates that volatile organic compound (VOC) emission reduction credits from the South Coast air basin will be used to mitigate the project's ozone precursor (NOx and VOC) emissions. Each pound of the project's NOx emissions is proposed to be mitigated with 2.08 pounds of VOC emission reduction credits (ERCs) obtained from the South Coast Air Quality Management District. Similarly, each pound of the project's VOC emissions is proposed to be mitigated with 1.3 pounds of VOC emission reduction credits originating in the South Coast air basin. The AFC states that since these inter-basin/inter-pollutant offset ratios were approved for use in the High Desert Power Project (97-AFC-1) in May 2000, these ratios should also be appropriate for this project.

Staff believes that because both VOCs and NOx contribute to ozone formation, the inter-pollutant trading of VOC to mitigate NOx emissions has merit. However, the High Desert Project inter-pollutant trading ratio was determined using data collected in the South Coast and Mojave Desert air districts during the 1990's. The ambient air quality of both air districts today is significantly different than the 1990's; therefore, new analysis will be necessary. Additionally, the location of the VOC emission reductions relative to the location of the NOx emissions needs to be factored into the ratio.

DATA REQUEST

6. Please provide the analysis supporting the proposed inter-basin/inter-pollutant trading ratio of 2.08 pounds of VOC ERCs from the South Coast air basin for each pound of project NOx emissions; and 1.3 pounds of VOC ERCs from the South Coast air basin for each pound of project VOC emissions.

7. If the above analysis cannot support the proposed trading ratios, please provide new inter-basin/inter-pollutant trading ratio analysis for the project's NOx and VOC emissions. The analysis should use the most recent emissions inventories and

ambient air quality data and should take into account the specific location of the VOC emission reduction credits in relation to the location of the new facility and its NOx and VOC emissions.

Supporting Information for GE Rapid Start Process

BACKGROUND

The AFC, page 6.3-33, states that the project will use the GE "Rapid Start Process", which will use a natural gas fired auxiliary boiler and solar array to preheat the turbine/HRSG power units' steam seals and piping. Therefore, the power units' start-up times and emissions could be reduced by as much as 50 percent compared to conventional combined cycle operation.

DATA REQUEST

8. Please provide manufacturer information on the technology, control processes, and start-up and shutdown emission guarantees for the turbine/HRSG power units utilizing the Rapid Start Process.

9. Please discuss whether these new processes and technologies will affect the type and duration of commissioning activities, and resulting air emissions.

Technical Area: Biological Resources
Author: N. Misa Ward

BACKGROUND

Table 6.4-2 on page 6.4-8 of the AFC suggests that the applicant contacted staff members at six separate agencies regarding the project and potential biological issues of concern. However, Energy Commission staff could not find any documentation on the dates, personnel, and content of communications with the California Department of Fish and Game (CDFG), City of Victorville, U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or U.S. Fish and Wildlife Service (USFWS) regarding the potential for biological resources, such as sensitive species or waters of the U.S., in the project vicinity.

In addition, Appendix H states that a "Biological Assessment (BA) currently is being prepared to facilitate Endangered Species Act (ESA) Section 7 consultation between the EPA and the USFWS..." on page 125. The USFWS-approved BA and agreed upon mitigation needs to be provided, so staff can eventually complete the Biological Resources Final Staff Assessment. Staff acknowledges receiving the Draft BA on May 14, 2007 which will permit completion of the Preliminary Staff Assessment (PSA). However, to keep the project moving as expeditiously as possible, we also need to know the status of the Final BA.

DATA REQUESTS

10. Please provide any documents (i.e., letters or records of conversation including dates and names of agency personnel) that resulted from communication with CDFG, City of Victorville, RWQCB, USACE, and USFWS staff regarding sensitive biological resources.

11. Please provide a status update on the anticipated schedule for the Section 7 consultation process and a copy of the final USFWS-approved BA to Energy Commission staff when available.

BACKGROUND

AFC Section 6.4.1 discusses LORS compliance related to biological resources. It does not mention the San Bernardino County General Plan, which applies to the project according to supplemental data adequacy information filed for the Land Use section. Also, page 6.4-7 states that "...the West Mojave Plan does not apply at this time..." without providing an explanation.

DATA REQUESTS

12. Please summarize any biological resource goals and policies of the San Bernardino General Plan, and discuss the project's compliance with the General Plan.

13. Please explain why the county's West Mojave Plan does not apply, and if possible, comment on the likelihood of this status changing during project licensing.

BACKGROUND

Mitigation Measure BIO-24 on page 6.4-52 of the AFC states "Should permanent impacts to jurisdictional waters of the United States or California become necessary during Project activities, the necessary permits would be obtained and the affected acreage would be replaced to offset the loss…" CDFG sent a letter to the Energy Commission on March 23, 2007 indicating that they require a Streambed Alteration Agreement for any substantial temporary or permanent impacts to any jurisdictional drainages.

DATA REQUESTS

14. Please explain the project-specific circumstances that would necessitate permanent impacts to jurisdictional waters.

15. Please clarify the status and anticipated schedule of USACE, RWQCB, and CDFG permitting for (and verification of) jurisdictional waters, and provide expected mitigation ratios for each permit, if appropriate.

16. Please identify the drainages in Table 1 of the wetland delineation (Appendix H-10) that could receive impacts. For each drainage, specify the potential "affected acreage" and whether the potential impacts are direct or indirect, and temporary or permanent.

BACKGROUND

The AFC lacks a detailed project description for access roads and fencing as they relate to biological resources. Additional information is needed to analyze impacts because project-related traffic increases the likelihood of desert tortoise (*Gopherus agassizii*) injuries/fatalities. Appendix H, page 12 states "The power plant would...(inclusive of fill slopes and access)…be permanently fenced with approved desert tortoise exclusion fencing," and page 114 includes mitigation of "ensuring that desert tortoise exclusion fences are maintained where applicable." Staff is unclear on the location of permanent tortoise exclusion fencing and whether it would be installed along the "planned Perimeter Road, Colusa Road, and Helendale Road re-route" shown in Figure 2-4. In addition, CDFG's March 23rd letter noted that project-specific details and impact analysis on the construction of the Perimeter Road (upgrade to four paved lanes) were lacking and necessary to complete their evaluation of environmental impacts.

DATA REQUESTS

17. Please provide a map or detailed description of proposed tortoise-exclusion fence lines and indicate whether the fences will be permanent or temporary.

18. Please analyze the biological resource impacts related to construction of the Perimeter Road or provide a reference to its associated California Environmental Quality Act (CEQA) document.

BACKGROUND

Appendix H, page 47 notes "the surveys for rare plants were conducted...but not for 100 percent of the power plant site... only the northern-most portion of Segment 1 of the linear corridor received rare plant surveys...no rare plant surveys were conducted for Segments 2 or 3...and annual flowering plant species...may have been undetectable at the time of the focused surveys." The sub-optimal rainfall of 2006 is noted as one of the reasons.

DATA REQUEST

19. Please describe the approach and schedule for following up on un-surveyed areas and supplementing the floristic surveys in 2008 to confirm presence/absence of special-status annuals in the project area that were undetectable in 2006-2007 due to low rainfall.

BACKGROUND

Raven populations are known to prey upon juvenile desert tortoise and other wildlife species. However, these are migratory species, which are state and federally protected by the Migratory Bird Treaty Act. Nest removal measures are mentioned on page 6.4-52, but CDFG's March 23rd letter requests "a raven control plan...of sufficient detail and resolution..."

DATA REQUEST

20. Please provide a detailed raven control plan that discusses, but is not limited to:
    a. the coordination process with CDFG and USFWS;
    b. potential use of perch-deterrent devices;
    c. the circumstances when nest removal would be necessary; and
    d. the remedial actions that would be employed if evidence of raven predation of juvenile desert tortoise is detected;
    e. the circumstances that would trigger the implementation of remedial actions.

BACKGROUND

Section 4.0 addresses closure of the project following the cessation of facility operations and states that the decommissioning plan will ensure environmental protection. Permanent closure is an issue of concern regarding biological resources due to the proposed facility location on a relatively large and undisturbed habitat area as well as the potential threats posed by abandoned equipment and hazardous materials. Although page 4.0-2 states "Because it is not possible to predict at present the conditions that will exist at the time decommissioning decisions must be made, decommissioning details will be developed and provided to the CEC when the time for permanent closure is closer...," staff needs general information on closure as it relates to biological resources to complete the Biological Resources Staff Assessment.

DATA REQUESTS

21. Please describe the likely components of a closure plan (e.g., decommissioning methods, timing of any proposed restoration, restoration performance criteria) and discuss each relative to biological resources and specifically to species of concern such as desert tortoise.

22. Please describe the potential funding (e.g., a bond) and/or legal mechanisms for decommissioning and restoration of the project site that could be used:

    a. at the end of operations; and

    b. in the event of bankruptcy or the untimely closure for financial reasons.

23. Please provide a discussion of facility closure requirements of the City of Victorville, County of San Bernardino, USACE, USFWS, CDFG, and any other agency that may have closure requirements.

Technical Area: Cultural Resources
Author: Beverly Bastian

Please provide under confidential cover any documents that may reveal the location of an archaeological site.

Historic Resources

BACKGROUND

The confidential cultural resources technical report indicates that during the cultural resources survey of Segment 2 of the proposed transmission line, a cluster of standing structures located at 18401 Shay Road was recorded, including two occupied dwellings, an outbuilding, a large concrete basin, and an associated scatter of historic-period artifacts (pp. 66, 90). The date range for the construction of this complex, interpreted as 1952-1989 based on U.S. Geological Survey (USGS) map evidence, makes it possible that one or more of the cultural resource elements of the cluster is 45 years old or older. The confidential cultural resources report states that the project's impact on this resource is not significant, but the nature and extent of that impact is not specified.

This segment of the proposed transmission line consists entirely of new construction. No other transmission lines are currently near this building complex, and, consequently, this new visual element in the landscape could constitute a significant alteration of the setting, feeling, and association of the nearby complex. Staff needs more information on the character and location of the proposed transmission line, relative to the complex, to assess the potential impact of the Victorville 2 project on this potential resource.

DATA REQUEST

24. If one or more of the buildings in the residential complex at 18401 Shay Road is 45 years of age or older, please provide the following:
    a. describe the character of the proposed transmission line in the vicinity of the complex, including the locations of the towers relative to the complex and the height of the towers; and
    b. provide a map showing the complex and the proposed transmission line towers, based on the site "sketch map" included with the DPR 523 forms for this resource.

BACKGROUND

In the confidential cultural resources report, a table listing all previously recorded cultural resources by their inventory numbers is provided as Table 2. Additionally, Table 2 includes the cultural affiliation and the informational references for each listed resource. One previously recorded resource, CA-SBR-4269H, was omitted from this table, and staff needs the affiliations and references for this resource.

DATA REQUEST

25. Please provide a new Table 2 which includes the previously known resource, CA-SBR-4269H, and its cultural affiliations and references.

BACKGROUND

The confidential cultural resources report provides a discussion of known cultural resources within the project area, including CA-SBR-4269H, CA-SBR-4272H, CA-SBR-4274H, and CA-SBR-4275, all described as historic roads which the proposed new segment of transmission line would pass over (pp. 29-32). On p. 37, four California Historical Landmarks (CHL) commemorating historic trails and roads in the vicinity of the project are listed and briefly discussed. One CHL, No. 576, commemorates the Santa Fe-Salt Lake Trail, which was used by Forty-Niners to reach California during the Gold Rush. The discussion on p. 30 makes it clear that this trail is also one of the known cultural resources, CA-SBR-4272H. However, the discussion does not identify the other three historic roads (CA-SBR-4269H, CA-SBR-4274H, and CA-SBR-4275) associated with any of the three remaining CHLs.

DATA REQUEST

26. Please determine whether any of the known historic roads in the project area, CA-SBR-4269H, CA-SBR-4274H, and CA-SBR-4275, corresponds to CHL No. 96, CHL No. 577, or CHL No. 963.

27. If there is no connection between the known resources and these CHLs, please discuss whether the historic trails and roads commemorated by CHL No. 96, CHL No. 577, and CHL No. 963 are present in the project area. If so, please plot them on a new confidential Figure 5. (Also see Data Request 47 and the preceding background discussion in which a new Figure 5 is requested).

28. Please provide a discussion of the relationship of historic roads CA-SBR-4269H, CA-SBR-4274H, and CA-SBR-4275 to known historic explorations, occupations, or settlements in the area.

BACKGROUND

The confidential cultural resources report, in its discussion of the survey of the proposed plant site, mentions the presence of inhabited modern structures on some of the plant site parcels (p. 52). The AFC, in discussing earthwork during construction on the proposed plant site, states that existing structures will be removed (p. 2-37). Although mentioned in the cultural resources report, staff found no discussion of existing structures on the proposed plant site or laydown areas as potential cultural resources in either the AFC or the confidential report. Because standing structures, regardless of age, may be potentially eligible for the California Register of Historical Resources (CRHR), staff needs to identify all existing structures on the plant site and to have them assessed as potential cultural resources. For any standing structures over 45 years of age, staff additionally needs to have them recorded on Department of Parks and

Recreation (DPR) forms because these buildings will be demolished to make way for the proposed project and at least a minimal record of their existence should be made before they are destroyed.

DATA REQUEST

29. Please provide the following:
    a. A map showing the locations of all existing structures on the proposed plant site and laydown areas;
    b. A discussion of the existing structures (their function, age, style, integrity, and any association with local persons/history) by an architectural historian who meets the Secretary of the Interior's standards for architectural history;
    c. The resume of the architectural historian; and
    d. Completed copies of DPR 523 "Primary" and "Building, Structure, and Object" detail forms for any existing structures that are 45 years or older, including an assessment of their potential eligibility for the CRHR.

BACKGROUND

In the confidential cultural resources report, the applicant states that 1934 and 1956 USGS topographic maps and a set of 1955 aerial photographs were examined to assist in identifying potential cultural resources and in dating identified resources (p. 38). Staff needs to review these maps and photographs to clarify dating and location data for some of the identified resources and to conduct an independent assessment of the information.

DATA REQUESTS

30. Please provide color copies (when color was used for the original map) of all available historic USGS topographic maps that cover the entire project area. Copies reduced in size are acceptable, as long as printed information on the maps is legible.

31. Please provide copies of the 1955 aerial photographs of the entire project area. Please ensure that the mode of reproduction yields copies with sharp details.

BACKGROUND

Along Segment 3 of the proposed VV2 transmission line, the applicant would replace 78 of the support towers and alter the location of 6.5 miles of an existing line. The AFC states that a previous cultural resources specialist recommended this line as eligible for the National Register of Historic Places (NRHP). The portion of the historic transmission line that would be impacted by the VV2 project is called the Victor-Aqueduct-Phelan 115-kV line, and it was part of the 238-mile Southern Sierra Power Company's Control-San Bernardino 140-kV line. Today, a 34-mile part of the old line is owned by Southern California Edison (SCE). Called the Kramer-Victor 115-kV line, which was constructed between 1911 and 1913, it includes the potentially impacted Victor-Aqueduct-Phelan

115-kV line. The applicant states that the proposed alterations to this historic resource would not be a significant impact because the 6.5 miles they propose to alter lacks integrity of location, setting, materials, and feeling. To independently determine whether an impact to a resource is significant, staff needs specific information regarding the characteristics and values that made the resource significant. Thus, to assess the significance of the proposed project's impact on the Victor-Aqueduct-Phelan 115-kV line, staff needs more information on the Southern Sierra Power Company's Control-San Bernardino 140-kV line, including the criteria under which it was recommended as eligible for the NRHP, the period of significance, the historic context, and the details of the previous alterations made to the Victor-Aqueduct-Phelan 115-kV line.

DATA REQUEST

32. Please provide a discussion prepared by an architectural historian, who meets the Secretary of the Interior's standards for architectural history, of the history of the Southern Sierra Power Company's Control-San Bernardino 140-kV line, with an emphasis on the Victor-Aqueduct-Phelan 115-kV portion including the following:
    a. Discussion of the technological and engineering innovations (if any) of the line and any association with persons or developments important in state or local history;
    b. A recommendation of the period of significance, an evaluation of the integrity of the resource, and the impact on that integrity of the alterations proposed by the Victorville 2 project; and
    c. A copy of the architectural historian's resume.

BACKGROUND

The proposed project will entail modifications at the Victor and Lugo transmission substations. Staff needs additional information on these facilities to determine whether they could be cultural resources and whether the proposed modifications at these substations would be significant impacts.

DATA REQUEST

33. If either or both the Lugo Substation and the Victor Substation are 45 years of age or older, please provide the following as prepared by an architectural historian who meets the Secretary of the Interior's standards for architectural history:
    a. Prepare and provide copies of DPR 523 "Primary" and "Building, Structure, and Object" detail forms for the substation(s), including an evaluation of significance;
    b. An assessment of the project's potential impact on the two substations; and
    c. A copy of the architectural historian's resume.

BACKGROUND

The confidential cultural resources report notes the contribution to the identification of cultural resources of local historian Richard Thompson (p. 38). The report refers to both

oral and written information provided by Mr. Thompson. Staff needs to review this information to clarify dating and location data for some of the identified resources, and would also like to be able to telephone Mr. Thompson to pursue any further questions which may develop.

DATA REQUESTS

34. Please provide copies of any written information contributed by Richard Thompson, and copies of any notes or recordings of oral information contributed by Mr. Thompson.

35. Please contact Richard Thompson regarding staff's desire to talk with him, and if he agrees, provide that indication to staff.

BACKGROUND

The maps and discussion in the confidential cultural resources technical report describing the coverage of the cultural resources survey conducted for the Victorville 2 project portray some parts of the project impact area as unsurveyed. Explanations as to why areas were not surveyed are provided for some areas but not for all. In one location on transmission line Segment 2, new conductors must be installed on an existing tower at which the route changes direction. This installation would require more extensive ground-disturbing installation activity which staff believes justifies a cultural resources survey, although none has been conducted. In addition, there was one place where the survey area was expanded (p. 43), but no reason for the expansion was given. Staff needs to clarify the survey coverage to ensure that all impact areas have been or will be surveyed and to ensure that all anticipated impacts have been identified.

DATA REQUESTS

36. Please provide a map depicting and labeling the unsurveyed parts of Area 1 (listed on p. 52 of the confidential cultural resources technical report) and a plan for surveying the parts of Area 1 which could not be surveyed previously due to access problems.

37. Please explain why an approximately 0.75-mile-long stretch of transmission line Segment 3, east of Lugo Substation, was not surveyed. Please identify the unlabelled historic linear cultural resource shown on Figure 5 paralleling the proposed transmission line for about half the length of the unsurveyed stretch.

38. On Segment 2 of the proposed transmission line, at roughly Mile Point 7 on Figure 5, part 2, where the route changes direction, please conduct additional archaeological survey of the area around the angle-turning tower. Please extend the survey to at least a 100-foot radius around the tower and provide the results to staff.

39. Please explain why the survey corridor of the proposed transmission line's Segment 1 was expanded just south of the dwelling at 18225 Shay Road.

Research Material and Archaeological Site Records

BACKGROUND

The cultural resources literature and records search carried out at the San Bernardino Archaeological Information Center (SBAIC) identified 61 previous cultural resources studies whose surveys covered parts of the proposed VV2 project's impact area. These studies also provided inventory records for 67 resources located on or near the impact area, which includes 275 acres at the plant site, 90 acres at the two laydown areas, and approximately 21 miles of transmission line. To perform an independent assessment, staff needs to review eight of these reports and sixteen of the DPR 523 forms. In addition, staff needs to review other cultural resources information typically provided to a requester as part of a California Historic Records Information System (CHRIS) records search.

DATA REQUESTS

[Please submit responses to Data Request Nos. 41 through 51 under confidential cover.]

40. Please provide copies of the following reports and forms obtained from the SBAIC regional extension of CHRIS and listed in the references for the confidential cultural resources technical report:
    a. (# not provided) Hampson 1989
    b. #1062570 Sheets and Woodman 1990
    c. #1062731 Macko, et al. 1993
    d. #1063020 Sturm, et al. 1993
    e. #1063796 McKenna 1998
    f. #1064192 Alexandrowicz 2004
    g. #1064427 CRM Tech 2003
    h. #1064429 CRM Tech 2004

41. Please provide copies of the following archaeological site records:
    a. CA-SBR-4251H Reynolds 1980
    b. CA-SBR-4255H Reynolds 1980
    c. CA-SBR-4269H (recorder and date not given)
    d. CA-SBR-4272/H4411H/CHL-577 Becker et al. 1993; Macko 1993; Reynolds 1981
    e. CA-SBR-4274H Reynolds 1980
    f. CA-SBR-4275H Reynolds 1980
    g. CA-SBR-4276H Reynolds 1980

h. CA-SBR-7694H Brock 1995

i. CA-SBR-8392H Alexandrowicz and Krautkramer 1996

j. CA-SBR-8832H Shaver 1997

k. CA-SBR-10315H Neuenschwander and Miller 1988; Brock 1989

l. CA-SBR-10316H Underwood and Rose 2000

m. CA-SBR-10317H Cunkelman 1993

n. CA-SBR-11267H Alexandrowicz 2001

o. CA-SBR-11272H Alexandrowicz 2001

p. CA-SBR-11273H Alexandrowicz 2001

42. Please provide a copy of the letter from the SBAIC outlining the data sources reviewed for the records search and the summary of findings of the search for the proposed one-mile-radius project study area.

43. Please provide a color copy of the SBAIC map showing the extent of coverage by previous cultural resources investigations within the one-mile-radius project study area and identifying the reports from each of the depicted surveys.

44. Please provide color copies of any historic maps provided by the SBAIC as part of the record search.

Map Presenting Cultural Resources

BACKGROUND

In the confidential cultural resources report (WSA, February, 2007), a map with known and newly discovered cultural resources is provided as Figure 5, which in its four parts covers the 275 acres of the plant site, the 90 acres of the two laydown areas, and the approximately 21-mile transmission line. Since much of staff's analysis depends on the spatial relationship between project impacts and the locations of cultural resources, it is important that Figure 5 contain correct and comprehensive data.

A known resource, CA-SBR-7154H is described as being located in a survey corridor in the confidential cultural resources report (p. 29), but it is shown in two places on Figure 5: in Area 2 (laydown) and on the proposed transmission line route, south of the Victor Valley Wastewater Reclamation Authority facility. In addition, Figure 5 shows a newly discovered resource, VV2-6, in two locations on the proposed project site. The locations of these resources need to be clarified on a revised Figure 5, and the two mislabeled resources need to be correctly identified.

The locations of six resources known to be in the project area (pp. 29-32) are not plotted on Figure 5. Most of the known resources missing from Figure 5 are described in the text as no longer existing, but staff needs to have the known locations of these six resources added to Figure 5 to fully assess potential project cumulative impacts.

Some important activity areas and milestones along the proposed transmission line are not provided on Figure 5, including: the dividing line between Segments 1 and 2; the new tower locations for all segments (if known), the pull sites on all segments (if known), and the "jog" location (p. 50) on Segment 3. Staff needs these features added to Figure 5 to comprehend the coverage of the applicant's archaeological survey and the text describing known resources, which uses tower numbers and pull site numbers to reference resource locations.

Figure 5 has a number of unlabeled dark blue lines crossing the proposed transmission line route. The legend indicates that dark blue dots and lines represent known cultural resources in or near the project area, so the dark blue lines on Figure 5 appear to indicate known linear cultural resources, but they are not labeled.

Laydown Areas 2 and 3 are incorrectly labeled on Figure 5.

DATA REQUEST

45. Please submit a new confidential Figure 5 which includes:
    a. the correct locations of resources CA-SBR-7154H and VV2-6 and the correct identification of the two resources currently labeled as CA-SBR-7154H and VV2-6;
    b. the location of the following six resources
        i. CA-SBR-4275H
        ii. CA-SBR-7743H
        iii. CA-SBR-7744H
        iv. CA-SBR-4251H
        v. CA-SBR-7753H
        vi. CA-SBR-4274H
    c. the dividing line between proposed transmission line Segments 1 and 2;
    d. the new tower locations (if known), with number labels, for all proposed transmission line segments;
    e. the new pull site locations (if known), with number labels, for all proposed transmission line segments;
    f. the "jog" area of transmission line Segment 3, labeled;
    g. the labels for:
        i. an unlabelled linear feature that crosses Segment 3 about 0.5 mile south of the Victor Substation (on part 2);
        ii. two unlabelled linear features that cross Segment 3 south of Interstate 15 and north of Phelan Road/Main Street (on part 3);

iii. an unlabelled linear feature that intersects, parallels, then deviates from Segment 3 about 0.25 mile northeast of the Lugo Substation (on part 4);

h. correctly labeled laydown Areas 2 and 3; and

i. response to Data Request No. 28 regarding historic trails and roads7

Potential Destruction of Archaeological Sites

BACKGROUND

The confidential cultural resources technical report identified three archaeological locations that could be destroyed by the construction activities of the proposed Victorville 2 project and that staff believes could hold significant cultural resource deposits. VV2-17 and VV2-19 are pre-1952 historic-period house sites with filled-in privies which are located on the proposed project site. VV2-23 is a prehistoric site of undetermined age which is located on the process water pipeline route near the Mojave River. The applicant recommended that these sites are not significant under CRHR Criterion D, so the proposed project's impacts on them would not be significant. The recommendation that these sites are not significant appears to be based on superficial observation alone. From the evidence presented in the confidential cultural resources report, and based on professional experience, staff believes that these three sites could have subsurface deposits that could yield data important in history or prehistory (Criterion D). Consequently, staff believes that either these sites should be avoided or they should be tested to better evaluate their potential to yield important data.

DATA REQUESTS

46. Please provide a plan to avoid project impacts to sites VV2-17, VV2-19, and VV2-23.

47. If destroying house sites VV2-17 and VV2-19 cannot be avoided, please perform and provide the following:

    a. Using coring or boring (at least five cores or borings spaced to optimally sample each feature), determine if the filled privies at historic-period house sites VV2-17 and VV2-19 contain archaeological deposits;

    b. If deposits are found, please excavate a test unit at each privy that will recover a sample of materials sufficient to support recommendations of significance for these features. Evaluate the potential of the recovered data according to its applicability to the research questions posed in the confidential cultural resources report (pp. 16-18).

48. If destroying prehistoric site VV2-23 cannot be avoided, please provide the following:

    a. Submit for staff approval a plan for using test excavations to determine if any subsurface deposits exist at prehistoric site VV2-23;

    b. After staff approves the testing plan, please carry out the test excavations; and

c. If cultural resource deposits are found, please recover a sample of materials sufficient to support recommendations of significance for this site. Evaluate the potential of the recovered data according to its applicability to the research questions posed in the confidential cultural resources report (pp. 12-16).

49. Please provide to staff a summary report on the testing and findings at these three sites, presenting an analysis of the recovered data and recommendations regarding the significance of the sites.

50. Please complete DPR 523 "Archaeological Site" detail forms for these three sites, including dating and significance recommendations, and submit them to staff.

Technical Area: Geology and Paleontology
Author: Dal Hunter, Ph.D., CEG.

Please submit responses to Data Request Nos. 52 through 54 under confidential cover.

BACKGROUND

Section 6.10 – Paleontological Resources, of the AFC, as well as Appendix J – Paleontological Resources Technical Report, state that a museum records search was conducted for the VV2 Project site. However, it is unclear whether the museum records search includes the project transmission line right-of-way (ROW) as part of the project site. The Paleontological Resources Technical Report does refer to paleontological resources in "Pleistocene age older alluvium in Victorville" and "in the vicinity of the VV2 Project Area".

DATA REQUEST

51. Please clarify whether the project transmission line ROW was included in the museum records search. If it was not included, please include it as part of the museum search for the VV2 project site and provide the results.

52. Please provide information regarding the proximity of known fossil sites along the transmission line route. If paleontological resources are present in the vicinity of certain sections of the route, please identify the sections.

BACKGROUND

Staff has reviewed a document not included in the AFC titled "Pliocene and Pleistocene Evolution of the Mojave River, and Associated Tectonic Development of the Transverse Ranges and Mojave Desert, Based on Borehole Stratigraphy Studies and Mapping of Landforms and Sediments near Victorville, California", Geological Society of America, Special Paper 368, p. 1-42 by Cox, B.F., Hillhouse, J.W., and Owen, L.A., and dated 2003. Figure 4 shows the location of the "Victorville Mammoth" site. The site appears to be near a section of the proposed project transmission line route.

DATA REQUEST

53. Please indicate the location of the "Victorville Mammoth" site on the appropriate Paleontologically Sensitive Areas mapsheet in Section 6.10 of the AFC.

BACKGROUND

Section 6.10 of the AFC states that the Quaternary Older Alluvium (Qo), which was deposited by the ancestral Mojave River drainage system and has a high paleontological sensitivity, is present along the transmission line route south of Mile Post (MP) 12.5. Quaternary Well-Dissected Alluvial Fans, which is part of the Victorville Fan and also has a high paleontological sensitivity, is present from the VV2 plant site to

MP 8.5. The stratigraphy in the AFC was taken from geological mapping by Bortugno and Spittler (1986).

Figure 2 of Cox, et al (2003) shows the northern portion of the transmission line route crossing ancestral Mojave River deposits, and that the southern portion crosses sediments of the Victorville Fan. An independent museum records search requested by Black Eagle Consulting, Inc. from the San Bernardino County Museum (SBCM) uses the stratigraphy of Cox, et al (2003) as well. The SBCM report indicates that nearly all of their paleontological resource localities that are within one mile of the proposed transmission line route occur between MP 4 and MP 8.5, and that none are present in Victorville Fan deposits south of MP 8.5. The SBCM, therefore, assigns a high paleontological sensitivity to the ancestral Mojave River deposits north of MP 8.5, and a low paleontological sensitivity to Victorville Fan deposits south of MP 8.5.

DATA REQUEST

54. Please confirm the location of sedimentary units of the ancestral Mojave River and the Victorville Fan within the VV2 Project site and along the Project transmission line. Although we would also assign a high paleontological sensitivity rating to the Victorville Fan deposits, there seems to be a discrepancy in the geologic mapping of Quaternary sediments that originate in the published literature.

Technical Area: Hazardous Materials Management
Author: Dr. Alvin Greenberg

BACKGROUND

Page 6.7-18 provides a narrative discussion of some of the chemicals proposed for use at the power plant during operations. A neutralizing amine (250 gallons) and an oxygen scavenger (250 gallons) are mentioned. Table 6.7-3 provides a list of all hazardous materials proposed for use during operations at the power plant yet these two materials are not listed on the table. Staff needs the specific identity and Chemical Abstracts Service (CAS) number of all chemicals proposed for use. If the project is certified by the Commission, the project owner will be limited to using only those hazardous materials, strengths, and amounts listed on this table.

Also, page 6.7-18 states that a leak of the heat transfer fluid Therminol VP-1 in the system would be detected immediately. Staff needs further information about the proposed leak detection methods in order to assess the potential for a hazardous materials spill and the size of the spill.

DATA REQUEST

55. Please add to Table 6.7-3 of the AFC the chemical name, CAS number, toxicity, Permissible Exposure Limit, Storage Description, and Storage Practices for the following materials:
    a. neutralizing amine (250 gallons)
    b. oxygen scavenger (250 gallons)
    c. any other hazardous material that would be used during operations of the power plant and not listed on this table

56. Please provide a more detailed description of how a leak of the heat transfer fluid (Therminol VP-1) from the system would be detected. Provide the specifications of any specialized flow, pressure, or leak detection equipment proposed for use.

Technical Area: Land Use
Author: Felicia Miller and Shaelyn Strattan

BACKGROUND

Construction of the proposed Victorville 2 would require three areas that total 388 acres. Including the land required for the solar collectors, the footprint of the power plant would require grading of approximately 338 acres, and construction laydown would require two separate temporary areas of 20 and 30 acres each. Upon completion of construction, the power plant would occupy 275 acres which currently consist of 68 separate parcels. The land for the project site is described as primarily vacant and undisturbed, surrounded by vacant, undisturbed land located within the City of Victorville boundaries. Several recreational cabins exist on these parcels. The site is located north of the Southern California Logistics Airport, the former George Air Force Base, located approximately 3.5 miles east of U.S. Highway 395 and approximately 0.5 mile west of the Mojave River.

The applicant indicates that 308 acres are under the city's control, 38 acres are in active negotiations for city acquisition and the owners of 52 acres have declined the city's last offer or the city has been unable to contact the owners after numerous attempts. The city is actively pursuing attempts to achieve control of the remaining parcels; however under California law (Government Code 37350.50), the city has the right to exercise the power of eminent domain to obtain the remaining parcels required for construction of the project. Although the project could be licensed by the Commission, an eminent domain proceeding could result in delays affecting the desired date for starting project construction.

DATA REQUEST

57. For the 308 acres of land already under the city's control, please discuss the terms of control (i.e. fee simple, long term leases, purchase agreement or any other site control terms).

58. For the 38 acres of land for which the city is in active negotiations for acquiring the land or rights for project development, please provide the status of these negotiations and a schedule as to when the city expects to obtain control.

59. For the 52 acres of land for which the city has not been able to negotiate purchase due to land owners' refusal to sell or the city's inability to contact the land owner, please provide the following:
    a. Status and schedule of efforts to acquire the lands or rights for project development; and
    b. In the event the city has to rely on the option of obtaining control of any properties by exercising eminent domain, please discuss the expected process and schedule for doing so.

60. Please provide a detailed map showing the location of parcels in proximity to the project boundaries for which the city is still working to obtain site control. For each parcel, please distinguish type of site control activities, assessor's parcel number (APN) and acreage.

BACKGROUND

The Victorville 2 project site is located immediately north of the Southern California Logistics Airport (SCLA) within the City of Victorville, and could be influenced by provisions of the Specific Plan for the SCLA. Staff needs the specific plan for evaluating the project's conformance with all local land use plans.

DATA REQUEST

61. Please provide a copy of the Specific Plan for SCLA, dated February 2004 and prepared by the City of Victorville.

Technical Area: Soil and Water Resources
Authors: Linda D. Bond, Ellie Townsend-Hough, John Kessler

In order for staff to evaluate soil and water resources, additional information and data is requested in the following areas:

- LORS affecting water use;
- Mojave River Watershed;
- Groundwater;
- Reclaimed Water;
- State Water Project Backup Water Supply;
- Water Quality
- Stormwater and Erosion Control
- Alternative Cooling

LORS AFFECTING WATER USE

BACKGROUND

Overdraft of groundwater and conflict over water supply in the Mojave Basin has led to the adjudication of water rights for the region. As a result, rules and regulations have been established for water use in the region. The California Department of Fish and Game and the Victor Valley Wastewater Reclamation Authority (VVWRA) have entered into a Memorandum of Understanding (MOU) regarding the disposal of reclaimed wastewater from VVWRA's Shay Road facility. In addition, Mojave Water Agency (MWA) has prepared Regional and Urban Water Management Plans that address long-term supply issues. Additional information is needed regarding how the proposed uses of water would comply with the terms of these requirements and plans in order to evaluate the project's compliance with LORS with respect to an overview of all water sources and agencies involved, and source-specific requirements and plans.

DATA REQUEST

62. Please describe on an agency by agency basis (i.e., agencies noted in above background statement) the rules and regulations, including but not limited to those of the Mojave Basin adjudication, that are applicable to the proposed project's use of groundwater.

63. Please discuss how the MWA's Regional and Urban Water Management Plans address the use of groundwater.

64. Reclaimed water is currently a source of flow to the Mojave River and a source of recharge to the groundwater system through irrigation and aquifer recharge projects, which contributes to the hydrologic recovery of the Mojave Basin.

a. Please describe the applicable LORS that address the use of reclaimed water for the proposed project.

b. Please discuss how the MWA's Regional and Urban Water Management Plans address the disposition of wastewater from VVWRA Shay Road facility.

65. The importation and use of SWP water is one of the key components for meeting regional water demands and curing the overdraft of groundwater. Please describe the following:

a. The rules and regulations, including but not limited to those of the Mojave Basin adjudication, that are applicable to the use of SWP water for the proposed project;

a.1. Please include any applicable to SWP water importation by entities within the Mojave Basin;

b. How MWA's Regional and Urban Water Management Plans address the use of SWP water for large industrial projects;

c. Excluding water for the proposed Victorville 2 project, the estimated amount of SWP water that MWA will be required to import during the life (i.e. 30-40 years) of the project.

d. A description and estimate of the quantity of SWP water for any ongoing projects that require importation of SWP water by MWA, such as the High Desert Power Plant, and provide a description of the basis for these estimates.

BACKGROUND

The AFC references ongoing expansion of the Victor Valley Water Reclamation Authority treatment plant which will increase regional wastewater treatment capacity. The treatment plant's expansion project began in 2006 and is expected to be completed in the spring of 2008.

DATA REQUEST

66. Please provide a copy of the Initial Study/Negative Declaration for the Victor Valley Wastewater Reclamation Authority Regional Wastewater Treatment Facility Expansion project.

MOJAVE RIVER WATERSHED

BACKGROUND

In an e-mail to staff dated May 23, 2007, the Lahontan Regional Water Quality Control Board addressed their concerns regarding avoidance and minimization of water quality and erosion impacts. These concerns are indicated with an * and shown in italics in the following data requests.

The Victorville 2 project would evaporate water that is currently used to recharge groundwater and sustain aquatic life in the Mojave River, and would result in permanent removal of large quantities of water from the currently overdrafted watershed.

67. **Please address the following regarding the Mojave River watershed:*
    a. *How would this change affect the hydrology of the watershed?*
    b. *How would it affect the quality of water as the hydrology changes?*
    c. *How would it affect wetlands in the Mojave River or elsewhere?*
    d. *How would the impacts accumulate over time?*

68. Please explain whether Victorville 2 would be subject to purchasing SWP water to offset its use of reclaimed water in a manner similar to that being considered by the owners of High Desert Power Plant.

GROUNDWATER

BACKGROUND

AFC Section 2.0 - Project Description states that maximum annual potable water demand would be 3.6 acre-feet (Table 2-4, page 21). However, in Section 6.17 - Water Resources, the AFC indicates that the project would use approximately 5,400 gallons/day which would be equivalent to an annual demand of 6.1 acre-feet per year. Project water use must be evaluated within the context of the existing hydrologic conditions that could potentially be impacted by the project. Therefore, the staff assessment will include a description of the project setting, which provides a thorough discussion of the hydrologic and water supply conditions relevant to the proposed water use. In addition, staff will analyze whether there are any impacts associated with the proposed water use and if the project will conform to LORS.

MWA serves as the Watermaster for carrying out the requirements for the adjudication of water rights in the Mojave Basin. MWA has prepared Regional and Urban Water Management Plans that address long-term supply issues of an overdrafted Mojave basin. Although the applicant mentions the adjudication and provides a general description of the regional hydrologic and water conditions in the AFC, the information on water conditions and water use is limited to a brief discussion applicable to reclaimed water. Additional background information is needed to evaluate conditions that specifically relate to the project's proposed groundwater uses.

DATA REQUEST

69. Please clarify the maximum annual volume of groundwater the project will require.

70. Please describe and quantify the following in regard to groundwater use:
    a. annual groundwater production rates for each of the sub areas of the Mojave Basin for each of the last 10 years (1997-2006).

b. changes in groundwater use and distribution of pumping that has occurred in each of the sub areas of the Mojave Basin during the last 10 years.

c. changes in groundwater levels and flows in the Mojave River that have occurred in each of the sub areas of the Mojave Basin over the last 10 years. Include hydrographs, groundwater contour maps and stream flow records to describe these changes.

71. Please describe and quantify the following in regard to groundwater recharge:

    a. changes in recharge that have occurred in each of the sub areas of the Mojave Basin during the last 10 years; include information on water importation, reclamation of wastewater and new recharge programs.

    b. MWA's recharge projects using SWP and reclaimed water including:

        i. a map of the site location and a description of current recharge rate, recharge capacity, hydrology and hydrogeology for each site; and

        ii. any available assessments of the recharge performance of these projects.

    c. Please provide a regional water budget and discuss the status of overdraft of the Mojave Basin.

RECLAIMED WATER

BACKGROUND

The applicant has proposed to use reclaimed water produced by VVWRA as the primary water supply for the project and for process needs, primarily cooling. However, the AFC provides inconsistent information regarding the amount of water required for the project. AFC Section 2.0 - Project Description states that maximum annual process and cooling water demand would be 3,150 acre-feet (Table 2-4, page 21). However, AFC Section 6.17 - Water Resources indicates in reference to a letter from VVWRA describing its ability to supply reclaimed water to the project through its customer, City of Victorville, (AFC Appendix N.2) that the VVWRA would supply 3,500 acre-feet annually to the project.

The AFC provides limited information on VVWRA's recent water production and use. The applicant reports that total effluent flow from VVWRA was 13,470 acre-feet in 2005. The AFC briefly discusses future VVWRA reclaimed water production in describing anticipated water supply commitments for 2009. The AFC also provides estimates that wastewater influent will increase to 20,000 acre-feet and that reclaimed water production will increase to 17,400 acre-feet by the year 2009. In contrast, the 2004 Regional Water Management Plan published by the MWA estimates that wastewater influent to VVWRA would not increase to 20,000 acre-feet until 2020. Additional information is needed to determine the basis for this discrepancy and to assess the most likely future production rate for reclaimed water and its availability for the project.

DATA REQUEST

72. Please clarify the annual volume of reclaimed water the project will require for process and cooling demands, specifying both average and maximum annual demands.

73. Please provide the reported population and the annual total amount of fresh-water deliveries for the VVWRA service area for 2005.

74. Please describe the basis for the estimate of 2009 wastewater effluent and reclaimed water production from VVWRA provided in the AFC including the following:
    a. Population projections;
    b. Any other factors contributing to the estimate of future reclaimed water supplies;
    c. Annual volumes and sources of fresh-water deliveries required to support an annual production of 20,000 acre-feet of reclaimed water by VVWRA; and
    d. An explanation as to why the estimates in the AFC are different than those projected by MWA in their 2004 Regional Water Management Plan.

75. On a monthly and annual basis, please characterize how reclaimed water produced by VVWRA was used during each of the past five years (2001-2006) by providing the following:
    a. Describe the amount of reclaimed water produced by VVWRA.
    b. Identify the recipients, the amount of water delivered, the type of use, and location of each discharge or application site.
    c. Identify the amount of water consumed, recharged to the aquifer and/or discharged to the river by each recipient.

76. Please provide a description of the site-specific hydrologic and geologic conditions of each VVWRA discharge or application site. The purpose of this request is to obtain information necessary to assess the hydrologic effect of existing VVWRA applications. For irrigation or percolation pond applications, please include the following information, if available:
    a. Identify the underlying aquifer formations. Describe layering and subsurface features that would affect groundwater recharge, for example, hardpans, lakebed deposits or faults.
    b. Aquifer parameters including hydraulic conductivity and specific yield.
    c. Depth to groundwater
    d. Descriptions and results of percolation tests or studies.
    e. Total acreage of irrigation or percolation site.

f. Historical monthly irrigation records and/or average monthly irrigation rates (provide monthly breakdown of supply sources if reclaimed water is not sole source).

g. Average monthly potential evapotranspiration.

h. Average monthly evaporation losses for percolation sites.

i. Crop-water use efficiency for any irrigated sites.

For VVWRA releases to the Mojave River, please include the following information, if available:

a. Schedule of required river releases.

b. Historical measurement of stream flow.

c. Baseflow information or studies.

77. Please provide copies of the most current service agreements and estimates of future demands of reclaimed water from the VVWRA facility. The list should include, but not be limited to the following:

a. the City of Victorville for use at the Westwinds Golf Course;

b. the City of Victorville for other uses;

c. High Desert Power Plant;

d. Southern California Logistics Airport;

e. any other existing customer or group of customers obtaining water from the VVWRA Shay Road Facility; and

f. any future customers currently planned by VVWRA.

STATE WATER PROJECT BACKUP WATER SUPPLY

BACKGROUND

The applicant has identified three sources of water supply: 1) groundwater from an on-site project well would provide water for potable needs; 2) reclaimed water from VVWRA would supply process needs, including water for cooling, and 3) SWP water would be used as the backup cooling water supply source in the event that there is an extended outage of the VVWRA system. The SWP water would be supplied to the project via a pipeline owned by City of Victorville as fed from Mojave Water Agency (MWA), which also supplies the High Desert Power Project (HDPP). However, the AFC does not appear to provide any estimate of the amount or dependability of SWP water that would be required for backup.

DATA REQUEST

78. Please provide an estimate of the maximum annual demand for SWP water and the expected frequency of SWP water use by the project as an emergency backup to the use of reclaimed water for cooling.

79. Please provide the basis for estimating the potential demand for SWP water for emergency backup by Victorville 2, including historical data for the last 10 years (to the extent available) of any interruptions to the supply of reclaimed water from VVWRA. In listing outage information for the wastewater treatment plant and distribution system, please include the location, dates, duration in days and cause of any interruptions.

80. Please describe the dependability of SWP water from Mojave Water Agency as would be delivered via the City of Victorville's pipeline to serve the emergency backup needs to Victorville 2. Please include the following:
    a. Clarification as to whether MWA or City of Victorville would be the purveyor of the backup water supply to the project;
    b. A Will-Serve Letter from the purveyor (and Mojave Water Agency if the purveyor is City of Victorville) indicating backup water supply at the estimated maximum rate and volume needed would be available to Victorville 2 for the life of the project;
    c. Indication as to whether MWA's source of backup water supply to the project is continuously available and if it would rely on its Department of Water Resources' (DWRs) Table A allocation to long-term SWP contractors; if not, please describe the type of allocation and its dependability; and
    d. A summary of MWA's commitments of its SWP water supply to existing and planned customers including High Desert Power Plant. Please note the following:
        i. priority for service, maximum supply rate, maximum annual volume, maximum contractual deliveries for all months, and the term of the agreements; and
        ii. monthly and annual deliveries representative of normal and critically dry water years for MWA's existing customers;

WATER QUALITY

BACKGROUND

The AFC does not provide information on the chemical composition of the primary or backup water supply for process and cooling. This information is needed to evaluate the potential environmental impact of replacing the source water for groundwater recharge from the VVWRA's reclaimed water with MWA's SWP water.

DATA REQUEST

81. Please provide a description of the chemical composition of reclaimed water produced by VVWRA. Quantify both average conditions and the range of constituent concentrations if date is available.

82. Please provide a description of the chemical composition of SWP water imported by MWA. Quantify both average conditions and the range of constituent concentrations if data is available.

STORMWATER AND EROSION CONTROL

BACKGROUND

To determine the potential impacts to water and soil resources from the construction and operation of the Victorville 2 Energy Center project, the Energy Commission requires a draft and final Drainage Erosion and Sediment Control Plan (DESCP). The DESCP would be updated and revised as the project moves from the preliminary to final design phases and would be a separate document from the Construction Storm Water Pollution Prevention Plan (SWPPP). The DESCP submitted prior to site mobilization must be designed and sealed by a professional engineer/erosion control specialist.

Among staff's specific drainage and erosion concerns is that the solar field would create approximately 250 acres of exposed soil with a high erosion potential, and absent vegetative cover, would need some other form of maintainable erosion control protection. In addition, the project would alter natural drainage and swale features that currently cross the site, and could affect beneficial uses of natural flows.

DATA REQUEST

83. Please provide a draft DESCP containing elements "A through I" below outlining site management activities and erosion/sediment control Best Management Practices (BMPs) to be implemented during site mobilization, excavation/demolition, construction, and operations. The level of detail in the draft DESCP should be commensurate with the current level of planning for site demolition and corresponding site grading and drainage. Please provide all conceptual erosion control information for those phases of construction and post-construction that have been developed or provide a statement when such information will be available, inclusive of BMPs for the solar field.

    A. **Vicinity Map** – A map(s) at a minimum scale 1"=100' should be provided indicating the location of all project elements with depictions of all significant geographic features including swales, storm drains, and sensitive areas.

    B. **Site Delineation** – All areas subject to soil disturbance for the Victorville 2 project (project site, lay down/demolition areas, all linear facilities, landscaping areas, and any other project elements) shall be delineated showing boundary lines of all construction/demolition areas and the location of all existing and proposed structures, pipelines, roads, and drainage facilities.

C. **Watercourses and Critical Areas** – The DESCP shall show the location of all nearby watercourses including swales, storm drains, and drainage ditches. Indicate the proximity of those features to the Victorville 2 project construction, lay down/demolition, and landscape areas and all transmission and pipeline construction corridors.

D. **Drainage Map** – The DESCP shall provide a topographic site map(s) at a minimum scale 1"=100' showing all existing, interim and proposed drainage systems and drainage area boundaries. On the map, spot elevations are required where relatively flat conditions exist. The spot elevations and contours shall be extended off-site for a minimum distance of 100 feet in flat terrain.

E. **Drainage of Project Site Narrative** – The DESCP shall include a narrative of the drainage measures to be taken to protect the site and downstream facilities. The narrative should include the summary pages from the hydraulic analysis prepared by a professional engineer/erosion control specialist. The narrative shall state the watershed size(s) in acres that was used in the calculation of drainage measures. The hydraulic analysis should be used to support the selection of BMPs and structural controls to divert off-site and on-site drainage around or through the Victorville 2 project construction and laydown/demolition areas.

In an e-mail to staff dated May 23, 2007, the Lahontan Regional Water Quality Control Board addressed their concerns regarding avoidance and minimization of water quality and erosion impacts. These concerns are indicated with an * and shown in italics in the following data requests.

**Considering the project would alter natural drainage features and related stormwater flows, please address the following:*

i. *How will flows that currently cross the site through these drainage features be managed in the future?*

ii. *How will the loss of beneficial uses of these features such as water quality enhancement, infiltration, groundwater recharge and flood water attenuation be impacted?*

iii. *What alternatives could be used to avoid and minimize these impacts?*

iv. *What in-kind measures would be used to minimize these impacts?*

F. **Clearing and Grading Plans** – The DESCP shall provide a delineation of all areas to be cleared of vegetation and areas to be preserved. The plan shall provide elevations, slopes, locations, and extent of all proposed grading as shown by contours, cross sections or other means. The locations of any disposal areas, fills, or other special features will also be shown. Illustrate existing and proposed topography tying in proposed contours with existing topography.

G. **Clearing and Grading Narrative** – The DESCP shall include a table with the quantities of material excavated or filled for the site and all project elements of the Victorville 2 project (project site, lay down/demolition areas, transmission corridors, and pipeline corridors) to include those materials removed from the site due to demolition, whether such excavations or fill is temporary or permanent, and the amount of such material to be imported or exported. The table shall distinguish whether such excavations or fill is temporary or permanent and the amount of material to be imported or exported.

H. **Best Management Practices Plan** – The DESCP shall identify on the topographic site map(s) the location of the site specific BMPs to be employed during each phase of construction (initial grading/demolition, project element excavation and construction, and final grading/stabilization). BMPs shall include measures designed to prevent wind and water erosion in areas with existing soil contamination, if any. Treatment control BMPs used during construction should enable testing of groundwater and/or stormwater runoff prior to discharge.

I. **Best Management Practices Narrative** – The DESCP shall show the location (as identified in H above), timing, and maintenance schedule of all erosion and sediment control BMPs to be used prior to initial grading/demolition, during project element excavation and construction, final grading/stabilization, and post-construction. Separate BMP implementation schedules shall be provided for each project element for each phase of construction. The maintenance schedule should include post-construction maintenance of structural control BMPs, or a statement provided when such information will be available.

In an e-mail to staff dated May 23, 2007, the Lahontan Regional Water Quality Control Board addressed their concerns regarding avoidance and minimization of water quality and erosion impacts. These concerns are indicated with an * and shown in italics in the following data requests.

*Please address the following questions regarding the loss of pervious ground surfaces and erosion control measures:

i. *How will the loss of pervious surface be minimized and mitigated?*

ii. *Will use of pervious surfaces such as porous cement, pavers or gravel be used where feasible?*

iii. *What measures would be used to infiltrate rainwater on site?*

iv. *If soil stabilizers are to be used, do they have the potential to leach into rainwater?*

v. *If leaching is possible, what measures would be used to protect the quality of groundwater and rainwater runoff?*

vi. *How would spills that could contaminate soils and degrade water quality be prevented, and in the event of a spill be contained and cleaned-up?*

ALTERNATIVE COOLING

BACKGROUND

There may be potential significant impacts and/or non-conformance with LORS associated with the water supplies that would serve the project, including reclaimed water, groundwater and fresh water from the State Water Project. Although the proposed project would use primarily reclaimed water for cooling, there may not be adequate supplies available to the project. To evaluate water supply and cooling alternatives consistent with the Energy Commission's 2003 integrated Energy Policy Report (IEPR) water conservation policy and related LORS, staff needs additional information to support its analysis in addition to that already provided in AFC Section 5 – Alternatives. As background, the Energy Commission's 2003 IEPR Policy states that when considering the siting of power plants, "Consistent with the Board policy and the Warren-Alquist Act, the Energy Commission will approve the use of fresh water for cooling purposes by power plants which it licenses only where alternative water supply sources and alternative cooling technologies are shown to be environmentally undesirable or economically unsound." Although the project would use primarily reclaimed water for cooling, the project may cause impacts to other users and may not conform with LORS considering its proposed use of SWP water as a backup supply.

DATA REQUEST

84. Please provide an economic and environmental assessment of wet, hybrid and dry cooling options for the project. As part of your assessment, please include the following information:

    a. <u>Capital Costs</u>

        1. For dry cooling, any additional cost for a steam turbine-generator designed to accommodate higher backpressure;
        2. For wet and hybrid cooling, any additional cost for the condenser if not already included in the capital cost of the cooling towers;
        3. For wet and hybrid cooling, capital cost of the circulating water and condensate pumps;
        4. Engineering and construction costs (in addition to materials and equipment if already provided) for all water supply and cooling components;
        5. Water supply pipeline capital costs, including the general design criteria specifying rated capacity, length, diameter, and its alignment for each source if different than the proposed project;
        6. Water supply pump station or groundwater well capital costs from source to the project (if applicable);
        7. Zero Liquid Discharge (ZLD) system capital costs accounting for the progressively lower treatment capacity needed when considering wet, hybrid and dry cooling respectively.

b. Operating Costs (for the Hybrid Cooling Tower only)

1. General design criteria, including for a parallel configuration, what portion of the cooling would be accomplished by the wet vs. dry sections;
2. Power consumption in kW by auxiliary equipment components including cooling tower fans, circulating water pumps, pump power for any wells or water supply stations, and water treatment with ZLD;
3. Water treatment chemicals; and
4. Make-up cooling water purchase cost.

c. Net Power Effects

1. The expected average capacity factor of the proposed project on an average annual basis; and
2. For hybrid cooling, power loss due to high STG backpressure.

Technical Area: Traffic and Transportation
Author: Shaelyn Strattan

BACKGROUND

AFC Section 6.13.3.2 states that two (2) offsite areas, totaling approximately fifty (50) acres, would be set aside for temporary worker parking and staging/laydown of construction equipment, materials, and supplies during the construction phase of the project. The AFC also indicates that some on-site construction parking would be provided, but staff needs more detail for completing its analysis.

DATA REQUEST

85. Please discuss the temporary parking lot and staging/laydown area design for both locations noting the following:
    a. Entrance(s)/exit(s) from the existing roadway(s) and circulation patterns, indicating if there is an existing city-approved encroachment permit or if this or any other permit would be needed for these locations; and
    b. Lot preparation required, including road work for encroachments, fencing, and plans (if any) for surfacing.

86. Please explain how workers would access the project site from the offsite parking and laydown areas including the following:
    a. pedestrian access routes;
    b. If shuttle service would be provided, please indicate times and route(s) of travel.

BACKGROUND

AFC Section 6.8.2.2 identifies multiple locations where the project transmission line and pipelines would cross existing roadways, as well as the California Aqueduct. However, there is no discussion regarding site-specific construction impacts to intersections and roadway segments.

DATA REQUEST

87. Please discuss the site-specific impacts to intersections and roadway segments that would result during project construction by providing the following:
    a. Identification of road closures, detours, or delays associated with project construction or related road repairs;
    b. Proposed mitigation measures or alternatives to reduce the significance of any potential impacts; and
    c. A table indicating impact by intersection or road segment, estimated timeline, and any permit(s) or consultation required.

BACKGROUND

The Victorville 2 project site is approximately one mile from the end of Runway 17/35 and within the Southern California Logistics Airport (SCLA) Safety Review Area 3 (Traffic Pattern Zone), as identified in the SCLA Community Plan Element of the Victorville General Plan (pp. 12-14). The project's stacks and resulting hot air (thermal) exhaust plumes would introduce the potential for impacts to aviation safety and the safe maneuvering of aircraft within this area. The minimum circling altitude within the Traffic Pattern Zone is 600 feet above ground level (agl) at one mile. AFC Section 6.13.3.3, HRSG Thermal Plume Analysis, discusses the dynamics of plume drift and acknowledges the potential for aircraft to come in contact with the plant's thermal plume during flight operations in the project vicinity. However, it does not discuss the frequency or altitudes that aircraft overfly the project site.

DATA REQUEST

88. Please provide figures indicating flight tracks between 400 – 1,000 feet agl in the area above the proposed project site and within 300 feet of the site boundaries, over a period of 30 consecutive days as follows:
    a. Separate figures for single engine, multi-engine, and helicopter; and
    b. In addition to a single composite figure for all altitude tracks, please include separate track figures for at least three levels between 400 and 1,000 feet agl, preferably 400-600 feet agl, 601-800 feet agl, and 801-1,000 feet agl, or representative altitudes within these parameters.

BACKGROUND

The Federal Aviation Administration Airport Master Record for the SCLA indicates at least eight (8) helicopters were based at this facility in 2005. The airport is also used by the U.S. Army Reserve for training operations, involving both helicopters and fixed wing aircraft. The AFC does not discuss the flight patterns of helicopter operations in the vicinity of the project site.

DATA REQUEST

89. Please provide the following:
    a. Identify any special procedures, flight patterns, requirements, or restrictions for helicopter operations at SCLA;
    b. A figure or figures depicting designated helicopter flight corridors or departure/arrival routes; and
    c. A discussion of the project's potential impact on helicopter operations originating at the SCLA including:
        i. Hazards associated with thermal plumes; and
        ii. Impact avoidance measures.

BACKGROUND

The Federal Aviation Administration Airport Master Record for SCLA indicates that aircraft should avoid overflight of Silver Lakes, located approximately 10 miles north of the airport, for noise abatement. The AFC does not discuss any noise abatement flight restrictions or departure/arrival patterns at SCLA that could increase the potential for overflight of the proposed project site.

DATA REQUEST

90. Please discuss noise abatement flight restrictions or departure/arrival patterns at SCLA. Provide a figure depicting any designated noise-related flight corridors, restricted areas, or departure/arrival routes

Technical Area: Visual Resources
Author: David Flores and Will Walters

BACKGROUND

The AFC identifies landscaping standards and policies from the City of Victorville's general plan and zoning ordinance relative to the design and overall visual aspects of the project. The AFC also generally describes how the project will conform to these standards and policies. However, it is not possible to adequately evaluate the project's compliance with these standards and policies without reviewing representative landscaping plans.

DATA REQUEST

91. Please provide a conceptual landscape and irrigation plan that contains all the components required by the City.

Turbine/HRSG Operating Data

BACKGROUND

Staff plans to perform a visible plume modeling analysis for the gas turbine/heat recovery steam generators (HRSGs). Staff requires additional HRSG operating information to complete this analysis. Staff also requires additional information to review and verify the applicant's gas turbine/HRSG visible plume modeling analysis, which is based on the USEPA guideline air dispersion (AERMOD) model and the applicant's consultant (ENSR)-developed VIZDET model.

DATA REQUEST

92. While 2,000 hours of duct firing is specified in Appendix G.4, it is unclear when duct firing will be used. Please describe how natural gas duct firing is planned to be used considering the variability of solar generation and address whether:
    a. Duct firing will be used as a supplement when solar is not at full capacity; and/or
    b. The steam turbine capacity is such that duct firing can also be used for peaking power regardless of solar output.

93. Please describe what time of day and time of year the duct burners would be most likely to operate.

94. Please provide the exhaust water content (in volume fraction or weight fraction) or water content flow rate (lbs/hour) out of the gas turbine/HRSG stacks for the following operating cases 1-3, 6-8, 11-13, 16-18, 21-23, and 26-28 shown in Appendix G.4.

95. In reference to Appendix G.4, Table G.4-2, please describe why the duct firing basis for the one-turbine operating cases (21 to 30) have half of the heat input as

the two-turbine operating cases (6 to 15) when the table indicates the heat input values are for each duct burner.

96. Please provide the AERMOD and VIZDET input/output files, including meteorological data and relative humidity files, used to provide the information on gas turbine/HRSG plumes cited in Section 6.13 and 6.15 of the AFC.

97. Please provide an electronic copy of the VIZDET model, a brief description of how to operate the model, and an electronic copy of the model's Fortran program code.

98. Please provide, if available, present weather, cloud cover and visibility data to match the other meteorological data used in the visible plume modeling analysis in Section 6.13.

Cooling Tower Operating Data

BACKGROUND

Staff plans to perform a plume modeling analysis for the cooling tower. Staff requires additional cooling tower operating information to complete this analysis. Staff must assess several of the design and operating parameters of the Victorville 2 cooling tower to confirm its visible plume frequency potential.

DATA REQUEST

99. Please describe the daily profile and the seasonal heat rejection profile for the cooling tower.

100. For the cooling tower, please summarize the conditions that affect vapor plume formation as follows:

    a. Cooling tower heat rejection, exhaust temperature, and exhaust mass flow rate by providing values to complete the table, and additional data as necessary for staff to be able to determine how the heat rejection load varies with ambient conditions and at what ambient conditions cooling tower cells may be shut down.

Parameter	Cooling Tower Exhausts					
Number of Cells	10 cells (2 by 5)					
Cell Height*	19.0 meters (62.34 feet)					
Cell Diameter*	8.53 meters (28 feet)					
Tower Housing Length*	91.65 meters (300.7 feet)					
Tower Housing Width*	33.13 meters (108.7 feet)					
Ambient Temperature*	18°F		59°F		77°F	
Ambient Relative Humidity	60%		60%		40%	
Duct Firing	Yes	No	Yes	No	Yes	No
Number of Cells in Operation						
Heat Rejection (MW/hr)						
Exhaust Temperature (°F)						
Exhaust Flow Rate (lb/hr)						

* Ambient conditions and heat rejection, neglecting water makeup and blowdown, are based on the three lowest temperate cases shown in Appendix G.4 Table G.4-2. Cooling tower size parameters from Table 6.13-9.

b. Additional combinations of temperature and relative humidity or curves showing heat rejection vs. ambient condition and solar condition that will be used to more accurately represent the cooling tower exhaust conditions.

c. Appropriate design safety margins for the heat rejection, exhaust flow rate and exhaust temperature in consideration that the air flow per heat rejection ratio is often used as confirmation of design limit in a Condition of Certification.

101. Please provide the cooling tower manufacturer and model number information and a fogging frequency curve from the cooling tower vendor, if available, that corresponds to the altitude of the project site.

102. Please confirm that the cooling tower fan motors will not have variable speed/flow controllers.

103. Please provide the SACTI model input/output files, including the meteorological data input files that were used to provide the plume data shown in Section 6.13 and Section 6.15 of the AFC.

BACKGROUND

The AFC provides an assessment of the visual effects of potential water vapor plumes from the proposed facility relative to its proposed operational regime. Given the industrial nature of land uses in this area of National Trails Highway-Route 66 (concrete manufacturing, rock crushing operation, etc.), there may be other commonly occurring visible dust, smoke or water vapor emissions in the vicinity.

DATA REQUEST

104. Please provide the following:

a. Describe and analyze the size and frequency of any commonly occurring existing, visible plumes from industrial sources within a two-mile radius of the proposed facility;

b. Discuss the cumulative visual effect and significance of the existing visible plumes when combined with expected plumes from the Victorville 2 project; and

c. Discuss any proposed mitigation options.

Technical Area: Waste Management
Author: Cheryl Closson

BACKGROUND

California law (Health and Safety Code Sections 25143.1.5, 25150.7, and 25150.8) requires proper management and disposal of treated wood waste. "Treated wood" is wood that has been treated with a chemical preservative (that is registered pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act) to protect the wood against insects and other environmental conditions that can lead to decay of the wood. Some of the commonly used chemicals include creosote, pentachlorophenol, and chromated copper arsenate. Most treated wood waste exhibits a hazardous characteristic and is considered a hazardous waste in California unless determined to be non-hazardous, or is managed according to applicable exemptions.

Page 2-2 of the project AFC states that approximately 3.5 miles of wooden transmission line poles will be removed and replaced with new steel poles. These older wooden electricity transmission poles may have been treated with preservatives and therefore may meet the criteria for treated wood. However, no information on the number and management of the poles or applicability of the treated wood waste requirements was provided in the waste management section of the AFC.

DATA REQUEST

105. Please provide additional information on the management of the wooden transmission poles to be replaced as part of the proposed project. Include information on whether or not the wooden poles met the criteria for treated wood waste, the number of poles/volume of waste that will be generated, and how the resulting waste will be managed and disposed.

106. Please also provide a discussion of the applicability of treated wood waste management requirements to any other construction or demolition activities to be conducted for this project (i.e. demolition of residences or structures on project properties, etc.).

BACKGROUND

The waste management section of the application states that many of the hazardous and non-hazardous wastes generated by the project will be recycled. (For example, page 6.16-13 includes a statement that says "Used oil and recovered oil from the oil/water separator will be recycled by a licensed oil recycler.") However, service and facility information was only provided for Class I and III landfills. No information was provided identifying the recycling services and facilities, or other treatment, storage, and disposal facilities (TSDFs) that may be used by the applicant.

DATA REQUEST

107. Please provide information on the waste transport, recycling, and waste transfer facilities/services that may be used to transport, recycle or otherwise manage

project wastes. The information provided should include, as appropriate, the following:

a. facility/company name;
b. phone number;
c. location;
d. class and/or type of service;
e. materials accepted;
f. permit or license for activity;
g. recycling methods used;
h. which project wastes will potentially be managed by the facility/service;
i. permitted capacity;
j. annual usage;
k. remaining capacity;
l. estimated closure date;
m. expiration date for permit or license;
n. approximate distance from site (in miles); and
o. any special conditions or other comments pertinent to the facility or service.

BACKGROUND

Tables 6.16-5 and 6 list the onsite management methods for several hazardous and non-hazardous waste streams as "none". More information on project waste onsite management is needed for staff to fully assess the impact of the proposed activity.

DATA REQUEST

108. For each waste stream where Tables 6.16-5 and 6 identified onsite management as "none", please provide more information regarding the onsite management of the wastes or state why no onsite management is required.

BACKGROUND

The AFC specifically identifies Therminol as the solar heat transfer fluid to be used by the project. The material safety data sheets for Therminol (AFC Volume II, Appendix E) state that the material may be a hazardous waste when discarded. The heat transfer fluid is a major component of the solar thermal field system that will require management and replenishment throughout the life of the project. However, information on the probable Therminol waste was not specifically identified in the waste management section as a waste stream to be managed as part of the project.

DATA REQUEST

109. Please identify the potential Therminol (or other heat transfer fluid) waste that may be generated by construction, operation or maintenance of the proposed project, including estimated amount of waste to be generated and estimated frequency of generation, as well as onsite and offsite management of the waste.

BACKGROUND

Both the Phase I Environmental Site Assessment (Phase I) and the Preliminary Geotechnical Investigation cite the likelihood of there being hazardous and non-hazardous wastes on the project site in association with the residences and abandoned structures, vehicles, and materials. In addition, the waste management section of the AFC states that there is a potential for "de minimus" hazardous materials or wastes to be present in abandoned vehicles and/or structures on the project site but does not provide an estimate of waste likely to be encountered. However, pictures taken of the site for the Phase I report show numerous abandoned vehicles, structures, materials, and possible dumping that indicate, in staff's opinion the potential for more than "de minimus" hazardous waste to be present onsite.

The waste management section of the AFC does include a recommendation that construction planning should include consideration of the potential presence of hazardous materials or wastes associated with abandoned vehicles and/or structures on the site, and further states that additional investigation should be performed to establish the nature and extent of contamination and what wastes are present. However, this assessment needs to be done in advance of construction planning to allow Energy Commission staff the opportunity to assess the impacts of the potential wastes and waste management activities. A physical inspection (conducted by an appropriately trained professional) is needed for the areas where wastes may be encountered. If conditions identified at the site by the physical inspection warrant it, a Phase II Environmental Site Assessment may also be necessary. Also, the AFC references the Phase I Environmental Site Assessment for High Desert Power Plant, which may provide insight for conditions at the proposed Victorville 2 site.

DATA REQUEST

110. Please provide additional information on the project site that more fully and clearly identifies the potential wastes and impacts associated with the residences, abandoned structures, vehicles or dump sites found on site. This information should address the following:

    a. possible septic tanks or other tanks that may be on site;

    b. any possible contamination or sites that need further characterization; and recommendations for further action;

    c. assessment and consideration of any possible illegal dumping, waste burning, shooting range, clandestine drug lab, or other activities on the site that may have generated waste or contamination (in addition to evaluating wastes from

structures, vehicles, and materials and areas of possible contamination due to squatters or residents on the site).

d. Please provide the Phase I Environmental Site Assessment for the High Desert Power Plant, Victorville, California dated June 4, 2001 and as prepared by GeoTrans, Inc.

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

APPLICATION FOR CERTIFICATION FOR THE VICTORVILLE 2 ***HYBRID POWER PROJECT***	**Docket No. 07-AFC-1** **PROOF OF SERVICE** ***(Revised 6/14/07)***

INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

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Attn: Docket No. 07-AFC-1
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DECLARATION OF SERVICE

I, Dora Gomez, declare that on June 25, 2007, I deposited copies of the attached Victorville 2 Data Request Set 1 (1-111) in the United States mail at Sacramento, California 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.

Dora Gomez