

DOCKETED

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April 18, 2016

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VIA ELECTRONIC FILING

Mary Dyas, Compliance Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

**Re: Sonoran Energy Project, Petition to Amend (02-AFC-1C)
Comments Regarding Soil and Water Issues Resolution Workshop**

Dear Ms. Dyas:

These comments are submitted on behalf of AltaGas Sonoran Energy Inc. (“Project Owner” or “AltaGas Sonoran”) for consideration in advance of the Soil and Water Resources Issues Resolution Workshop, scheduled for April 21, 2016 (“Workshop”). Project Owner looks forward to the opportunity at the Workshop to discuss water offset options in more detail. In anticipation of that discussion, Project Owner provides proposed revisions to existing Condition of Certification Water Res - 1 related to the Water Conservation Offset Plan (“WCOP”).¹

Based on discussions at the prior Issues Resolution Workshop, Project Owner understands that Staff has concerns with the proposed canal lining offset proposal. Project Owner has, therefore, been investigating water offset options that more closely align with the fallowing concept contemplated in the existing License. Project Owner has determined that a fallowing program may be feasible, but has also identified methods of crop and water management that may achieve the water offset goals, but may not be strictly characterized as fallowing. Accordingly, Project Owner proposes the following revisions to Water Res - 1 to accommodate flexibility in the development of an offset program, in the event that a crop and/or water management program is identified that varies from fallowing but satisfies the goals of the offset program. The proposed revisions also reflect an acknowledgment that the Project may not regularly consume the maximum 2,800 afy. The proposed changes, therefore, require offsetting actual consumptive use of the Project, rather than the maximum 2,800 acre feet per year. Additionally, the proposed changes contemplate offsetting 40% of the maximum 2,800 acre feet per year in the first year of operation, which is the anticipated consumptive use of the Project in the first year of operation

¹ Project Owner incorporates by reference its prior comments on the Project’s lack of impact to water supply (TN# 210068, 210578) and the voluntary nature of the WCOP (TN# 210578).



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based on the historical high annual capacity factor for the neighboring AltaGas facility, Blythe Energy Center.

SOIL&WATER-7: No later than 6 months after the beginning of site mobilization, the project owner shall provide a Water Conservation Offset Plan (WCOP) for review and comment by the Natural Resources Conservation Service (NRCS), US Bureau of Reclamation (USBR), Colorado River Board (CRB), and the Palo Verde Irrigation District (PVID), and for review and approval by the CPM. The CPM-approved WCOP shall remain in effect for the life of the project, unless superseded by a USBR-approved WCOP following assertion of federal jurisdiction over project groundwater pumping. The Final WCOP **may include fallowing or other conservation method(s) that the CPM determines are adequate to provide actual water conservation equivalent to SEP's actual water use, and** shall include the following:

- a) **If fallowing,** Best Management Practices (BMPs) to prevent significant impacts resulting from soil erosion of ~~the~~**any** fallowed lands for all soil types.
- b) **If fallowing,** Tabulation and corresponding maps of lands and the acreages proposed for fallowing and documentation to verify that they have been irrigated during at least 3 of the 5 most recent years.
- c) An estimate of the water required and the methods planned to measure water use as needed to prevent soil erosion of **any** fallowed agricultural lands, i.e., water used by a cover crop, etc., and the proposed means to include such use in the accounting method of actual water conserved.
- d) Demonstration in the water conservation accounting method that SEP will not be credited with other independent water conservation activities occurring within PVID's service area for which the WCOP has no effect.
- e) Methodology for annual monitoring of the results of the WCOP demonstrating actual water conservation equivalent to **40% of SEP's proposed annual water use of up to 2800 acre-feet per year for the first year and equivalent to SEP's actual water use thereafter, on a five (5) average year basis.**

Verification: No later than 6 months after the beginning of site mobilization, the project owner shall submit a WCOP to NRCS, USBR, CRB and PVID for review and comment, and to the CPM for review and approval. In the annual compliance report, the project owner shall submit its annual accounting under the WCOP demonstrating the actual conservation of ~~Colorado River~~ water equivalent to SEP's annual water use, and that erosion impacts from fallowed/retired land remain less than significant.



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Project Owner looks forward to discussing this proposed change in greater detail at the Workshop.

Very truly yours,

Kristen T. Castaños