

KEVIN D. CARUNCHIO  
County Administrative Officer



TEL: (760) 878-0292  
FAX: (760) 878-2241  
E-mail: kcarunchio@inyocounty.us

**COUNTY OF INYO**  
ADMINISTRATOR'S OFFICE  
P. O. Drawer N  
INDEPENDENCE, CALIFORNIA 93526

February 15, 2012

<b>DOCKET</b>	
<b>09-AFC-9</b>	
DATE	Feb 15 2012
RECD.	Feb 15 2012

California Energy Resources Conservation  
and Development Commission  
Attn: Docket Unit – Docket No. 09-AFC-9  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

Re: Letter Joining Comments Filed by County of Riverside and California State Association of Counties

Dear Commissioners:

The County of Inyo respectfully lodges its objection to the Hearing Officer's [Proposed] Decision (the "Proposed Decision") in the above cited matter pending before your Commission. The Proposed Decision, which finds that the Warren Alquist Act (the "Act") permits applicants for projects not within the exclusive jurisdiction of the California Energy Commission (the "Commission") to voluntarily submit to that jurisdiction, conflicts with the language and purpose of the Act. **Inyo County joins in the comments and analysis of the California State Association of Counties and the County of Riverside that the proposed decision improperly expands the Warren Alquist Act and divests local agencies of their police power.**

Inyo County has been a leader in planning for renewable energy development. Working with our State and Federal partners, renewable energy companies, the environmental community, and other interested persons and organizations, Inyo County developed local ordinances, policies and practices which weigh our obligation to protect our fragile environment with the need to encourage the development of large renewable energy projects beneficial to all Californians. Local agencies, like Inyo County, are experts with respect to site-specific issues relative to PV projects and are therefore the best regulators to review and make decisions regarding these projects.

Control over local land use decisions is a critical power vested with local agencies, as local residents are best suited to determine the myriad of impacts presented by a project given the localization of those impacts. The proposed decision will allow an applicant to circumvent the local public process, and a thorough evaluation of the project's impacts by those impacted, by electing to elevate the project to a State process handled primarily in Sacramento. The Warren Alquist Act withheld that discretionary jurisdiction from the Commission and the Proposed Decision must be rejected.

California Energy Resources Conservation and Development Commission

Attn: Docket Unit – Docket No. 09-AFC-9

February 15, 2012

Page 2

Inyo County urges you to reject the Proposed Decision and not interpret the Act in a manner which allows a project applicant to avoid the important local land use process by opting into the Commission's exclusive jurisdiction. Such forum shopping will only serve to injure all Californians.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Carunchio', with a long horizontal flourish extending to the right.

Kevin D. Carunchio  
County Administrative Officer  
County of Inyo

**DECLARATION OF SERVICE**

I, Debra J. Gonzalez, declare that on February 15, 2012, I served and filed copies of the attached County of Inyo's Letter Joining Comments Filed by County of Riverside and California State Association of Counties, dated February 15, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [[www.energy.ca.gov/sitingcases/solar\\_millennium\\_ridgecrest/index.html](http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest/index.html)].

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

**(Check all that Apply)**

**For service to all other parties:**

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "e-mail preferred."

**AND**

**For filing with the Docket Unit at the Energy Commission:**

- by sending an original paper copy and one electronic copy, mailed with the U.S. Postal Service with first class postage thereon fully prepaid and e-mailed respectively, to the address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

**CALIFORNIA ENERGY COMMISSION – DOCKET UNIT**  
Attn: Docket No. 09-AFC-9  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

  
Debra J. Gonzalez  
Administrative Legal Secretary  
County of Inyo



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION**  
**For the *RIDGECREST SOLAR POWER PROJECT***

**Docket No. 09-AFC-9**  
**PROOF OF SERVICE**  
*(Revised 2/10/2012)*

**APPLICANT**

STA Development, LLC  
Billy Owens  
Senior Director,  
Project Development  
1111 Broadway, 5th Floor  
Oakland, CA 94607  
[billy.owens@solartrustofamerica.com](mailto:billy.owens@solartrustofamerica.com)

STA Development, LLC  
Alice Harron  
Vice President,  
Project Development  
1111 Broadway, 5th Floor  
Oakland, CA 94607  
[alice.harron@solartrustofamerica.com](mailto:alice.harron@solartrustofamerica.com)

**CONSULTANT**

AECOM  
Elizabeth Copley, Project Manager  
2101 Webster Street, Suite 1900  
Oakland, CA 94612  
[elizabeth.copley@aecom.com](mailto:elizabeth.copley@aecom.com)

STA Development, LLC  
Jim Migliore, Associate  
Environmental Management  
1111 Broadway, 5th Floor  
Oakland, CA 94607  
*e-mail service preferred*  
[jim.migliore@solartrustofamerica.com](mailto:jim.migliore@solartrustofamerica.com)

**APPLICANT'S COUNSEL**

Galati/Blek, LLP  
Scott Galati  
Marie Mills  
455 Capitol Mall, Suite 350  
Sacramento, CA 95814  
[sgalati@gb-llp.com](mailto:sgalati@gb-llp.com)  
[mmills@gb-llp.com](mailto:mmills@gb-llp.com)

**APPLICANT'S COUNSEL (cont.)**

Paul, Hastings, Janofsky  
& Walker, LLP  
Peter Weiner  
Lauren S. Nishimura  
Jill Yung  
Michael Sharpless  
55 2nd Street, Suite 2400-3441  
San Francisco, CA 94105  
[peterweiner@paulhastings.com](mailto:peterweiner@paulhastings.com)  
[laurennishimura@paulhastings.com](mailto:laurennishimura@paulhastings.com)  
[jillyung@paulhastings.com](mailto:jillyung@paulhastings.com)  
[michaelsharpless@paulhastings.com](mailto:michaelsharpless@paulhastings.com)

**INTERVENORS**

Desert Tortoise Council  
Sidney Silliman  
1225 Adriana Way  
Upland, CA 91784  
[gssilliman@csupomona.edu](mailto:gssilliman@csupomona.edu)

California Unions for Reliable Energy  
(CURE)  
Tanya A. Gulesserian  
Elizabeth Klebaner  
Marc D. Joseph  
Adams, Broadwell, Joseph  
& Cardozo  
601 Gateway Boulevard,  
Suite 1000  
South San Francisco, CA 94080  
[tgulesserian@adamsbroadwell.com](mailto:tgulesserian@adamsbroadwell.com)  
[eklebaner@adamsbroadwell.com](mailto:eklebaner@adamsbroadwell.com)

Basin and Range Watch  
Laura Cunningham  
Kevin Emmerich  
P.O. Box 70  
Beatty, NV 89003  
[bluerockiguana@hughes.net](mailto:bluerockiguana@hughes.net)

**INTERVENORS (cont.)**

Western Watersheds Project  
Michael J. Connor, Ph.D.,  
California Director  
P.O. Box 2364  
Reseda, CA 91337-2364  
[mjconnor@westernwatersheds.org](mailto:mjconnor@westernwatersheds.org)

Kerncrest Audubon Society  
Terri Middlemiss, Dan Burnett  
Brenda Burnett  
P.O. Box 984  
Ridgecrest, CA 93556  
*e-mail service preferred*  
[catbird4@earthlink.net](mailto:catbird4@earthlink.net)  
[imdanburnett@verizon.net](mailto:imdanburnett@verizon.net)  
[chatbird@verizon.net](mailto:chatbird@verizon.net)

Center for Biological Diversity  
Ileene Anderson  
Public Lands Desert Director  
PMB 447  
8033 Sunset Boulevard  
Los Angeles, CA 90046  
*e-mail service preferred*  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

Center for Biological Diversity  
Lisa Belenky  
Senior Attorney  
351 California Street, Suite 600  
San Francisco, CA 94104-2404  
*e-mail service preferred*  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

**INTERESTED AGENCIES/ENTITIES  
PERSONS**

California ISO  
*e-mail service preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

U.S. Department of the Interior,  
Bureau of Land Management  
Janet Eubanks, Project Manager,  
California Desert District  
22835 Calle San Juan de los Lagos  
Moreno Valley, California 92553  
***\*jeubanks@blm.gov***

Bureau of Land Management  
Paul Rodriquez, Realty Specialist  
Ridgecrest Field Office  
300 S. Richmond Road  
Ridgecrest, CA 93555  
[prodriqu@blm.gov](mailto:prodriqu@blm.gov)

Naval Air Warfare Center  
Weapons Division  
Michael Owens, Energy Coordinator  
1 Administration Circle  
China Lake, CA 93555-6100  
*e-mail service preferred*  
[michael.t.owens@navy.mil](mailto:michael.t.owens@navy.mil)

Naval Air Warfare Center  
Weapons Division  
Michael Owens, Energy Coordinator  
575 "I" Avenue, Suite 1  
Point Mugu, CA 93042-5049  
*e-mail service preferred*  
[michael.t.owens@navy.mil](mailto:michael.t.owens@navy.mil)

Naval Air Weapons Station,  
China Lake  
CAPT Jeffrey Dodson,  
Commanding Officer  
1 Administration Circle, Stop 1003  
China Lake, CA 93555-6100  
*e-mail service preferred*  
[jeffrey.dodson@navy.mil](mailto:jeffrey.dodson@navy.mil)

Naval Air Weapons Station,  
China Lake  
Tim Fox, Community Plans &  
Liaison Officer  
429 E Bowen Rd, Stop 4003  
China Lake, CA 93555-6100  
*e-mail service preferred*  
[timothy.h.fox@navy.mil](mailto:timothy.h.fox@navy.mil)

County of Kings  
Johannah Hartley  
1400 W. Lacey Boulevard  
Hanford, CA 93230  
*e-mail service preferred*  
[johannah.hartley@co.kings.ca.us](mailto:johannah.hartley@co.kings.ca.us)

County of San Luis Obispo  
Warren R. Jensen  
County Counsel  
County Government Center.  
Room D320  
San Luis Obispo, CA 93408  
*e-mail service preferred*  
[wjensen@co.slo.ca.us](mailto:wjensen@co.slo.ca.us)

County of Imperial  
Michael Rood  
County Counsel  
940 West Main Street, #205  
El Centro, CA 92243  
[michaelrood@co.imperial.ca.us](mailto:michaelrood@co.imperial.ca.us)

County of Riverside  
Pamela J. Walls  
County Counsel  
3960 Orange St., Suite 500  
Riverside, CA 92501-6300  
[pjwalls@co.riverside.ca.us](mailto:pjwalls@co.riverside.ca.us)

California State Association of  
Counties  
Jennifer Henning  
1100 K Street, Suite 101  
Sacramento, CA 95814  
*e-mail service preferred*  
[jhenning@coconet.org](mailto:jhenning@coconet.org)

Tiffany N. North  
Deputy County Counsel  
Riverside County  
3960 Orange Street, Suite 500  
Riverside, CA 92501  
*e-mail preferred*  
[TNorth@co.riverside.ca.us](mailto:TNorth@co.riverside.ca.us)

Katherine Lind  
Assistant County Counsel  
Riverside County  
3960 Orange Street, Suite 500  
Riverside, CA 92501  
*e-mail service preferred*  
[klind@co.riverside.ca.us](mailto:klind@co.riverside.ca.us)

County of San Bernardino  
Bart W. Brizzee  
Principal Assistant County Counsel  
385 North Arrowhead Ave., 4<sup>th</sup> Fl.  
San Bernardino, CA 92415-0140  
*e-mail service preferred*  
[bbrizzee@cc.sbcounty.gov](mailto:bbrizzee@cc.sbcounty.gov)

***\*County of Kern***  
***Lorelei H. Oviatt***  
***Director, Planning &***  
***Community Development Dept.***  
***2700 "M" Street, Suite 100***  
***Bakersfield, CA 93301***  
**[Loreleio@co.kern.ca.us](mailto:Loreleio@co.kern.ca.us)**

**ENERGY COMMISSION  
DECISION MAKERS**

Kourtney Vaccaro  
Hearing Officer  
[kvaccaro@energy.state.ca.us](mailto:kvaccaro@energy.state.ca.us)

Tim Olson  
Adviser  
[tolson@energy.state.ca.us](mailto:tolson@energy.state.ca.us)

**ENERGY COMMISSION STAFF**

Jared Babula  
Staff Counsel  
[jbabula@energy.state.ca.us](mailto:jbabula@energy.state.ca.us)

Eric Solorio  
Project Manager  
[esolorio@energy.state.ca.us](mailto:esolorio@energy.state.ca.us)

***\*Sekita Grant***  
***Adviser to Chair Weisenmiller***  
***e-mail service preferred***  
**[sgrant@energy.state.ca.us](mailto:sgrant@energy.state.ca.us)**

**ENERGY COMMISSION –  
PUBLIC ADVISER**

Jennifer Jennings  
Public Adviser  
*e-mail service preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)