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## COUNTY OF INYO

ADMINISTRATOR'S OFFICE  
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INDEPENDENCE, CALIFORNIA 93526

February 15, 2012

DOCKET	
09-AFC-9	
DATE	FEB 15 2012
RECD.	FEB 17 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.**

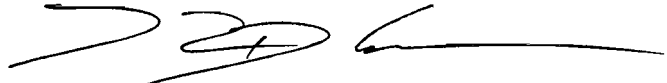
Inyo County has been a leader in planning for renewable energy development. Working with our State and Federal partners, renewable energy companies, the environmental community, and other interested persons and organizations, Inyo County developed local ordinances, policies and practices which weigh 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  
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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 stroke 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)*

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