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DATE	NOV 28 2011
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500 Capitol Mall, Suite 1600
Sacramento, California 95814
main 916 447 0700
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www.stoel.com

November 28, 2011

MELISSA A. FOSTER
Direct (916) 319-4673
mafoster@stoel.com

VIA EMAIL

Mr. Eric Solorio, Siting Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

**Re: Pio Pico Energy Center (11-AFC-01)
Applicant's Additional Responses to Staff's Informal Data Requests
Regarding Biological Resources**

Dear Mr. Solorio:

On November 8, 2011, Energy Commission Staff Ann Crisp requested additional information related to Applicant Pio Pico Energy Center LLC's responses to Staff's previous informal data requests regarding biological resources. Enclosed please find Applicant's responses to Ms. Crisp's requests.

If you have any questions regarding these materials, please do not hesitate to contact me.

Respectfully submitted,

A handwritten signature in blue ink that reads "Melissa A. Foster".

Melissa A. Foster

MAF:jmw

Enclosures

cc: Proof of Service

**PIO PICO ENERGY CENTER PROJECT
11-AFC-01**

**Supplemental Responses to Biological Resources Data Requests
Responses to Verbal/Email Request from Ann Crisp, Dated November 8, 2011**

Request:

1. This is sent as a follow up to the conference call this afternoon regarding clarification of what was expected to be submitted in relation to the proposed transmission line routes. Please find attached the recorded easements from the County of San Diego that relate to biological resources. The recorded easements attached describe all the covenants terms, conditions, and restrictions placed on several of the easements included on PM 20473, specifically those related to biological resources. These include restrictions on any ground disturbance including but not limited to clearing of vegetation, construction, and vehicular activity. I have included the original email chain from Dave Jenkins regarding the expected scope of the map to be submitted as previously discussed. To clarify, in order for staff to prepare the staff assessment and any conditions of certification related to the installation of the transmission line I will need the following:

1. Detailed site plan map based on PM 20473 (used as basemap) that depicts for both Transmission Line Route A and Route B (two routes total) the following: transmission line route, all pole locations, right of way, and construction staging and access areas (for construction, operation, and maintenance), and all areas to be avoided.
2. Project description which describes how construction, operation, and maintenance of the transmission line will not result in impacts to any recorded easements depicted on PM 20473

The submittal should provide a detailed description of how all activities related to the construction, operation, and maintenance of the project will avoid any impacts to any areas recorded as easements, based on PM 20473. If you have any questions please let me know.

Response:

1. Refer to the attached Exhibit A – Transmission Routes showing the recorded County easements provided in Exhibit B - PM 20473. Except for the Fire Buffer easement, the depicted County easements will be avoided during construction and maintenance. (See Exhibit C for an email exchange with the SDCRFD consultant on the Fire Buffer exception.) Exhibit A is also overlaid by the detailed site plan depicting Transmission Line Route A and Route B routes, pole locations, rights of way, and access areas necessary for construction, operation, and maintenance of the proposed transmission facilities. After installation activities are complete, the conductors will be fully contained within the proposed right-of-way and will not impact any adjacent facilities.

2. The following describes Route A and Route B construction, operation, and maintenance activities.

A. Aboveground Transmission Line Construction

Construction of new transmission poles would include clearing of footing work locations, installation of foundations, and pole assembly and erection. After the poles are in place, crews would proceed with stringing of conductor and overhead ground wires. Construction would be completed with clean-up of construction sites and demobilization of equipment.

Typical transmission structures will consist of tubular steel poles on concrete drilled pier foundations. A typical foundation will have a diameter of 6 feet to 8 feet and a below grade depth of 20 feet to 35 feet, depending on the detailed design for geotechnical parameters at the site.

Wire-stringing activities will require vehicular or foot access throughout the length of the right-of-way in order to install the conductors from end to end. A pickup truck or a small all terrain vehicle (ATV) would generally be sufficient for this purpose, or the initial lead line could be laid out on foot.

Wire pulls are the length of any given continuous wire installation process between two selected points along the line. Wire pulls lengths are selected based on availability of dead end structures at the ends of each pull and suitable terrain for stringing equipment setups. The pulling equipment set-up sites require an average area of approximately 100 feet by 200 feet. The preliminary wire setup areas would be located on the Working Areas identified on Exhibit A.

Operation and maintenance (O&M) activities for the above ground transmission line will occasionally require workers to traverse the right-of-way either on foot or by ATV. O&M activities may include occasional clearing of vegetation within the right-of-way in order to maintain electrical clearances to the conductors, and occasional visual inspection at each structure location.

Route A Construction and Maintenance Access. During construction and operation/maintenance, the aboveground portion of the Transmission Line Route A would be adjacent to and accessed directly via Calzada de la Fuente and within the Otay Mesa Generating Project parcel.

Route B Construction and Maintenance Access. During construction and operation and maintenance, the Transmission Line Route B would be accessed via De la Fuente Court and within the Otay Mesa Generating Project parcel.

As a result, the Route B transmission line construction and maintenance activities avoid the County easements for archaeological conservation, biological and open space conservation, and drainage areas. Federal and state jurisdictional drainage areas would likewise be avoided.

B. Underground 230 kV Transmission Line Construction

An approximately 1500 foot portion of the Transmission Line Route A alternative would be placed underground to interconnect at the SDG&E Otay Substation end (refer to Exhibit A). An approximately 700 foot portion of the Transmission Line Route B alternative would be placed underground to interconnect at the Pio Pico facility end (refer to Exhibit A). Any underground segments would be installed either as direct buried in a trench or in duct bank. Trench for direct buried installation would be approximately 2 feet wide by 6 feet deep. Conductors would be buried at a depth of approximately 3 to 6 feet and encased in thermal concrete for heat dissipation. The thermal concrete above the conductors would extend to within 12 inches of the ground surface. Duct bank installation would consist of polyvinyl chloride (PVC) conduits laid side to side and encased in thermal concrete, buried approximately 5 feet deep. Duct bank would have approximately 3 to 4 feet of cover from the ground surface to the duct bank top of concrete. Duct bank installation may require a slope cut back for installation, resulting in an approximately 25' wide disturbance area. Since underground segments would not require a splicing location, underground concrete vaults would not be required. Underground to above ground transition stations (risers) would be installed where the transmission line transitions from below ground to aboveground. Excess fill from any excavations would be hauled back to the Project site and used as fill on the Project site.

Construction Access

Access to the underground trench area during construction would be along the Calzada de la Fuente right of way and from the Otay Mesa Generating Project parcel for Route A, and along De la Fuente Court and from the Otay Mesa Generating Project parcel for Route B.

Maintenance Access

During operation and maintenance, access to the underground lines would not be required. Overhead conductor and structures inspection would be from Calzada De Le Fuente, the Pio Pico parcel and/or on the Otay Mesa Generating Project parcel.

From: Ann Crisp [ACrisp@energy.state.ca.us]
Sent: Tuesday, November 08, 2011 8:10 PM
To: Maggie Fitzgerald
Cc: djenkins@apexpowergroup.com; heather Blair <HBlair@aspenerg.com>; Candace Hill; Eric Knight; Eric Solorio; Sarah Allred
Subject: Fwd: Re: RE: PPEC Transmission line routes
Attachments: 2006-0384035.pdf; 2001-0657832.pdf; 2006-0384034.pdf

Hi Maggie,

This is sent as a follow up to the conference call this afternoon regarding clarification of what was expected to be submitted in relation to the proposed transmission line routes. Please find attached the recorded easements from the County of San Diego that relate to biological resources. The recorded easements attached describe all the covenants terms, conditions, and restrictions placed on several of the easements included on PM 20473, specifically those related to biological resources. These include restrictions on any ground disturbance including but not limited to clearing of vegetation, construction, and vehicular activity. I have included the original email chain from Dave Jenkins regarding the expected scope of the map to be submitted as previously discussed. To clarify, in order for staff to prepare the staff assessment and any conditions of certification related to the installation of the transmission line I will need the following:

1. Detailed site plan map based on PM 20473 (used as basemap) that depicts for both Transmission Line Route A and Route B (two routes total) the following: transmission line route, all pole locations, right of way, and construction staging and access areas (for construction, operation, and maintenance), and all areas to be avoided.
2. Project description which describes how construction, operation, and maintenance of the transmission line will not result in impacts to any recorded easements depicted on PM 20473

The submittal should provide a detailed description of how all activities related to the construction, operation, and maintenance of the project will avoid any impacts to any areas recorded as easements, based on PM 20473. If you have any questions please let me know.

Thanks!

Ann

Staff Biologist
Biological Resources Unit
California Energy Commission
Siting, Transmission, and Environmental Protection Division
1516 9th Street, MS 40
Sacramento, CA 95814
(916) 651-3776 (office)
(916) 651-8868 (fax)
e-mail: acrisp@energy.state.ca.us

>>> David Jenkins <djenkins@apexpowergroup.com> 9/26/2011 3:12 PM >>>

I am striving to get this submitted by this Friday. I have a couple small details to confirm with the landowner related to easements. Once I get that, the team will be able to produce a final figure and brief narrative. Does this time frame work for you?

Dave

On Mon, Sep 26, 2011 at 1:16 PM, Sarah Allred <SAllred@energy.state.ca.us> wrote:

Hi Dave,

I am the cultural resources specialist with the Energy Commission assigned to the Pio Pico project. The below email from you was forwarded to me a couple of weeks ago. As there is also a cultural resources Conservation Easement ("Area C" on County TPM 20473) that also lies within the path of Route B Transmission Line Alternative, I am also interested in the Figure and description of construction techniques, etc. that you indicated you would be providing (below). I would like to include the information in my Preliminary Staff Assessment. I just wanted to ask if you had an estimate as to when you think the information would be submitted to the CEC? I don't need an exact date, but a ballpark estimate would be very helpful.

Thank you,

Sarah

Sarah M. Allred

Planner II (Cultural Resources)

California Energy Commission

Siting Transmission & Environmental Protection Division

1516 9th Street, MS 40

Sacramento, CA 95814-5512

[\(916\) 654-5008](tel:(916)654-5008)

>>> Ann Crisp 9/15/2011 10:38 AM >>>

Hi Eric,

Will this email be docketed or treated as a pers comm.?

Thanks!

Ann

>>> "W. David Jenkins" <djenkins@apexpowergroup.com> 9/13/2011 12:17 PM >>>

Eric,

As we discussed today, PPEC will construct and maintain the transmission line (A or B) in a manner that will not cause any ground disturbance to MSCP sensitive areas. Furthermore, the line will be designed and located so that construction and operation of the line will not disturb Easements A, B or C as delineated on the County TPM 20473. I will direct the project engineer (Kiewit) to produce a figure based on the TPM that shows the pole locations, R/W and construction staging/access areas to this effect. For now, generally, the installation of Route B poles will utilize access from Paseo de la Fuente and the SDG&E substation. The conductors that span the MSCP sensitive area will be installed via helicopter to avoid ground disturbance of this area. Route A poles will be accessed via Calzada de la Fuente. The underground portion of Route A will be accessed by Calzada de la Fuente to the north, and the SDG&E substation from the south, thereby avoiding ground disturbance of MSCP sensitive areas.

Dave

From: Eric Solorio [<mailto:ESolorio@energy.state.ca.us>]

Sent: Wednesday, August 31, 2011 6:20 PM

To: djenkins@apexpowergroup.com; Ann Crisp; lincoln_hulse@URSCorp.com

Cc: Maggie_Fitzgerald@URSCorp.com

Subject: Re: PPEC Transmission line routes

Thanks Ann. I've copied Dave Jenkins since Maggie is out this week.

Eric

>>> Ann Crisp 8/31/2011 10:52 AM >>>

Hi Lincoln,

Could you please provide clarification on where the Transmission Line Route B poles and right of way will be located in relation the MSCP designations on the attached map? Also, clarify if Route A was implemented instead where would it be located in relation to the MSCP designations? This map was provided by MSCP

staff and the brown area is considered take authorized under MSCP, meaning it already went through the minor amendment process and impacts are allowed. The area in gray is a recorded biological open space according to the Parcel Map 20473, if impacts are proposed within that area it would require an open space vacation.

Please provide specific information regarding where the poles will be located as it relates to the MSCP designations on the attached map, how and where they will be accessed for installation and maintenance, including any access roads whether temporary or permanent, where any staging areas will be located, and where the 80 foot right-of way is proposed.

Thank you,

Ann

Staff Biologist

Biological Resources Unit

California Energy Commission

Siting, Transmission, and Environmental Protection Division

1516 9th Street, MS 40

Sacramento, CA 95814

(916) 651-3776 (office)

(916) 651-8868 (fax)

e-mail: acrisp@energy.state.ca.us

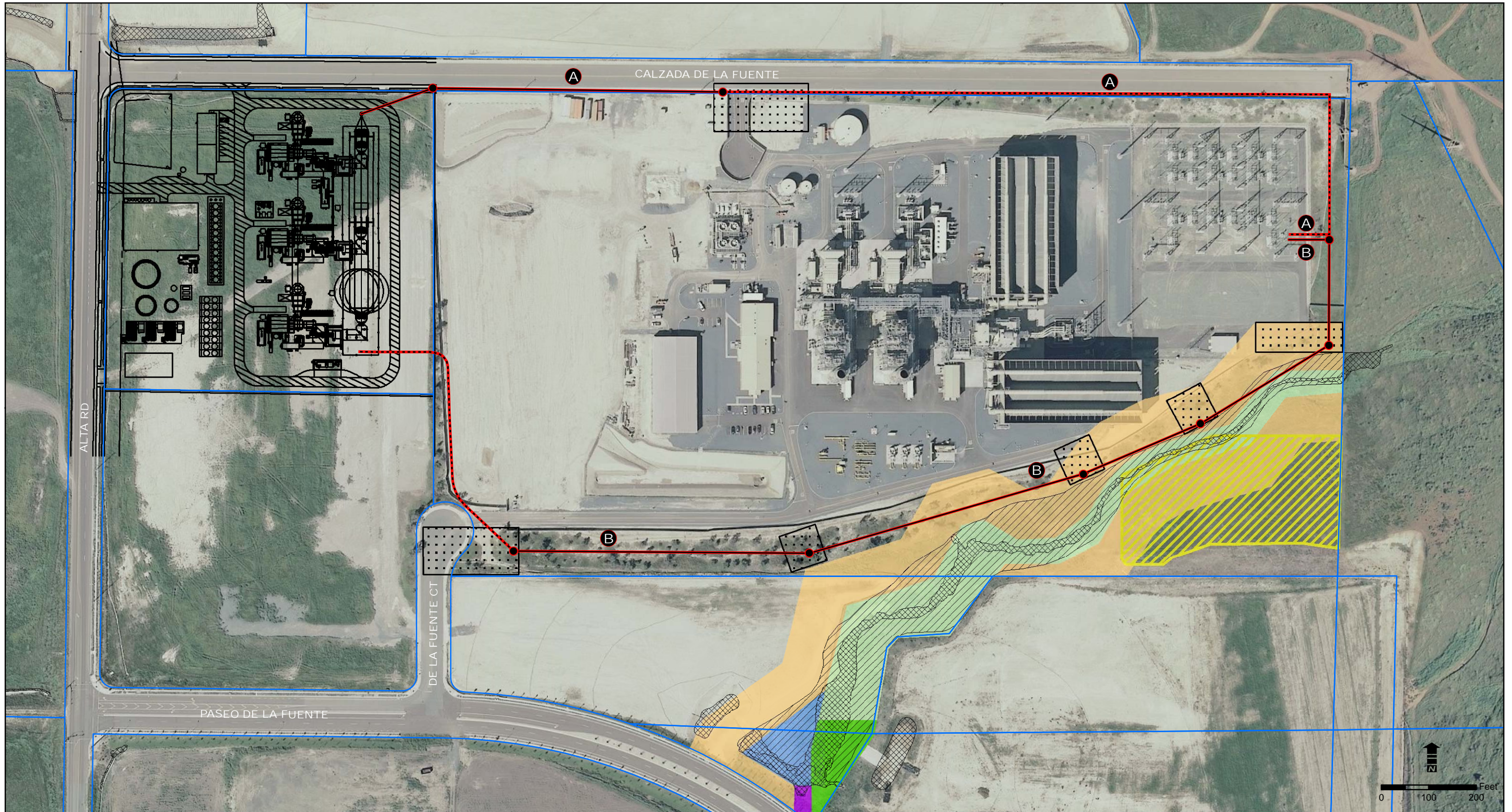
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David Jenkins

APEX Power Group, LLC

(317) 431-1004 (cell)

djenkins@apexpowergroup.com



Legend

- 230kV Transmission Line Pole
- 230kV Overhead Conductor
- - - 230kV Underground Conductor
- Parcels
- ⊠ Working Area
- ▨ CDFG Jurisdiction
- ▩ CWA and CDFG Jurisdiction
- ▨ Easement in favor of the County of San Diego for Archaeological Conservation
- ▨ Easement in favor of the County of San Diego for Fire Buffer
- ▨ Easement in favor of the County of San Diego for Open Space
- ▨ Easement in favor of the County of San Diego for Conservation 'Parcel A'
- ▨ Easement in favor of the County of San Diego for Conservation 'Parcel B'
- ▨ Easement in favor of the County of San Diego for Drainage 'Parcel C-1'

**EXHIBIT A
TRANSMISSION ROUTES**

**PIO PICO
ENERGY CENTER**

PROJECT NO.: 29874827
DATE: NOVEMBER 2011



OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LAND SUBDIVIDED BY THIS MAP AND WE CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP.

WE HEREBY DEDICATE TO THE PUBLIC ALTA ROAD FOR USE AS A STREET AS SHOWN ON SAID MAP TOGETHER WITH THE RIGHT TO EXTEND AND MAINTAIN DRAINAGE FACILITIES, EXCAVATION AND EMBANKMENT SLOPES BEYOND THE LIMITS OF SAID RIGHT-OF-WAY.

C/MC PROPERTIES, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AS OWNER, BY: OTAY MESA PROPERTY, L.P., A CALIFORNIA LIMITED PARTNERSHIP, ITS MEMBER BY: SD COMMERCIAL, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, ITS GENERAL PARTNER

BY: David Wick, President

D & D LANDHOLDINGS, A CALIFORNIA LIMITED PARTNERSHIP, AS OWNER BY: AMERICAN INTERNATIONAL TRADING, INC., A CALIFORNIA CORPORATION, ITS GENERAL PARTNER

BY: Jose Luis Andueu, President

FIDELITY NATIONAL TITLE, AS TRUSTEE UNDER THAT CERTAIN DEED OF TRUST RECORDED JULY 9, 2003 AS INSTRUMENT NO. 2003-0812022 OF OFFICIAL RECORDS.

BY: Caroli Fontes, Vice President

BY: NAME: TITLE:

PACIFIC WESTERN BANK, SUCCESSOR TRUSTEE BY MERGER TO FIRST NATIONAL BANK, AS TRUSTEE UNDER THAT CERTAIN DEED OF TRUST RECORDED OCTOBER 20, 2003 AS INSTRUMENT NO. 2003-1280544 OF OFFICIAL RECORDS.

BY: Eric W. Washington, Vice President

BY: H.V. Contreras, Vice President

FIRST AMERICAN TITLE INSURANCE COMPANY, AS TRUSTEE UNDER THAT CERTAIN DEED OF TRUST RECORDED OCTOBER 4, 2006 AS INSTRUMENT NO. 2006-0707356 OF OFFICIAL RECORDS.

BY: Samuel A. Baker, Vice President

BY: Joann E. Bartels, Asst. Sec.

THE SIGNATURES OF THE PARTIES LISTED BELOW, OWNERS OF EASEMENTS PER DOCUMENTS NOTED BELOW HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 SUBSECTION (d)(3)(A)(i) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY.

THE SAN DIEGO GAS & ELECTRIC COMPANY HOLDER OF EASEMENTS, RECORDED OCTOBER 20, 1948 IN BOOK 2988, PAGE 492, AND RECORDED APRIL 2, 2002 FILE NO. 2002-0274411, AND RECORDED SEPTEMBER 9, 2003 FILE NO. 2003-1098087, AND RECORDED JUNE 16, 2006 FILE NO. 2006-0427813 ALL OF OFFICIAL RECORDS.

THE COUNTY OF SAN DIEGO HOLDER OF EASEMENTS RECORDED SEPTEMBER 13 2001 FILE NO. 2001-0657832 AND RECORDED SEPTEMBER 13 2001 FILE NO. 2001-0657833 AND RECORDED SEPTEMBER 13 2001 FILE NO. 2001-0657834 AND SEPTEMBER 8, 2003 AS FILE NO. 2003-1095003 AND RECORDED JUNE 10, 2004 FILE NO. 2004-0544590 AND RECORDED MAY 31, 2006 FILE NO. 2006-0384034 AND RECORDED MAY 31, 2006 FILE NO. 2006-0384035 AND RECORDED JUNE 7, 2006 FILE NO. 2006-0401200 ALL OF OFFICIAL RECORDS.

THE OTAY WATER DISTRICT HOLDER OF AN EASEMENT RECORDED OCTOBER 30, 2003 FILE NO. 2003-1319857 OF OFFICIAL RECORDS.

THE PACIFIC BELL TELEPHONE COMPANY HOLDER OF AN EASEMENT RECORDED JUNE 7, 2004 FILE NO. 2004-0528284 OF OFFICIAL RECORDS.

THE CALPINE CORPORATION HOLDER OF AN EASEMENT RECORDED MARCH 30, 2006 FILE NO. 2006-0220105 OF OFFICIAL RECORDS.

PARCEL MAP OF:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 30 IN TOWNSHIP 18 SOUTH, RANGE 1 EAST, SAN BERNARDINO MERIDIAN, ACCORDING TO OFFICIAL PLAT THEREOF, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA.

SEE BOUNDARY ADJUSTMENT PLAT NO. B/C 02-0150 FILED UNDER CERTIFICATE OF COMPLIANCE RECORDED APRIL 16, 2004 AS DOC. 2004-0330998, O.R.

PARCEL MAP GUARANTEE FOR THIS PARCEL MAP FURNISHED BY: COMMONWEALTH LAND TITLE INSURANCE COMPANY ORDER NO. 03202746E DATED: APRIL 16, 2008

WE HEREBY DEDICATE TO THE COUNTY THE DRAINAGE EASEMENTS, ALL AS SHOWN ON SAID MAP.

STATE OF CALIFORNIA) ss COUNTY OF SAN DIEGO)

ON JANUARY 23, 2008, BEFORE ME, MARILOU ALVAREZ A NOTARY PUBLIC, PERSONALLY APPEARED DAVID WICK

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: [Signature] MARILOU ALVAREZ Commission # 1704035 Notary Public - California San Diego County My Comm. Expires Nov 19, 2010

STATE OF CALIFORNIA) ss COUNTY OF SAN DIEGO)

ON 1/24/08, BEFORE ME, Robbie Ferreira A NOTARY PUBLIC, PERSONALLY APPEARED Eric W. Washington and H.V. Contreras

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: [Signature] ROBBIE FERREIRA Commission # 1650044 Notary Public - California San Diego County My Comm. Expires 3/19/2010

STATE OF CALIFORNIA) ss COUNTY OF SAN DIEGO)

ON 3/5/08, BEFORE ME, Karen Holender A NOTARY PUBLIC, PERSONALLY APPEARED Caroli Fontes

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: [Signature] KAREN HOLENDER Commission # 1824414 Notary Public - California San Diego County My Comm. Expires Nov 4, 2009

STATE OF CALIFORNIA) ss COUNTY OF SAN DIEGO)

ON JANUARY 23, 2008, BEFORE ME, MARILOU ALVAREZ A NOTARY PUBLIC, PERSONALLY APPEARED JOSE LUIS ANDUEU

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: [Signature] MARILOU ALVAREZ Commission # 1704035 Notary Public - California San Diego County My Comm. Expires Nov 19, 2010

STATE OF CALIFORNIA) ss COUNTY OF SAN DIEGO)

ON March 28, 2008, BEFORE ME, Linda C. Andreoli A NOTARY PUBLIC, PERSONALLY APPEARED Daniel A. Baker and Joann E. Bartels

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: [Signature] LINDA C. ANDREOLI Commission # 1696179 Notary Public - California San Diego County My Comm. Expires Sep 28, 2010

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF DAVID WICK IN JUNE, 2006, AND ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

VICTOR RODRIGUEZ-FERNADEZ, L.S. 5335

DATE: JANUARY 18, 2008



COUNTY SURVEYOR'S STATEMENT

I, TERRENCE T. CONNORS, COUNTY SURVEYOR OF SAN DIEGO COUNTY, STATE THAT THIS MAP DOES NOT APPEAR TO BE A MAP OF A MAJOR SUBDIVISION FOR WHICH A FINAL MAP IS REQUIRED PURSUANT TO SECTION 66426 OF THE SUBDIVISION MAP ACT. I FURTHER STATE THAT THIS PARCEL MAP CONFORMS TO THE TENTATIVE PARCEL MAP AND APPROVED ALTERATIONS THEREOF AND THAT ALL PROVISIONS OF DIVISION 1 OF TITLE 8 OF THE SAN DIEGO COUNTY CODE HAVE BEEN COMPLIED WITH. THIS MAP CONFORMS WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE. I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT.

BY: Terrence T. Connors, PLS 5099, County Surveyor

DATE: APRIL 8, 2008



RECORDER'S CERTIFICATE

FILE NO. 2008-0216937

FILED THIS 3rd DAY OF April, 2008 at 2:31 P.M. IN BOOK OF PARCEL MAPS, AT PAGE AT THE REQUEST OF VICTOR RODRIGUEZ-FERNADEZ.

GREGORY J. SMITH, COUNTY RECORDER

BY: Joann E. Bartels, Deputy County Recorder

FEES: \$18.00

PROCEDURE OF SURVEY

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CALIFORNIA COORDINATE SYSTEM, CC83, ZONE 6, BETWEEN STATIONS 189 AND 209 (BOTH HAVING A CALIFORNIA COORDINATE VALUE OF FIRST ORDER ACCURACY OR BETTER) AS SAID STATIONS ARE PUBLISHED IN THE SAN DIEGO COUNTY HORIZONTAL CONTROL BOOK, I.E.: N 43°17'02" W

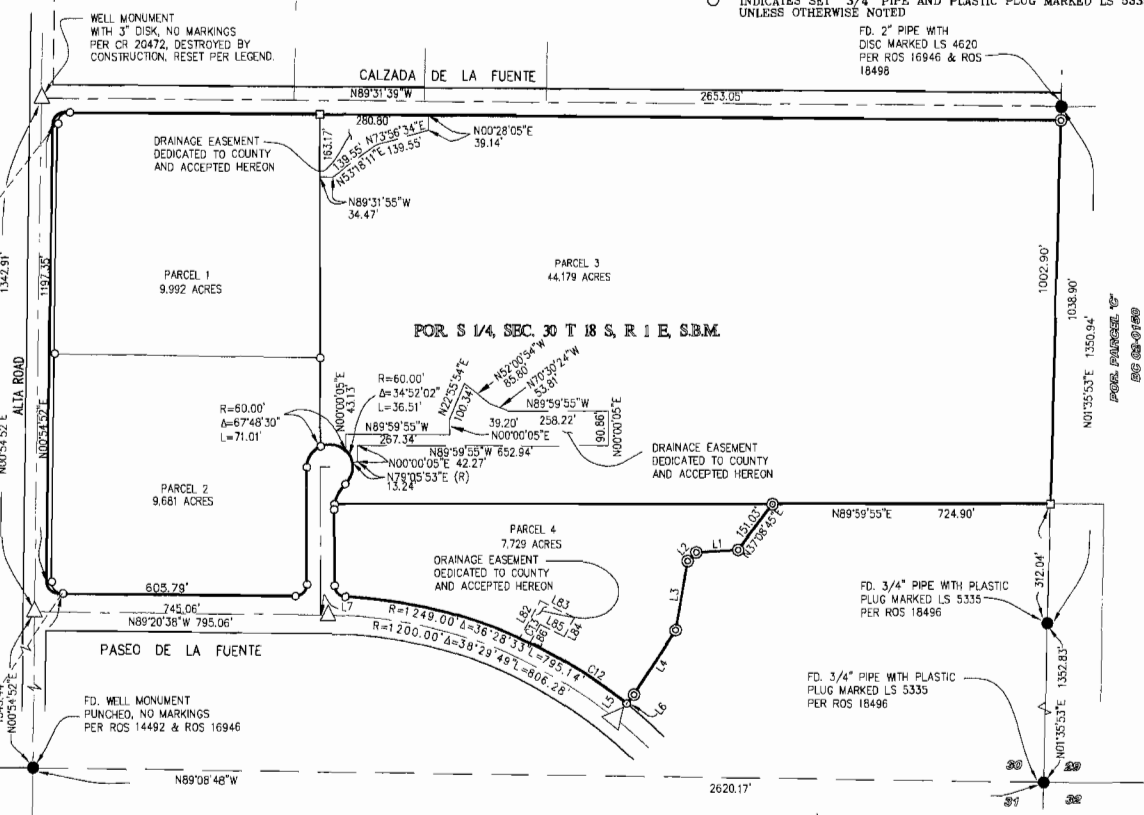
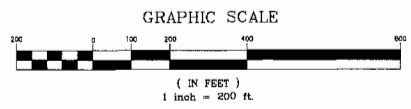
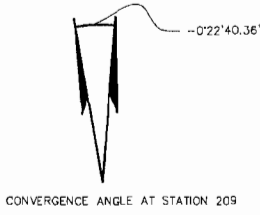
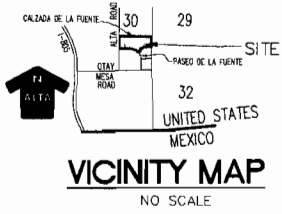
QUOTED BEARINGS FROM REFERENCE MAP/OEECS MAY OR NOT BE IN TERMS OF SAID SYSTEM.

THE COMBINED SCALE FACTOR AT POINT 209 IS 1.0000231
GRID DISTANCE = GROUND DISTANCE X COMBINED SCALE FACTOR.
ALL DISTANCES SHOWN ARE GROUND.

TOTAL NUMBER OF PARCEL = 4
TOTAL AREA OF THIS MAP = 77.53 ACRES.

LEGEND:

- INDICATES FOUND MONUMENTS AS NOTED HEREON UNLESS OTHERWISE NOTED HEREON.
- ⊙ INDICATES SET 2" X 24" PIPE WITH DISC MARKED LS 5335
- △ INDICATES SET WELL MONUMENT WITH DISC MARKED LS 5335
- INDICATES SET NAIL WITH DISC MARKED LS 5335 IN CONCRETE
- ////// INDICATES ABUTTER'S RIGHTS OF ACCESS RELINQUISHED PER DOCUMENT RECORDED JUNE 7, 2006 AS FILE NO. 2006-0401201, O.R.
- INDICATES SET 3/4" PIPE AND PLASTIC PLUG MARKED LS 5335 UNLESS OTHERWISE NOTED



FD. WELL MONUMENT WITH CITY ENGINEER DISC EPOCH 1991.35 PER ROS 14492 & ROS 16946 STATION #188 PER ROS 14492 N 178°02'27.22 E 6346032.05

FD. NAIL WITH DISC MARKED LS 4324 EPOCH 1991.35 PER ROS 14492 & ROS 16946 STATION #209 PER ROS 14492 N 178°30'54.92 E 6349773.24 NGVD 1929 EL = 536.62

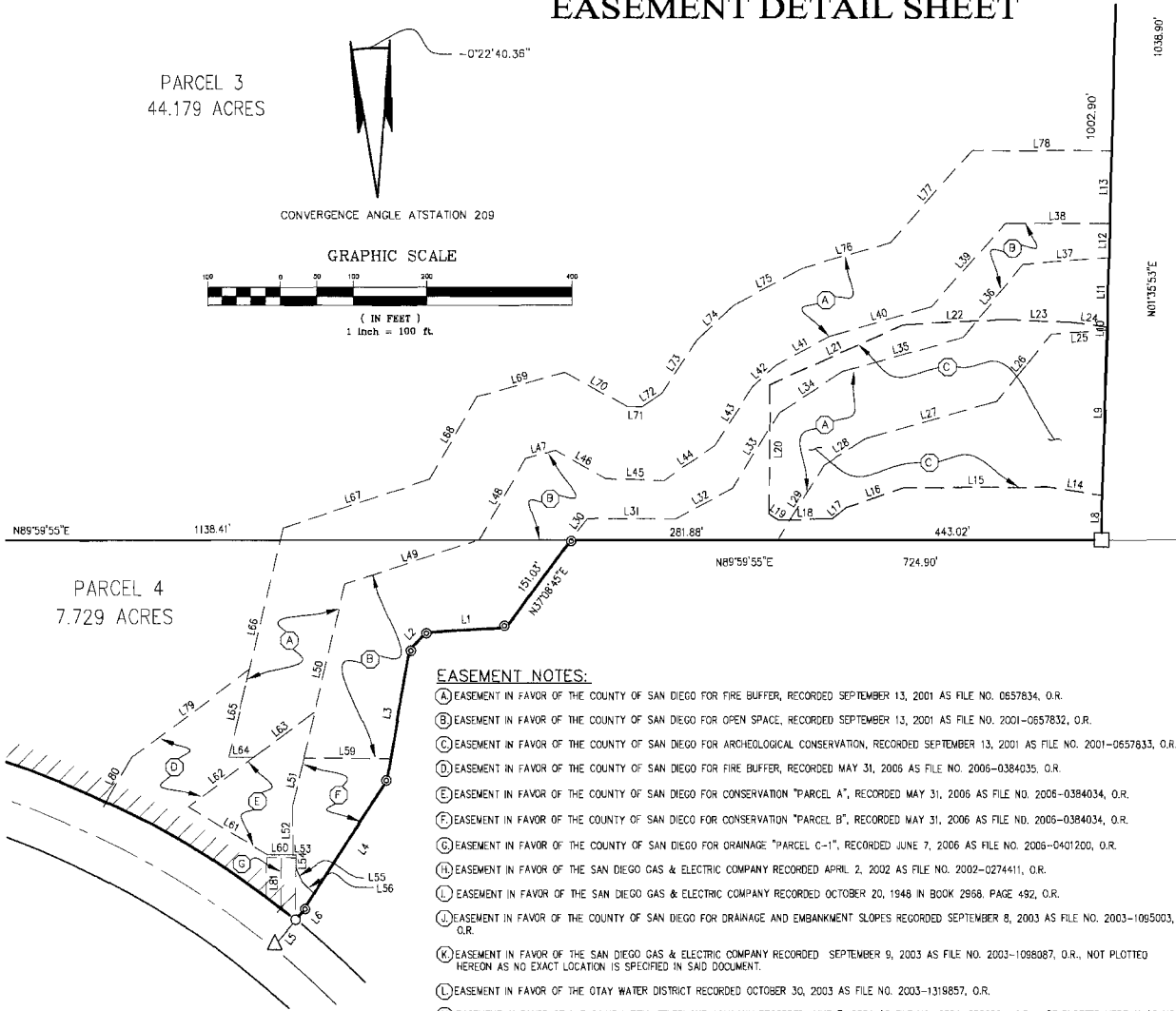
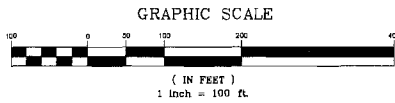
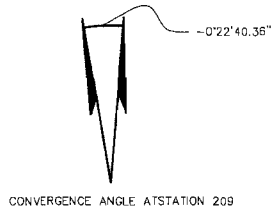
LINE TABLE		
LINE	LENGTH	BEARING
L82	112.83	N28°13'16"E
L83	100.07	N62°58'56"W
L84	55.00	N28°13'16"E
L85	70.05	N62°58'56"W
L86	96.69	N28°13'16"E

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C12	296.12	1249.00	13°35'09"
C13	30.09	1249.00	12°2'49"

COVENANT OF IMPROVEMENT REQUIREMENTS & A BUILDING PERMIT PROHIBITION
BUILDING PERMITS AND/OR DEVELOPMENT ARE HEREBY PROHIBITED UNTIL IMPROVEMENTS PER TPM 21012 ARE COMPLETED. THE APPROXIMATE COST OF THE IMPROVEMENTS IS ESTIMATED TO BE \$ _____ ON _____ THE FINAL COST MAY VARY DEPENDING ON THE TIME OF CONSTRUCTION.
COVENANT OF IMPROVEMENT REQUIREMENTS (AND WAIVER) GRANTED TO THE COUNTY OF SAN DIEGO BY DOC. _____ RECORDED _____

EASEMENT DETAIL SHEET

PARCEL 3
44.179 ACRES



EASEMENT NOTES:

- (A) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR FIRE BUFFER, RECORDED SEPTEMBER 13, 2001 AS FILE NO. 0657834, O.R.
- (B) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR OPEN SPACE, RECORDED SEPTEMBER 13, 2001 AS FILE NO. 2001-0657832, O.R.
- (C) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR ARCHEOLOGICAL CONSERVATION, RECORDED SEPTEMBER 13, 2001 AS FILE NO. 2001-0657833, O.R.
- (D) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR FIRE BUFFER, RECORDED MAY 31, 2006 AS FILE NO. 2006-0384035, O.R.
- (E) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR CONSERVATION "PARCEL A", RECORDED MAY 31, 2006 AS FILE NO. 2006-0384034, O.R.
- (F) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR CONSERVATION "PARCEL B", RECORDED MAY 31, 2006 AS FILE NO. 2006-0384034, O.R.
- (G) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR DRAINAGE "PARCEL C-1", RECORDED JUNE 7, 2006 AS FILE NO. 2006-0401200, O.R.
- (H) EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY RECORDED APRIL 2, 2002 AS FILE NO. 2002-0274411, O.R.
- (I) EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY RECORDED OCTOBER 20, 1948 IN BOOK 2968, PAGE 492, O.R.
- (J) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO FOR DRAINAGE AND EMBANKMENT SLOPES RECORDED SEPTEMBER 8, 2003 AS FILE NO. 2003-1095003, O.R.
- (K) EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY RECORDED SEPTEMBER 9, 2003 AS FILE NO. 2003-1096087, O.R., NOT PLOTTED HEREON AS NO EXACT LOCATION IS SPECIFIED IN SAID DOCUMENT.
- (L) EASEMENT IN FAVOR OF THE OTAY WATER DISTRICT RECORDED OCTOBER 30, 2003 AS FILE NO. 2003-1318857, O.R.
- (M) EASEMENT IN FAVOR OF THE PACIFIC BELL TELEPHONE COMPANY RECORDED JUNE 7, 2004 AS FILE NO. 2004-0526284, O.R., NOT PLOTTED HEREON AS NO EXACT LOCATION IS SPECIFIED IN SAID DOCUMENT.
- (N) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO RECORDED JUNE 10, 2004 AS FILE NO. 2004-0544588, O.R.
- (O) EASEMENT IN FAVOR OF THE COUNTY OF SAN DIEGO RECORDED JUNE 10, 2004 AS FILE NO. 2004-0544590, O.R.
- (P) EASEMENT IN FAVOR OF THE SAN DIEGO GAS & ELECTRIC COMPANY RECORDED JUNE 16, 2005 AS FILE NO. 2006-0427813, O.R.

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	47.47	30.00	90°39'20"
C2	69.56	60.00	66°25'19"
C3	168.32	60.00	160°44'04"
C4	60.03	90.00	39°12'48"
C5	14.05	90.00	8°56'35"
C6	45.72	30.00	87°19'25"
C7	237.88	60.00	227°09'23"
C8	74.07	90.00	47°09'23"
C9	46.89	30.00	89°33'29"
C10	47.26	30.00	90°15'31"
C11	280.38	1249.00	12°51'43"
C12	25.41	1249.00	1°09'57"

LINE TABLE			L55	L56	L57	L58	L59	L60	L61	L62	L63	L64	L65	L66	L67	L68	L69	L70	L71	L72	L73	L74	L75	L76	L77	L78	L79	L80	L81
LINE	LENGTH	BEARING																											
L1	109.68	N86°20'54"E																											
L2	32.11	N44°30'42"E																											
L3	182.66	N09°45'06"E																											
L4	210.95	N32°57'48"E																											
L5	67.62	N39°09'10"E																											
L6	18.62	N39°09'10"E																											
L7	20.00	N88°20'39"W																											
L8	61.25	N01°35'53"E																											
L9	227.33	N01°35'53"E																											
L10	4.34	N01°34'45"E																											
L11	95.22	N01°33'55"E																											
L12	47.07	N01°39'57"E																											
L13	100.03	N01°35'53"E																											
L14	76.25	N81°27'40"W																											
L15	196.09	N89°47'46"E																											
L16	83.53	N70°44'28"E																											
L17	24.59	N50°12'28"E																											
L18	73.89	N88°38'58"E																											
L19	15.58	N55°58'00"W																											
L20	177.58	N09°19'38"E																											
L21	199.97	N65°38'39"E																											
L22	141.84	N87°02'26"E																											
L23	87.31	N87°28'53"W																											
L24	50.66	N82°52'42"W																											
L25	76.49	N85°34'58"E																											
L26	118.89	N39°14'36"E																											
L27	187.17	N74°02'07"E																											
L28	66.18	N57°03'10"E																											
L29	121.36	N31°53'09"E																											
L30	36.67	N36°35'56"E																											
L31	118.17	N89°31'06"W																											
L32	90.44	N61°42'56"E																											
L33	121.53	N31°53'09"E																											
L34	103.43	N57°03'10"E																											
L35	170.77	N74°02'07"E																											
L36	120.36	N39°14'36"E																											
L37	118.54	N85°34'58"E																											
L38	143.80	N89°54'14"W																											
L39	153.22	N41°28'42"E																											
L40	144.02	N73°42'28"E																											
L41	84.25	N61°29'39"E																											
L42	43.93	N47°22'00"E																											
L43	95.52	N33°07'25"E																											
L44	85.81	N55°12'28"E																											
L45	77.48	N87°42'08"W																											
L46	78.96	N60°35'56"W																											
L47	43.87	N74°50'15"E																											
L48	128.62	N29°48'31"E																											
L49	182.63	N71°39'23"E																											
L50	245.48	N13°27'13"E																											
L51	67.88	N13°19'10"E																											
L52	67.01	N00°28'30"E																											
L53	5.00	N89°31'30"W																											
L54	19.48	N00°04'53"E																											

NON-TITLE INFORMATION SHEET

SHEET 5 OF 5 SHEETS



GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.

LEGEND

NOTE A:
INFORMATION SHOWN ON THIS SHEET IS ADVISORY ONLY AND IS NOT INTENDED TO AFFECT RECORD TITLE INTERESTS.

NOTE B:
INFORMATION SHOWN HEREON IS COMPILED FROM PUBLIC RECORDS OR REPORTS AND ITS INCLUSION IN THIS MAP DOES NOT IMPLY THE CORRECTNESS OR SUFFICIENCY OF THESE RECORDS OR REPORTS BY THE PREPARER OF THIS MAP.



APPROXIMATE AREA SUBJECT TO INUNDATION BY THE 100 YEAR FLOOD

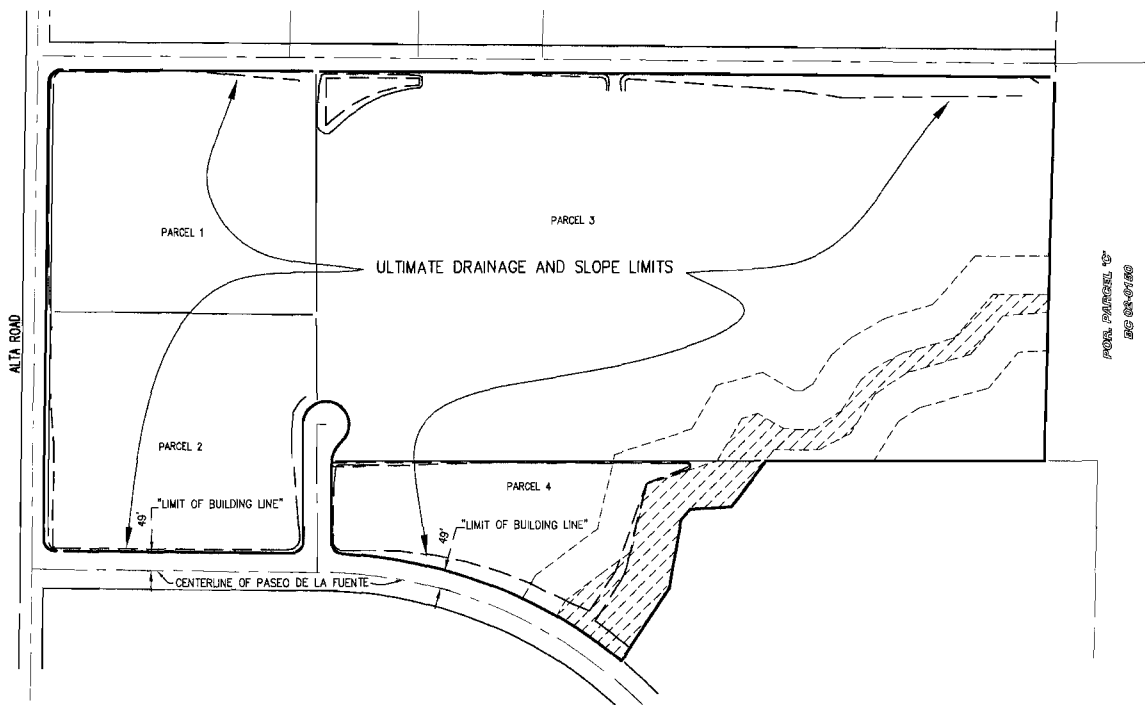


EXHIBIT C

From: [W. David Jenkins](#)
To: ["Jim Hunt"](#)
Cc: ["dave nissen"](#); ["Gary Chandler"](#); ["King Michael"](#); ["Craig Kebodeaux"](#)
Subject: RE: Pio Pico

Your response is very timely and supportive. And, your lead to Mr. Abie is greatly appreciated. We [Mike King] plan to contact him. Our principal engineer, Crag Kebodeaux, is CCed, as he will direct all electric interconnect design work. I will keep you in our loop on the electric line/pole locations and communications to the CEC. Again, thanks.

Dave

From: Jim Hunt [mailto:jhunt2@gte.net]
Sent: Thursday, October 13, 2011 4:07 PM
To: W. David Jenkins
Cc: dave nissen
Subject: Pio Pico

regarding your proposed power line routes. Thanks for your submittal. I talked to Fire Chief Nissen. Fire District has no issues with the single poles, with conductors 70-80 feet above ground , going through a " Fire protection easement". My recommendation, of course, is that the fuel modification zones (Fire protection easement) you mentioned continue to be maintained as required.

I also recommend you contact Timothy Abie, with CCA , who is in charge of building a prison on north side of Calzada De La Fuente, where you show some poles. You should discuss your proposal with him and see if there are any issues. I talked to him and he didn't think there were but would like more information from you on your proposal, so he can check with his site plan engineer.

His contact information is:

Timothy Abie
CCA
Office phone: 615-263-6707
Cell: 615-815-6051 (Nashville Tenn

e mail: timothy.abie@CCA.com

tell him I suggested you call him and touch bases with him on this. Nice guy.

Jim Hunt
Hunt Research Corp
Consultant to RFPD

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

APPLICATION FOR CERTIFICATION
FOR THE *PIO PICO ENERGY CENTER, LLC*

Docket No. 11-AFC-1
PROOF OF SERVICE
(Revised 11/22/11)

Pio Pico Energy Center, LLC

**Applicant's Additional Responses to Staff's Informal
Data Requests Regarding Biological Resources**

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DECLARATION OF SERVICE

I, Judith M. Warmuth, declare that on November 28, 2011, I deposited copies of the aforementioned document and, if applicable, a disc containing the aforementioned document in the United States mail at 500 Capitol Mall, Suite 1600, Sacramento, California 95814, with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

AND/OR

Transmission via electronic mail, personal delivery and first class U.S. mail were 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 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.



Judith M. Warmuth