



Memorandum

To: Commissioner Karen Douglas, Presiding Member
Commissioner Carla Peterman, Associate Member
From: Connie Farmer, Tetra Tech EC, Inc. on behalf of Quail Brush Genco, LLC
Date: April 16, 2012
Subject: Quail Brush Generation Project Status Report (Docket No. 11-AFC-03)

Per the Committee Scheduling Order for the Quail Brush Generation Project (Project), monthly status reports will be prepared to inform the Committee whether or not case development is progressing satisfactorily, and bring potential schedule delays and other relevant matters to the Committee's attention. This status report is the second status report for the Project, and includes a summary of completed Project milestones, upcoming Project deliverables, and potential Project schedule delays since the submittal of the previous status report on March 15, 2012. I have reviewed this status report with Eric Solorio, California Energy Commission (CEC) Project Manager. Eric Solorio will provide the Commissioners with a separate status report from CEC staff.

Quail Brush Completed Project Milestones:

Since the previous status report on March 15, 2012, Quail Brush has met the following Project milestones:

1. The *Revised Second Addendum to the Cluster 1 & 2 Phase II Final Report* was docketed on March 20, 2012.
2. The *CEC SCR Process Conference Call Notes and Responses Prepared in Response to the Technical Staff Conference Call on March 20, 2012* was docketed on March 30, 2012.
3. The *Applicant's Minor Changes to the Quail Brush Power Project Air Quality Emissions and Impact Analysis Electronic Submittal* was docketed on April 3, 2012.
4. The *Applicant's Responses to CEC Traffic Questions Electronic Submittal* was docketed on April 3, 2012.
5. The Applicant's *Data Request Responses to Set 2*, providing responses to Data Requests 59 through 64, was docketed April 6, 2012.
6. On April 6, 2012, APCD's cumulative source list (i.e., the list of appropriate projects from APCD to be included in the cumulative modeling analysis) was delivered to Joe Hughes at CEC in response to Data Request 16.

7. CEC staff biologist, Andrea Martine, has asked for weekly updates on the results of the ongoing biological field surveys. These updates will be provided to Ms. Martine via email, with the first update being provided on April 11, 2012.
8. A CD containing the Health Risk Assessment data sets was provided to Ann Chu at CEC on April 12, 2012 per her request. These data sets were docketed with the original AFC on August 29, 2011.
9. The Applicant's *Data Request Responses to Set 1 Data Requests 22 through 24*, providing responses to Data Requests 22 through 24 was docketed on April 13, 2012 and provided the preliminary nitrogen deposition isopleths plot for the proposed plant site.

Upcoming Project Deliverables:

The following is a list of upcoming Project deliverables, including deliverables due from the Applicant prior to the next status report (May 15) as well as an update on responses to data requests for which Quail Brush has been unable to provide an anticipated response date due to the necessary involvement of other agencies.

- On April 5, 2012, Quail Brush received Staff's Data Requests 65 through 70 (Set 3), responses to which are due May 7, 2012.
- Quail Brush expects to be able to provide Emission Reduction Credits, mitigation information and an updated table of expected emissions in response to Data Request 2 by May 15, 2012.
- Quail Brush expects to be able to provide proposed CEQA mitigation for non-attainment pollutants and precursor emissions in response to Data Request 3 by May 15, 2012.
- Quail Brush anticipates submitting the Quino checkerspot butterfly protocol survey results in response to Data Request 29 by May 15, 2012.
- In response to Data Request 30, Quail Brush anticipates submitting a map depicting locations of host plants for Quino checkerspot butterfly adults and larvae found during the surveys with the surveys results by May 15, 2012.
- Once the cumulative source list (referenced in Milestone #6 above) is finalized, Quail Brush will send it to the APCD for inclusion of the stack and emissions data, and then will begin the cumulative analysis. The cumulative modeling necessary to respond to Data Request 17 will take two to four weeks to complete, at which time Quail Brush will docket the analysis with the CEC.

- The cumulative impact analysis of nitrogen deposition values responding to Data Request 24 will be completed after the cumulative source list (referenced in Milestone #6 above) is finalized and a determination is made with the CEC as to which background sources will need to be included in the cumulative analysis.
- After the cumulative impact analysis in response to Data Request 24 is completed, Quail Brush will be able to provide mitigation strategies for potential nitrogen deposition impacts in response to Data Request 25. Quail Brush will provide the CEC with updates as to timing of this submittal as further information becomes available.
- As described previously in connection with Data Request 27, on March 2, 2012, Quail Brush submitted to the USACE the Draft Waters and Wetlands Technical Report, which concluded that no formal wetland determination is required. Quail Brush will docket the USACE response, when it is received. If deemed necessary by the USACE, Tetra Tech will complete a Determination Package and submit for a formal determination.
- As discussed in #3 below, Quail Brush continues working with the City of San Diego to commence the amendment process. In response to Data Request 38, Quail Brush will provide copies of application materials to the CEC at the time that the application package is submitted to the City.
- As discussed in #2 below, following receipt of the City's approval to proceed with the amendment process, Quail Brush expects to receive the necessary confirmation from the City to respond to Data Request 40 regarding the hydromodification plan.
- To respond to Data Request 58, Quail Brush continues to pursue confirmation of absence or mitigation of any expected impacts on the local fire district. As discussions continue, Quail Brush will provide the CEC with updates regarding timing of submittal of this information.

Potential Project Schedule Delays:

The Committee Scheduling Order for the Project included a request to bring potential schedule delays to the Committee's attention. A list of issues that may result in schedule delays and the rationale for these potential delays is listed below. The first two potential delay issues were included in Applicant's March 15, 2012 status report.

1. Biological resources technical report. The biological resources technical report cannot be docketed until all surveys are completed. The late spring plant survey will initiate in mid-May and field work will be completed the first week of June. A technical conference call with CEC biological resources staff and Tetra Tech biological resources staff was held on March 9, 2012 and this issue was discussed during this call. The conference call

participants agreed that the biological resources technical report submittal date to the CEC will be the end of June.

2. Conceptual hydromodification plan. The CEC staff has requested that Quail Brush submit a conceptual hydromodification plan. It is not possible for Quail Brush to provide a design level hydromodification plan at this time because: (1) input is needed from City staff and Quail Brush has been informed that the City staff cannot fully engage in Project review until the Planning Commission approves the request for initiation of the Community Plan Amendment process; and (2) the Project is still at a conceptual design level and the storm water drainage system can not be completed until the final layout for the power plant is completed. At this time, Cogentrix is revising the plant site grading plan to mitigate visual impacts to the extent practicable, resulting in a change to the drainage concept. The conceptual hydromodification plan cannot be prepared until the grading plan is complete, and therefore the conceptual hydromodification plan will not be ready in the mid-May 2012 timeframe.
3. In the Applicant's *Data Request Responses to Set 1 Data Requests 1 through 58*, it was stated that the hydromodification plan would be complete in mid-May 2012. Coordination with City staff is required before the hydromodification plan can be prepared. Once the City initiates the project so that the amendment process can move forward, the applicant will prepare the plan and submit it to the CEC. This will likely be after the mid-May timeframe.
4. Regarding the City of San Diego Approval Process. CEC staff requested copies of application materials submitted to the City in Data Request 38. As indicated in Applicant's Data Request Responses to Set 1, pursuant to the City's planning process, Quail Brush has only submitted the initiation package to the City. The City does not accept applications until after the City initiates the planning process. During the March 15, 2012 City of San Diego Planning Commission hearing, initiation of the project was continued until April 26, 2012 by the Planning Commission. On April 3, 2012, Quail Brush requested a further 60-day continuance. This request was discussed with Eric Solorio on April 2, 2012.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
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**APPLICATION FOR CERTIFICATION
FOR THE *QUAIL BRUSH GENERATION PROJECT***

DOCKET NO. 11-AFC-03
PROOF OF SERVICE
(Revised 4/12/2012)

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DECLARATION OF SERVICE

I, Constance Farmer, declare that on April 16, 2012, I served and filed a copy of the Cogentrix Quail Brush Generation Project (11-AFC-3) Monthly Status Report. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/quailbrush/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:

- x Served electronically to all e-mail addresses on the Proof of Service list;
- x 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:

- x by sending an electronic copy to the e-mail 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. 11-AFC-3
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512 docket@energy.state.ca.us

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

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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.

Constance C. Farmer