



TETRA TECH EC, INC.

DOCKET

11-AFC-3

DATE MAY 15 2012

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May 15, 2012

Mr. Eric Solorio
California Energy Commission
Docket No. 11-AFC-3
1516 9th St.
Sacramento, CA 95814

Cogentrix Quail Brush Generation Project – Docket Number 11-AFC-3, Applicant's Monthly Status Report for the Quail Brush Power Project

Docket Clerk:

Pursuant to the provisions of Title 20, California Code of Regulation, and on behalf of Quail Brush Genco, LLC, a wholly owned subsidiary of Cogentrix Energy, LLC, Tetra Tech hereby submits the *Applicant's Monthly Status Report* for the Quail Brush Power Project (11-AFC-3). The Quail Brush generation Project is a 100 megawatt natural gas fired electric generation peaking facility to be located in the City of San Diego, California.

If you have any questions regarding this submittal, please contact Rick Neff at (704) 525-3800 or me at (303) 980-3653.

Sincerely,

Constance E. Farmer
Project Manager/Tetra Tech

cc: Lori Ziebart, Cogentrix
John Collins, Cogentrix
Rick Neff, Cogentrix
Proof of Service List



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 *QUAIL BRUSH GENERATION PROJECT***

DOCKET NO. 11-AFC-03
PROOF OF SERVICE
(Revised 5/14/2012)

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DECLARATION OF SERVICE

I, Constance Farmer, declare that on May 15, 2012, I served and filed a copy of the Quail Brush Generation Project Status Report (Docket No. 11-AFC-03), dated May 15, 2012. 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:

- 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 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.ca.gov

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:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
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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



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: May 15, 2012

Subject: Quail Brush Generation Project Monthly 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 third 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 April 16, 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:

Quail Brush has responded to CEC Staff's Data Requests 1-70 (Sets 1, 2 and 3) with the exception of Data Requests 2, 3, 29, 30, 24, 25, 27, 38, 40 and 58. At the April 30, 2012 status conference, Quail Brush provided updated delivery dates for several of these data requests.

With regard to Data Requests 24 and 25, the CEC Staff, San Diego Air Control Pollution District (APCD) and Quail Brush have been able to finalize the cumulative source list (*i.e.*, the list of appropriate projects from the APCD to be included in the cumulative modeling analysis). On May 10, 2012 The *Cumulative Impact Analysis for the Quail Brush Power Project (11-AFC-3)* was docketed. Based on the information provided in this document, Quail Brush's experts believe that there are no cumulative projects to include in such an analysis. Therefore, no further cumulative impacts modeling is required.

Since the previous status report on April 16, 2012, Quail Brush has met the following Project milestones:

1. The *Application for Confidential Supplemental Cultural Resources Report* was docketed on April 26, 2012.
2. The *Applicant's Minor Change to the Method for Calculating the Permit Limits for the Wartsila Power Cycle Engines* was docketed on May 1, 2012.
3. The Applicant's *Data Request Responses to Set 3*, providing responses to Data Requests 65 through 70, was docketed on May 7, 2012.

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4. The *Applicant's Response to Motion to Extend Data Request Period* was docketed on May 8, 2012.
5. The *Cumulative Impact Analysis for the Quail Brush Power Project (11-AFC-3)* was docketed on May 10, 2012. This document provides the response to CEC Data request 17.
6. *Equipment Calibration Sheets for Noise Modeling* for the Quail Brush Generation Project (11-AFC-3) were docketed on May 10, 2012.
7. The *Response to Traffic Questions Regarding Truck Traffic along Sycamore Landfill Road* for the Quail Brush Generation Project (11-AFC-3) was docketed on May 10, 2012.

Upcoming Project Deliverables:

As discussed at the April 30, 2012 status conference, Quail Brush is in the process of modifying the power plant to address public concerns regarding visual impacts. Quail Brush has also had further discussions with San Diego Gas and Electric (SDG&E) regarding the Project gen tie line. Quail Brush is preparing a Supplement 3 to the AFC to describe these changes and the potential resource impacts associated with them. Quail Brush anticipates submitting Supplement 3 to the CEC by June 15, 2012.

Quail Brush will provide timely responses to the following data requests: Dorian Houser's (Intervenor) Data Requests 1 through 27 by June 5, 2012; Kevin Brewster's (Intervenor) Data Requests 1 through 31 by June 11, 2012; Sunset Greens HOA (Intervenor) Data Requests 1 through 52 by June 13, 2012; CEC Staff Data Requests 71 through 74 (Set 4) by June 13, 2012.

As mentioned above, Quail Brush provided updated delivery dates for some of the outstanding CEC Staff Data Requests at the April 30, 2012 status conference. The following is a summary of the 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 and/or third party consultants.

The following is a list of upcoming Project deliverables, including deliverables due from the Applicant prior to the next status report (June 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.

- 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 June 30, 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 June 30, 2012.
- Quail Brush anticipates submitting the Quino checkerspot butterfly protocol survey results in response to Data Request 29 by June 1, 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 survey results by June 1, 2012.
- 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. Pursuant to the list of sources supplied by the San Diego APCD, and the review conducted by the Quail Brush air quality technical staff, no sources were identified that would contribute to a cumulative impact with respect to the Quail Brush Project. As such, no cumulative impact analysis is being prepared at this time. The list of sources, review criteria, and analysis conclusions were provided in the cumulative impact analysis letter docketed on May 10, 2012.
- As noted in Data Request 24 above, there are no cumulative projects identified and no additional cumulative impacts modeling is required. Consequently, the single source analysis was docketed with the CEC on April 13, 2012 in the *Cogentrix Quail Brush Generation Project – Docket Number 11-AFC-3, Data Request Responses to Set 1: Data Requests 22 through 24*. This single source analysis will be used to provide mitigation strategies for potential nitrogen deposition impacts in response to Data Request 25. Due to the site reconfiguration, i.e., power block movement, base elevation change, and lower stack heights that will be described in Supplement 3 to the AFC, the NDEP analysis for QBPP will be revised and re-submitted to the CEC by June 30, 2012. The analysis will be a single source impact analysis, as no cumulative sources were identified for the cumulative analysis. Quail Brush anticipates also providing mitigation strategies by June 30, 2012.
- 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.
- 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. Quail Brush anticipates submitting the application package after the City's Planning Commission hearing that has been continued to June 28, 2012.

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- 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. As discussed at the April 30, 2012 status conference, the City's Planning Commission hearing to consider the amendment process was continued to June 28, 2012.
- 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. The Committee Order on Intervenors' Motion for Extension of Discovery Period dated May 14, 2012 permits all parties in this matter to submit requests for information in compliance with Section 1716(b) and (d) until 60 days from the date Applicant files AFC Supplement No. 3. Quail Brush expects this extension to provide sufficient time to accommodate the schedule delays that have been anticipated in the previous status reports:

- The biological resources technical report, which is anticipated to be submitted at the end of June
- The conceptual hydromodification plan
- The hydromodification plan that satisfies the City's requirements (as described in the CEC Staff's Data Request #40)
- Copies of the application materials submitted to the City of San Diego (as discussed in connection with CEC Staff's Data Request #38), which is anticipated to be completed after the City's Planning Commission hearing on June 28, 2012

Additionally, the Committee's Schedule for the Quail Brush Generation Project, which was dated March 5, 2012, contemplated APCD's issuance of its Preliminary Determination of Compliance (PDOC) on May 11, 2012. As mentioned at the April 30, 2012 status conference, the PDOC is now expected to be completed by the end of June. Quail Brush is providing the following schedule for consideration by the Committee.

cc: Proof of Service List

**Quail Brush Revised Schedule
 May 15, 2012**

Activity	Calendar Day
Status Conference	May 29, 2012
Applicant provides Quino checkerspot butterfly protocol survey results in response to Data Request 29	June 1, 2012
Applicant provides map depicting locations of host plants for Quino checkerspot butterfly adults and larvae found during the surveys in response to Data Request 30	June 1, 2012
Applicant provides responses to Dorian Houser's (Intervenor) Data Requests 1 through 27	June 5, 2012
Applicant provides responses to Kevin Brewster's (Intervenor) Data Requests 1 through 31	June 11, 2012
Applicant provides responses to Sunset Greens HOA (Intervenor) Data Requests 1 through 52	June 13, 2012
Applicant provides responses to CEC Staff Data Requests 71 through 74 (Set 4)	June 13, 2012
Applicant files Supplement 3 to the AFC	June 15, 2012
Status Reports	June 15, 2012
Status Conference	June 25, 2012
Workshop (as necessary)	June 28, 2012
Applicant provides Emission Reduction Credits, mitigation information and an updated table of expected emissions in response to Data Request 2	June 30, 2012
Applicant provides proposed CEQA mitigation for non-attainment pollutants and precursor emissions in response to Data Request 3	June 30, 2012
Workshop (as necessary)	July 26, 2012
Applicant submits Comprehensive Biological Survey(s) Report	July 31, 2012
SDAPCD issues Preliminary Determination of Compliance (PDOC)	July 31, 2012
Status Reports	August 15, 2012
Status Conference (if needed)	TBD
Preliminary Staff Assessment (PSA) filed	September 20, 2012
SDAPCD issues Final Determination of Compliance (FDOC)	September 20, 2012
Preliminary Staff Assessment workshops(s)	September 27, 2012
Public and agency comments on PSA due	October 10, 2012
Final Staff Assessment filed	November 29, 2012
Prehearing conference	TBD
Evidentiary hearings	TBD
Committee files Presiding Member's Proposed Decision (PMPD)	TBD
Hearing on PMPD	TBD
Committee files errata or revised PMPD (if necessary)	TBD
Commission issues final Decision	TBD