



TETRA TECH EC, INC.

<b>DOCKET</b>	
<b>11-AFC-3</b>	
DATE	MAY 31 2012
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May 31, 2012

Siting Committee  
Raoul Renaud, Hearing Officer  
Eric Solorio, Project Manager  
California Energy Commission  
Docket No. 11-AFC-3  
1516 9<sup>th</sup> St.  
Sacramento, CA 95814

**Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-3, Initial Response to Kevin Brewster's Intervenor Data Requests, 1 through 31**

Docket Clerk:

Pursuant to the provisions of Title 20, California Code of Regulations, and on behalf of Quail Brush Genco, LLC, a wholly owned subsidiary of Cogentrix Energy, LLC, Tetra Tech hereby submits the Initial Response to Kevin Brewster's Intervenor Data Requests, 1 through 31. 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.

The topics addressed in this letter include the following:

- Noise
- Air Quality
- Alternatives
- Visual Resources
- Cultural Resources
- Socioeconomics
- Worker Health and Safety

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

TETRA TECH EC, INC.

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 31, 2012, I served and filed a copy of the Quail Brush Generation Project (11-AFC-03) Initial Response to Dorian Houser's Intervenor Data Requests, 1 through 27. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:

[\[http://www.energy.ca.gov/sitingcases/quailbrush/index.html\]](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.state.ca.us](mailto: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:

California Energy Commission  
Michael J. Levy, Chief Counsel  
1516 Ninth Street MS-14  
Sacramento, CA 95814  
[mlevy@energy.state.ca.us](mailto:mlevy@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.





# Quail Brush Genco, LLC

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A Project Company of Cogentrix Energy, LLC

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May 31, 2012

Siting Committee  
Raoul Renaud, Hearing Officer  
Eric Solorio, Project Manager  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, CA 95814

**Re: Quail Brush Generation Project (11-AFC-03): Initial Response to Kevin Brewster's Intervenor Data Requests 1 through 31**

Dear Members of the Siting Committee and Mr. Solorio:

In response to the Kevin Brewster's (Intervenor) Data Requests, 1 through 31, dated May 11, 2012 and pursuant to Section 1716(f) of the CEC's regulations, Quail Brush Generation Project (Quail Brush) objects to data requests 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, and 23. Each of these Data Requests is itemized below along with a description of the grounds for the objection or the reasons for the inability to provide the information, as applicable.

1. Include data samples for the ST5 receptor site between the hours of 12 am and 4 am. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). The applicant has completed sound monitoring at identified sensitive receptors in the vicinity of the project under a protocol approved by the CEC staff. In response to CEC Data Request 65, Quail Brush conducted a continuous ambient noise survey at locations ST-1 and ST-2 from 10:00 P.M. April 17th, 2012 through 6:00 A.M. April 18th, 2012. The survey results were included in the Data Request Responses to Set 3 for the Quail Brush Generation Project dated May 4, 2012 and docketed on May 4, 2012. These additional ambient noise surveys are sufficient for the CEC's analysis. There is no precedence for doing additional nighttime monitoring at ST-5, a non-residential receptor site.

2. Provide data samples for receptor locations ST1 – ST5 that include ambient noise measurements between 12 am and 4 am. Please update table 4.3-10 accordingly. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably

necessary for the CEC to render a decision as required by Section 1716(b). As stated in response to Data Request 1 above, noise surveys have been completed utilizing a monitoring protocol approved by the CEC. In response to CEC Data Request 65, Quail Brush conducted a continuous ambient noise survey at locations ST-1 and ST-2 from 10:00 P.M. April 17th, 2012 through 6:00 A.M. April 18th, 2012. The survey results were included in the Data Request Responses to Set 3 for the Quail Brush Generation Project dated May 4, 2012 and docketed on May 4, 2012. These additional ambient noise surveys are sufficient for the CEC's analysis. There is no precedence for doing additional nighttime monitoring at ST-3, ST-4 and ST-5.

3. Collect noise samples using the same methodology for receptor sites LT1, and ST1-ST5. Samples should include daytime and nighttime samples. Please include sample times between 12pm and 4am for the nighttime (in line with data request 2 above). Please update table 4.3-10 accordingly. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). As stated in response to Data Request 1 above, noise surveys have been completed utilizing a monitoring protocol approved by the CEC. In response to CEC Data Request 65, Quail Brush conducted an additional ambient noise survey April 17th and 18th, 2012. The survey results were included in the Data Request Responses to Set 3 for the Quail Brush Generation Project dated May 4, 2012 and docketed on May 4, 2012. These additional ambient noise surveys are sufficient for the CEC's analysis. There is no precedence for conducting additional weekday and weekend monitoring.

4. Provide modeling of vibration levels at receptor sites LT1 and ST1-ST5 as well as two points a half mile and a mile away. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). Vibration from operations is discussed in 4.3.3.3 Operational Noise Impacts of the AFC docketed on August 25, 2011.

Eliminating low frequency noise is part of the detailed stack design. Exhaust design factors include reducing flow turbulence in the stacks, that is thought to be the primary generation mechanism for low frequency noise in such systems or lining the stacks with acoustic material, to increase transmission loss and reduce transfer of vibrational energy. Both candidate mitigation measures are readily available and proven effective to significantly reduce the potential for low frequency noise issues and airborne vibration. Final mitigation will be incorporated in the engineering design as performance standards, as necessary, to ensure no adverse impacts. Transmission of structure borne noise will be minimized by having the engines flexibly mounted on their concrete foundations and connected to piping and exhaust systems through flexible bellows. As a result, each engine will be isolated from the building, piping, and steel structures. (AFC 4.3-14) There is no equipment proposed for this project during operation with high enough energy (i.e. impact devices) capable of transmitting groundborne vibration to the extended distances as requested as part of this data request. Therefore, resulting groundborne vibrations levels will be below the stated Caltrans Vibration Criteria (AFC 4.3-16).

5. Prepare a chart like table 4.3-10 comparing the attenuated peak noise generated during starting or stopping procedure. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as

required by Section 1716(b). The analysis considered normal facility operations under 100% load. Typically start-up is a non-issue for gas engine technology operating in simple-cycle, as it is akin to simply starting the engine. There is no discernible difference between noise volume at startup versus that of operations, and noise associated with starting and stopping the engines falls within the range of operation at 100% load. A simple-cycle gas engine facility is not like a cogeneration facility in which during startup the exhaust is routed through a bypass that may have steam venting and HRSG blowdown. Also unlike a simple-cycle gas engine facility, a cogeneration facility may result in short term atypical noise events that could require special consideration.

7. Provide the max ppm and SO2 levels between overhauls of the engine as well as a graph of the levels over the time interval between overhauls. With this letter, Quail Brush is providing the max ppm and SO2 levels; however Quail Brush objects to the request for a graph of the max ppm and SO2 levels over the time interval between overhauls as it is not relevant to the proceedings and is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). As noted in the Applicants response to CEC Data Requests #4 and #5, the maximum lube oil consumption rate, per the engine manufacturer, is one (1) gallon per hour per engine. This consumption rate is the value expected at the end of the overhaul period. The lube oil proposed for use is a Group II/III oil with a sulfur content less than or equal to 0.03% by weight. Using this data, coupled with data supplied in the AFC Air Quality Section and the Air Quality Appendices, the maximum hourly SO2 emissions can be calculated. Attachment 1 presents these calculations. The maximum calculated SO2 emissions (fuel SO2 plus lube oil SO2) is approximately 0.061 lbs/hr per engine. The value proposed in the application, which was used for the air quality impact analysis for steady state operations, was 0.256 lbs/hr, or 4.2 times higher than the maximum calculated value. The value of 0.256 lbs SO2/hr was not varied for loads of 50% or 75% per the emissions calculations in Appendix F.1, so these values as well are conservatively high by at least a factor of 4.2. In addition, the preliminary scale down of SO2 emissions for the short term commissioning periods also used values well in excess of the maximum value noted above, which indicates that the commissioning SO2 emissions are also very conservative. Therefore, a graph of the level over the time interval between overhauls is not necessary because the calculations are only for the end of the overhaul period.

With respect to ammonia emissions, the Applicant points out that the proposed emissions limit for ammonia of 10 ppm at 15% O2 is the upper limit that would apply to all operating hours over the course of the overhaul period. Any specific engine, urea system, or catalyst that shows ammonia slip emissions approaching this limit would be immediately subject to a catalyst and system check, and if a problem was found in the engine, catalyst, or the urea (ammonia) system, steps would be taken within the established preventative maintenance system to remedy the problem.

8. Provide a refactored Estimated Maximum Hourly, Daily and Annual Criteria Pollutant Emissions for all Wartsila Engines (including startups and shutdowns) based on 614 startups per year. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). The Russell City Energy Center (West Hayward) referenced in the background of this data request has combustion turbine generators whereas the proposed project would use natural gas-fired reciprocating engines. The start-up data is not comparable between the two projects or between the two engine technologies. The project facility, as proposed and evaluated, is scheduled for a



maximum of 400 startups per year, i.e., 300 cold starts and 100 warm starts. Therefore, emission estimates based upon 614 startups per year is not relevant to these proceedings.

9. Provide a refactored Estimated Maximum Hourly, Daily and Annual Criteria Pollutant Emissions for all Wartsila Engines (including startups and shutdowns) based on the largest number of startups that any Peaker Plant in California during the previous 3 years of operation. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). The largest number of startups for any peaker plant in California over the last three years is not relevant or applicable to the proposed power plant. The number of startups of any peaker power plant will be based on contractual agreements for delivery of power, as well as permit limits. The Quail Brush power plant startup schedule, described in response to Data Request 8 above, has been established based upon the Applicant's analysis of plant operations required to fulfill its power purchase agreement with San Diego Gas and Electric Company. Therefore, consideration of the maximum startups at other peaker facilities in California is not relevant to these proceedings.

10. Update table 4.8-5 from the Public health analysis using the worst case impact of start stop (DQ 10). Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). The public health analysis provided in the AFC uses the worst case impact which is based on maximum hourly controlled emissions calculated from maximum hourly fuel use in all identified plant combustion processes, i.e., power cycle engines and warm start and fuel gas heaters. The evaluated acute health effects for the facility are very low, i.e., 0.0576 at the cancer MIR, and 0.115 at the acute MIR. The public health effects associated with a start-up or shutdown hour for a power cycle engine will be less than worst case because start-up or shutdown typically results in less fuel being burned as compared to a full load steady-state hour. Notwithstanding the foregoing, as a result of the proposed site changes, i.e., power block location, stack configuration, and stack height reductions, the air quality impact analysis is being revised. The updated analyses will incorporate revisions to the health risk analysis. In addition, per the request of the San Diego APCD, the updated health analysis will incorporate five (5) additional acute health impact scenarios addressing emissions during startups and commissioning. The updated analyses will be provided to the APCD and the CEC upon completion.

11. Please provide a complete list of alternative plant sites (section 3.4.17) that were considered in the SDG&E service territory not shown in table 3.4-1, if none were considered, please justify why there were no other suitable sites. Quail Brush objects to this data request for information on alternative sites because it is not reasonably necessary for the CEC to render a decision on the AFC and it is not required under CEQA. Under CEQA and the CEC's regulations, a reasonable range of alternatives to the project, or to the location of the project that would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant effects of the project must be evaluated. (Guidelines § 15126.6(a); see also CEC Regulations Appendix B(f)(1)). As discussed in response to Houser Data Request #1, docketed May 29, 2012, Quail Brush has been unable to identify any alternative sites within SDG&E's territory that are similarly situated in relation to the required infrastructure and that meet the project objectives.

12. Provide a map of the SDG&E service area showing Gas and Power lines of sufficient similar size to the proposed plant locations in the Application. Quail Brush objects to this data request because it seeks information that is not reasonably available and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). A map of the SDG&E service area showing gas and power lines with existing loading and available capacity are not publicly available. However, maps of gas transmission lines are publicly available at: <https://www.npms.phmsa.dot.gov/>, and maps of electric transmission facilities in southern California are publicly available at: [http://www.energy.ca.gov/maps/infrastructure/3P\\_Low.pdf](http://www.energy.ca.gov/maps/infrastructure/3P_Low.pdf). Quail Brush is unable to provide any further information in response to this data request.

13. Include in section 3.5 consideration of Battery storage as an alternative to the Wartsila engines. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). Battery storage is frequently used in the electrical power industry for providing stabilization, backup power and short term bridging of power demands, known as load leveling. Battery storage systems do not directly generate electrical power, unlike the Wartsila engines. The batteries simply store the energy temporarily. The use of batteries to provide an extended duration power supply for a 100 MW power generation project such the Quail Brush Generation Project is not feasible for a number of reasons:

- According to a study prepared for the CEC in November 2011 (CEC 2011) the most commercially mature rechargeable battery is the lead-acid battery. Lead-acid batteries have been studied and used for decades and are commonly used for emergency backup systems. The lead-acid battery lifespan varies with the use, cycle time and temperature.
- Based on the 2011 CEC study, the maximum energy content per unit mass (specific energy) of lead-acid batteries is typically between 20 -30 Watthours per kilogram (of lead-battery). Each 1 mega-Watthour (MWh) of energy to be generated from batteries would require over 6 tons (i.e., 12,000 pounds) of lead-acid batteries to supply the energy output.
- The environmental issues associated with large-scale lead-acid battery manufacturing, transportation, storage and disposal are significant.
- The cost for bulk energy storage using lead-acid batteries was estimated to range between \$425 and \$980 per kWh by the Electric Power Research Institute (EPRI) in 2010.
- Currently the large-scale use of batteries is focused on short term applications, known as bridging power.
- Advanced battery systems using new types of batteries are under development, but are not commercially available at the scale required for this project. In February 2010, the CEC awarded \$2 million for research on a 3-year, 4-MW demonstration project to study a new technology (sodium sulfur) battery system (CEC 2010). This 4-MW project is intended to provide details on the performance of the new battery materials and the economics of a battery system to support an office development that suffers from power outages.

In the future, battery storage may provide a viable means of balancing the energy load during peak hours of demand. However, the technology currently is not sufficiently developed, reliable or cost effective for utility-scale power production on the size of the Quail Brush Generation Project.

15. Add consideration of roof top solar to 3.5.1.10, please include assumption on projected number/size of installations in San Diego and installed storage capacity as it relates to the demand curve. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). AFC Section 3.5.1.10 provides a discussion of solar energy processes and identifies that the power plant is intended to balance the integration of renewable energy projects to the electrical grid, and that solar energy projects do not meet the requirements for a peaking power plant. Power may be required at times when renewable energy projects are not able to produce electricity (cloudy weather, high winds, nighttime, etc.) SDG&E solicited for a specific type and capacity project and technology, which the Quail Brush Generation Project meets.

In addition to the solar energy processes discussed in section 3.5.1.10 of the AFC, roof top solar or distributed generation and storage capacity are not a feasible alternative to the proposed project. Distributed generation involves the development of a large number of geographically distributed small to medium solar PV systems within existing developed area, typically on the rooftops of commercial and industrial facilities. Quail Brush has a power purchase and tolling agreement with San Diego Gas & Electric Company that includes scheduled start dates for delivery of the electricity to be generated by the proposed project and related penalties if those dates are not met. A distributed generation alternative is simply not a reasonable or practical alternative to such a utility-scale facility. Additionally, with the implementation of mitigation, the proposed project does not result in any significant environmental effects. The lack of significant environmental effects necessarily narrows the range of available alternatives offering environmental advantages in comparison with the proposed project. *Mira Mar*, 119 Cal. App. 4th at 490. While there may be sites within SDG&E's territory that would lessen some of the proposed project's less than significant effects, they do not "avoid or substantially reduce" any significant effects. Therefore, evaluating a distributed generation alternative is not necessary or warranted. See response to Data Request 15 above for a discussion of present infeasibility of storage capacity.

16. Update section 3.5.12 removing the erroneous claim of water requirement and including using a number of smaller 20 MW per unit gas turbines. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). Data on small turbines was supplied to the San Diego APCD, CEC, and EPA Region 9 in late October 2011. This submittal discussed in detail the use of smaller turbines, availability of smaller turbines, small turbine heat rates, and BACT issues. The submittal also provided data on the availability of advanced turbine technologies for small turbines, as well as a discussion of why such turbines did not meet the RFO requirements.

Additionally, it appears that Mr. Brewster is referring to AFC Section 3.5.1.2, not Section 3.5.12. The statement in Section 3.5.1.2 regarding water usage is:

*"The air emission control systems for the simple-cycle combustion turbines often use a*

*combination of direct water injection and catalyst systems to reduce the NOx and CO emissions. Thus, use of a simple-cycle turbine could result in increased water consumption and require additional storage and water sources.”*

The above statement is true. It does not claim that water must be used; it notes that it often is used in combination with a catalyst on combustion turbine engines in simple cycle.

17. Update section 3.5.1.12 to include discussion of the ‘Organic Rankine Cycle’. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). The Organic Rankine Cycle is a type of combined cycle technology. Combined cycle technologies were introduced, evaluated and ultimately rejected in the BACT analysis because of that technology’s inability to quickly ramp up to meet demand as needed to meet SDG&E’s dispatch pattern (i.e., not consistent with the project’s objectives). See AFC Appendix F.6.

18. Include NOx control with a lean premix combustion on gas turbines. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). The data request refers to a generation technology (i.e., simple cycle combustion turbine technologies) that was introduced, evaluated and ultimately rejected in the BACT analysis because of that technology’s inability to quickly ramp up to meet demand as needed to meet SDG&E’s dispatch pattern (i.e., not consistent with the project’s objectives); see AFC Appendix F.6. This specific control technology referenced in the question was also introduced, evaluated, and ultimately rejected in the BACT Analysis; see AFC Appendix F.6-1.

19. Relocate viewpoint 7 to be at the peak of North Fortuna. Update photo survey with simulated power point from the updated location. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). As explained in Section 4.5.2.3 of the AFC, viewpoints were chosen based upon desktop review and field survey. During subsequent consultation with CEC staff, Applicant and staff confirmed the viewpoints and chose the Key Observation Point. Viewpoint 7 cannot be relocated because its location is the result of this methodology and consultation. Additionally, as is evidenced on Figure 4.5-1, the project site is not visible from the top of North Fortuna.

20. Due to the popularity and close proximity of Spring Canyon to the proposed power plant, add a Viewpoint at a location with the most exposed view and provide a photo survey with simulated power plant. Quail Brush objects to this data request because it seeks information that is not relevant to the proceeding and that is not reasonably necessary for the CEC to render a decision as required by Section 1716(b). As shown in Figures 4.5-1 and 4.5-2 of the AFC, the project facility is not visible from Spring Canyon north of Highway 52, an area where portions of the popular trails referenced in the background section are located. Further, as described in the response to Data Request 19 above, viewpoints were confirmed in consultation with CEC staff and were deemed adequate for the visual analysis. It is not necessary to prepare additional photo simulations.

21. Include the results of a dig study of the covered area. Quail Brush objects to this data request because it seeks information that the applicant cannot disclose to a general member of the public. The cultural resources investigations conducted on the project to date have been carried out per protocols approved by both the City and the CEC. The results of those undertakings were submitted to the CEC and have been deemed confidential by the CEC. See Gov't Code §6254.10(providing for non-disclosure of archeological site information and reports); Gov't Code §6254(k)(recognizing the confidentiality provisions of federal law); & 16 U.S.C. §470hh (requiring that all types of archeological and cultural resource site locations be kept confidential). Therefore, applicant is unable to provide the requested information and such information should be deemed not reasonably available for production under Section 1716(b).

22. Include an impact analysis on the property values within 2 and 5 miles of the power plant. Quail Brush objects to this data request because it seeks information that is not relevant to the proceedings and is not reasonably necessary for the CEC render a decision as required by Section 1716(b). Under CEQA, economic and social effects that are not related to physical impacts need not be evaluated in an EIR. (14 Cal. Code Regs. § 15131(a); *Gray v. County of Madera*, 167 Cal. App. 4th 1099, 1121 (2008) (upholding an EIR against an economic claim because no evidence supported the assertion that potential reduction in property values of neighboring lands would have physical environmental consequences). Under the CEC's regulations, an AFC must evaluate certain socioeconomic impacts which may be caused by construction and operation of the project, but an evaluation of potential impacts on neighboring property values is not required. (See Appendix B(g)(7)(B)). Specifically, Appendix B requires that an application to include (a) an estimate of the number of workers on a monthly basis, (b) an estimate of the percentage of non-local workers, (c) an estimate of the potential population increase caused by the project, (d) the potential impact of population increase on housing, (e) the potential impacts on utilities and public services, (f) and estimate of applicable school impact fees, (g) an estimate of the total construction payroll, (h) an estimate of the expenditures for locally purchased materials, (i) an estimate of the capital costs of the project, (j) an estimate of the sales taxes, and (k) the expected income and employment effects of the project. Neighboring property values are not a criteria included in CEQA and CEC analysis; therefore, it is not reasonably necessary for Quail Brush to conduct such an analysis.

23. Provide an impact assessment to the San Diego and Santee tax incomes based on the projections of property value reduction. For the reasons set forth in response to Data Request 22 above, Quail Brush objects to this data request.

## References

CEC 2010. Press Release: Energy Commission Awards \$2 Million to PG&E for Battery Storage Research. February 9.

CEC 2011. Public Interest Energy Research (PIER) Program Final Project Report 2020 Strategic Analysis of Energy Storage in California. (CEC- 500-2011-047) November.

Quail Brush will respond to the remainder of Kevin Brewster's (Intervenor) Data Requests, 1 through 31, on June 11, 2012.

I certify under penalty of perjury that the foregoing is true, correct, and complete to the best of my knowledge

Regards,

A handwritten signature in black ink, appearing to read 'C. Richard Neff', written over a horizontal line.

C. Richard Neff  
Vice President