

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

February 22, 2010

Jonathan Sacks, Project Director
Mirant Corporation
1155 Perimeter Center West
Atlanta, GA, 30338**DOCKET****08-AFC-3**

DATE FEB 22 2010

RECD. FEB 22 2010

**RE: MARSH LANDING GENERATING STATION (08-AFC-3), DATA REQUESTS
SET 3b (#99-101)**

Mr. Sacks:

Pursuant to Title 20, California Code of Regulations, Section 1716, the California Energy Commission staff seeks the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

Data Requests Set 3b are issued as a result of project modifications proposed in the Marsh Landing Generating Station Application for Certification (AFC) Supplemental, filed on September 17, 2009. The data requests (#99-101) are for the following technical area: Biological Resources. Applicant's data responses to staff's enclosed data requests are due on or before March 23, 2010, or at such later date as may be mutually agreeable.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, you must send a written notice to both the Committee and me within 20 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time, and the grounds for any objections (see Title 20, California Code of Regulations, Sec.1716 (f)). If you have any questions, please call me at (916) 654-4894 or email me at mike.monasmith@energy.state.ca.us.

Sincerely,

Mike Monasmith
Senior Project Managercc: Docket (08-AFC-3)
Proof of Service ListPROOF OF SERVICE (REVISED 2/17/10) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 02-22-10
TKG

Technical Area: Biological Resources
Author: Heather Blair

BACKGROUND

The Applicant's proposed change to the project design of the Marsh Landing Generating Station (MLGS) would reduce the electrical output of the facility from 930 megawatts (MW) to 760 MW, thereby potentially changing estimated operational emissions of nitrogen oxides (NO_x) and ammonia (NH₃). Therefore, applicant responses to Biological Resources data requests 61, 62, and 63 should be revised to reflect recent revisions to the proposed project. For complete background information on the issue of nitrogen deposition and the need for these data requests, please refer to data requests 61, 62, and 63 (April 2009).

DATA REQUESTS

99. Please provide an analysis of impacts due to total nitrogen deposition from operation of the MLGS. The analysis should specify the amount of total nitrogen deposition in kg/ha/yr at:
 - a. the Sardis Unit and Stamms Unit of the Antioch Dunes National Wildlife Refuge;
 - b. the freshwater/brackish marsh habitat north of the project area along the San Joaquin River shoreline; and,
 - c. all other "Areas of Concern" (B through R) as illustrated in AFC Figure 7.2-1.
100. Please provide an isopleth graphic over USGS 7.5-minute map(s) (or equally detailed map) of the direct nitrogen deposition rates caused by the project that graphically depicts the results.
101. Please update the cumulative impact analysis (Tables 9-1 and 9-2) in responses to Data Request Set #1 – data request 9 – with nitrogen deposition values in kg/ha/yr. Provide an isopleth graphic over USGS 7.5-minute map(s) (or equally detailed map) of the direct nitrogen deposition values in the cumulative analysis.



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 MARSH LANDING
GENERATING STATION**

Docket No. 08-AFC-3

PROOF OF SERVICE
(Revised 2/17/2010)

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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on January 22, 2010, I served and filed copies of the attached (08-AFC-3) CEC Data Requests Set 3b (#99-101). The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[<http://www.energy.ca.gov/sitingcases/marshlanding/index.html>]**. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (**preferred method**);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-3
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original Signature in Dockets
Teraja` Golston