CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512

December 10, 2008

DOCKET
08-AFC-9
DATE DEC 10 2008
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Mr. Tony Penna
Inland Energy, Inc.
3501 Jamboree Road
South Tower, Suite 606
Newport Beach, CA 92660

RE: PALMDALE HYBRID POWER PROJECT (08-AFC-9)
DATA REQUEST SET 1 (#s 1-88)

Dear Mr. Penna:

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.

This set of data requests (#s 1-88) is being made in the areas of Biological Resources (#s 1-17), Cultural Resources (#s 18-25), Geology and Paleontology (#26), Hazardous Materials (#27), Land Use (#s 28-49), Soil and Water Resources (#s 50-66), Socioeconomics (#s 67-72),Transmission System Engineering (#s 73-79), Visual Resources (#80), Waste Management (#s 81-87) and Worker Safety (#88). Written responses to the enclosed data requests are due to the Energy Commission staff on or before January 12, 2009, or at such later date as may be mutually agreeable. With respect to Data Request #s 1 and 17, we realize that the timing of the response will need to coincide with the completion of associated Biological Resource surveys during spring or summer 2009.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please 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, and the grounds for any objections (see Title 20, California Code of Regulations, Section 1716 (f)).

If you have any questions, please call me at (916) 654-4679 or email me at jkessler@energy.state.ca.us.

Sincerely,

John S. Kessler
Project Manager

Enclosure
cc: Docket (08-AFC-9) and POS

PROOF OF SERVICE (REVISED 8/4/08) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 12/10/08
HA

Technical Area: Biological Resources
Author: Joy Nishida

BACKGROUND

AFC Section 5.3.2.4 page 5.3-9, states 3.75 miles of right-of-way (ROW) were not surveyed for biological resources along a portion of Segment 1 of the transmission line route. Even though species composition for that segment may be very similar to surveyed areas, staff needs the information on the focused surveys for special-status plant and wildlife species to complete its analysis.

DATA REQUEST

1. Please conduct and provide the results of the upcoming 2009 special-status species surveys for sensitive biological resources during the appropriate season(s) along the Section 1 transmission line ROW which were not surveyed prior to filing the AFC.

BACKGROUND

AFC Section 5.7.2 page 42, states that four plant species, golden cholla (*Cylindropuntia echinocarpa*), beavertail cactus (*Opuntia basilaris*), California juniper (*Juniperus californica*), and Joshua tree (*Yucca brevifolia*) occur on the project site (power plant site and construction laydown area) and/or along the linear facilities (transmission line, reclaimed water pipeline, natural gas supply pipeline, and sanitary wastewater pipeline). These species are protected under the City of Palmdale Native Desert Vegetation Ordinance and California Desert Native Plant Act and are to be surveyed and mapped in areas of disturbance. Section 5.3.1.3 page 5.3-6 states that the City of Palmdale Native Desert Vegetation Ordinance also requires development of a desert vegetation preservation plan. This plan involves preparing an inventory and evaluation of the Joshua trees and junipers on a site that identifies the specimens that can be saved or relocated, a landscaping plan showing the proposed locations of Joshua trees and junipers that will remain on the site, and a long-term maintenance program for the desert vegetation that will remain onsite. Staff needs this information to complete its analysis.

DATA REQUESTS

2. Please provide the field survey results and maps from the project site and along the linear facilities showing the locations of the four plant species protected under the City of Palmdale Native Desert Vegetation Ordinance and California Desert Native Plant Act.

3. Please provide a draft of the desert vegetation preservation plan as required by the City of Palmdale Native Desert Vegetation Ordinance. Also, please provide any correspondence that the City staff provided as guidance regarding what would need to be included in a desert vegetation preservation plan.

BACKGROUND

Attachment 3 in Appendix H of the AFC includes the Preliminary Determination of Jurisdictional Waters of the United States and Waters of the State of California in the July 2008 Final Biological Resources Technical Report. Depending on the determination, the U. S. Army Corps of Engineers (USACE) may have jurisdiction over the project with respect to some of the surface water features on the site. Waters of the U.S. and the State were identified "based on assessments of available background information, discussions with the regulatory community, and interpretation of aerial photography in reference to the proposed Project area" (in Attachment 3, page 4, Section 2.0 Methods). In "Response to CEC Staff Data Adequacy Comments" regarding BIO-5 Appendix B (g)(13)(D)(iii), Figures 1–18, aerial interpreted preliminary wetland delineation results were provided which appear to overlook some ephemeral waterways. During a September 17, 2008, conference call, it was agreed that ground-truthing would be conducted by the applicant to verify the locations of the aerial interpreted potential jurisdictional waters illustrated on Figures 1-18. Staff needs information to complete its analysis.

DATA REQUESTS

4. Please verify the aerial interpreted preliminary wetland delineation results and provide the results from the ground-truthing exercise with the tower locations and access/spur roads superimposed on the figures. Show the wetland delineation maps at a scale of 1 inch equals 200 feet.

5. Please provide the final determination from the U. S. Army Corps of Engineers (USACE) regarding whether or not jurisdiction will be asserted. Should the USACE assert jurisdiction, please explain the project-specific circumstances that would necessitate substantial temporary or permanent impacts to jurisdictional waters.

6. Please contact California Department of Fish and Game (CDFG) and provide a record of correspondence regarding the need to complete a Streambed Alteration Agreement. Should a Streambed Alteration Agreement be needed, please explain the project-specific circumstances that would necessitate substantial temporary or permanent impacts to jurisdictional waters of the State. Also provide the CDFG mitigation for the Streambed Alteration Agreement, if appropriate.

7. Please provide the anticipated schedule of USACE and Regional Water Quality Control Board (RWQCB) permitting for (and verification of) jurisdictional waters, and expected mitigation measures likely to be included in USACE and RWQCB permits, if appropriate.

BACKGROUND

AFC Section 2.0 project description lacks a detailed description of access roads and fencing along the project site and linear facilities as they relate to biological resources. Additional information is needed for staff to analyze potential impacts and possible

mitigation measures because project-related traffic could increase the likelihood of desert tortoise injuries/fatalities.

DATA REQUESTS

8. Please provide the following:

    a. A map or detailed description of the location of proposed tortoise-exclusion fencing; and

    b. An explanation as to whether the fences will be permanent or temporary, and how (or why not) USFWS exclusionary fence recommendations will be employed.

9. Please provide an analysis of the biological resource impacts expected to occur during construction of new access/spur roads for the linear facilities that are proposed for the project and what type of exclusionary fencing (permanent or temporary) will be deployed.

BACKGROUND

Raven populations are known to prey upon desert tortoise and other wildlife species. However, these are migratory species, which are state and federally protected by the Migratory Bird Treaty Act. Mitigation Measure BIO-10 in AFC Section 5.3.4 page 5.3-51, states “The Project owner is supportive of funding a monitoring program to document potential nesting ravens. The details of the funding mechanism and monitoring will be coordinated with the USFWS, CDFG, and CEC prior to initiation of the Project.” Staff needs more details on the monitoring program, a proposed plan of action if raven populations prove to be increasing and posing a threat to desert tortoise and other wildlife, and a commitment to mitigation beyond supporting the funding of a monitoring program. This monitoring/control plan needs to be consistent with the plan recently adopted by USFWS to reduce common raven predation on the desert tortoise (USFWS 2008 - Final Environmental Assessment to Implement a Desert Tortoise Recovery Plan Task: Reduce Common Raven Predation on the Desert Tortoise).

DATA REQUEST

10. Please provide a detailed raven monitoring and control plan that discusses:

    - how the monitoring and control plan will be coordinated with CDFG and USFWS;
    - area covered by the plan;
    - use of perch-deterrent devices and locations of their installation;
    - measures that might reduce raven presence and nesting activities (e.g., removing food items, garbage, and access to water);
    - a monitoring plan, including discussion of survey methods and frequency for establishing baseline data on pre-project raven numbers and activities,

assessing post-project changes from this baseline, and the funding mechanism for the monitoring plan;

- remedial actions that would be employed (e.g., nest removal) if raven predation of juvenile desert tortoise and other wildlife is detected; and
- the circumstances that would trigger the implementation of remedial actions.

BACKGROUND

AFC Section 3.0 addresses closure of the project following the cessation of facility operations and states that the decommissioning plan will address the "Activities necessary for site restoration, if removal of all equipment and appurtenances is needed". The decommissioning plan will also address "decommissioning alternatives other than full site restoration". Permanent closure is an issue of concern regarding biological resources due to the permanent impact to what were originally a large and relatively undisturbed habitat area as well as the potential threats posed by abandoned equipment and hazardous materials. Staff needs general information on closure as it relates to biological resources to complete its analysis.

DATA REQUESTS

11. Please describe the likely components of a facility closure plan (e.g., decommissioning methods, timing of any proposed restoration, restoration performance criteria) and discuss each relative to biological resources and specifically species of concern such as desert tortoise.
12. Please describe the potential funding (e.g., a bond) and/or legal mechanisms for decommissioning and restoration of the project site that could be used at the end of operations.
13. Please describe the potential funding and/or legal mechanisms for decommissioning and restoration of the project site that could be used in the event of bankruptcy or the untimely closure for financial reasons.
14. Provide a discussion of closure requirements of the County of Los Angeles, City of Palmdale, USFWS, CDFG, and any other agency that may have facility closure requirements.

BACKGROUND

AFC Section 5.7.7 on page 53 of Appendix H identified Mojave Riparian Forest and Southern Riparian Scrub plant communities as occurring on the project site. Figure 6-S in Section 10 of Appendix H identifies the Mojave Riparian Forest on the project site, but the Southern Riparian Scrub was not identified on any habitat communities figures.

DATA REQUEST

15. Please provide an updated map or aerial photograph for Figure 6 at a suitable scale that identifies the location of the Southern Riparian Scrub plant community.

BACKGROUND

The proposed mitigation measures discussed in Section 7.0 of the July 2008 Final Biological Resources Technical Report differ from the mitigation measures proposed in AFC Section 5.3.4.

DATA REQUEST

16. Please clarify which list is currently proposed or provide a complete list of mitigation measures that the project applicant intends to implement.

BACKGROUND

Swainson's hawks (*Buteo swainsoni*) are California state-listed as threatened and are considered a bird of conservation concern with the USFWS. There are between 700 and 1,000 nesting pairs estimated in the state. According to Dick Anderson, CDFG's investigator for the California Swainson's Hawk Inventory and lead in the CDFG's 2005-2006 Swainson's hawk survey, two nesting pairs are known from the Antelope Valley. Though this species tend to nest in available adjacent trees near agricultural fields, they are also known to nest in Joshua trees.

DATA REQUEST

17. Please provide Swainson's hawk nesting survey results for the area within 1 mile of the project site and within ½ mile of the linear facilities during the appropriate nesting season (mid-March through July).

Technical Area: Cultural Resources
Author: Beverly E. Bastian

BACKGROUND

In the AFC's Cultural Resources section, the City of Palmdale's (City's) cultural resources consultant states that a number of historic maps were consulted to identify potential cultural resources in the vicinity of the PHPP. These included USGS 15-minute topographic quadrangle "Alpine Butte, CA" (1945), USGS 15-minute topographic quadrangle "Lancaster, CA" (1933 and 1958), USGS 15-minute topographic quadrangle "Tujunga, CA" (1900), USGS 15-minute topographic quadrangle "Tujunga, CA" (1944), and USGS 30-minute topographic quadrangle "Elizabeth Lake, CA" (1941) (p. 5.4-20). To conduct an independent assessment of the information provided by the applicant, staff needs to review these maps to clarify dating and location data for some of the cultural resources identified.

DATA REQUEST

18. Please provide color copies of all available historic USGS topographic maps that cover the entire project area. Copies reduced in size are acceptable, as long as printed information on the maps is legible.

BACKGROUND

It appears that the 11.9-mile-long Segment 2 of the proposed Palmdale interconnection 230-kV transmission line generation tie (gen-tie) would replace an existing 230-kV transmission line (not named in the AFC but labeled as the "existing feed" between the Pearblossom Substation and the Vincent Substation on replacement Fig. 2-10, "Plant & Interconnection One-Line Electrical," September, 2008). This replacement is also depicted in the before and after simulations provided as AFC Figs. 2.13a and 2.13b. In the "real" photograph, the existing 230-kV transmission line consists of what appears to be dual wooden poles connected by cross-braces and topped by a cross-arm from which the three conductors are suspended. From the simulation of the project's proposed replacement 230-kV transmission line, the new supports would be steel monopoles with three cross-arms holding the three conductors of the replaced line and the three new conductors of the proposed line.

Neither the AFC nor the Built-Environment Technical Report provided any information on the unnamed existing 230-kV transmission line, but if the line is 45 years old or older, it could qualify for listing on the California Register of Historical Resources (CRHR). If the line were a potentially CRHR-eligible cultural resource, its replacement by the project's new transmission line would be a significant impact that would require mitigation.

Additionally, the unnamed 230-kV transmission line that the project's proposed gen-tie would replace is one of at least two older transmission lines in the same corridor. These older lines are supported on steel lattice towers (AFC Figs. 2.13a and 2.13b). If either or both of these other lines is 45 years of age or older, it/they could also qualify for CRHR

listing, and the addition of the project's proposed gen-tie could impact the older lines' integrity of setting by introducing an incompatible design element—steel monopoles. The proposed project would also entail modifications at the Vincent Substation (AFC, App. F, p. 2-32). Staff needs additional information on this facility to determine whether it could be eligible for CRHR listing and whether the proposed modifications at the substation would be significant impacts.

To complete its inventory of cultural resources that would be subject to impacts from the proposed project, staff needs more information on the unnamed 230-kV transmission line that the project's proposed gen-tie would replace, on the other two older transmission lines in the same corridor as the project's proposed gen-tie, and on the Vincent Substation.

DATA REQUEST

19. If the Vincent Substation and/or the existing transmission lines in the project's Segment 2 corridor are 45 years of age or older, please have an architectural historian, who meets the Secretary of the Interior's standards for architectural history, complete DPR 523 "Primary" and "Building, Structure, and Object" forms for them and prepare a discussion of their history, focusing on the their role in the development of the California ISO grid, the changing sources of the power they have transmitted, and the communities they have served over time. Please have the discussion cover the technological and engineering innovations (if any) of the substation and lines and any association with persons or developments important in state or local history. In addition, the discussion should include a recommendation of a potential period of significance for each resource and an evaluation of the integrity of each. Please provide this discussion and the architectural historian's resume to staff.

BACKGROUND

In the confidential Cultural Resources Technical Report (WSA July, 2008) for the proposed PHPP, a map showing the locations of known and newly discovered cultural resources is provided as Attachment 7, which in its ten parts covers the plant site, the laydown areas, and the linear facilities routes, including a 35.6-mile-long transmission line for interconnecting the PHPP to the California ISO grid at the Vincent Substation. The tower locations and pull sites for the proposed transmission line are not shown on this or any other map series depicting the locations of cultural resources. The construction of towers and temporary use of pull sites along this transmission line could potentially impact archaeological sites located where these features would be installed and used. Staff needs to compare the locations of the proposed project's towers and pull sites relative to the locations of known archaeological sites (prehistoric and historic-period) to identify potential impacts to potentially significant resources.

Similarly, the Revised Built Environment Technical Report (WSA, September, 2008) included Figure 5, in six parts, showing the locations of known and newly discovered built-environment resources on the plant site, the laydown areas, and the linear facilities routes. Again, the tower locations and pull sites for the proposed 35.6-mile-long

transmission line are not shown on this map series. The placement of towers along this transmission line could potentially affect the integrity of setting of potentially significant built-environment resources. Consequently, staff needs to compare the locations of the proposed project's towers relative to the locations of known built-environment resources to identify potential impacts to potentially significant resources.

DATA REQUESTS

20. Please submit a new confidential Attachment 7 which adds the tower locations and the pull site locations for the proposed transmission line to the plotted locations of known and newly identified cultural resources.

21. Please submit a new non-confidential Figure 5 which adds the tower locations and the pull site locations for the proposed transmission line to the plotted locations of known and newly identified built-environment resources.

BACKGROUND

The City's cultural resources consultant states in the Cultural Resources section of the AFC (WSA July, 2008) that the Mojave Desert, and particularly the Antelope Valley, where the proposed project would be located, "supported a long and occasionally dense human population," despite the perception that prehistoric food resources and surface water were limited there. Known archaeological site types in the Mojave include villages, camps, burials, quarries, rock features, and bedrock mortars (p. 5.4-9).

Archaeological analysis of grave goods indicates that during a period lasting from 1,800 to 900 years ago, the Antelope Valley was distinct from the rest of the Mojave Desert in having differential wealth distribution, suggestive of social complexity expressed through a status system. In the same period, large villages were present in the Antelope Valley. Archaeologists think these distinctions were the result of the Valley inhabitants' achieving greater wealth and the ability to support a larger population through participation in a trade network as "middle men" between coastal and interior groups (p. 5.4-11).

Yet the prehistoric sites identified in and within the vicinity of all the proposed PHPP areas, both previously and currently by the City's cultural resources consultant, were few in number. This could be the result of prehistoric materials being buried by the ongoing natural deposition of silt, sand, and gravel which has characterized the last nearly 2,000,000 years in this region (AFC, pp. 5.9-9–5.9-10). While it is only in the last 12,000 years that man-made deposits could possibly be buried by this long and continuing geological process, the geological strata called the Younger Alluvium (representing the Holocene Epoch, dating 10,000 years BP to the present) occurs from the surface down to six feet deep in most parts of the proposed PHPP's impact areas (AFC, p. 5.9-11) and could be masking man-made deposits.

The City's cultural resources consultant acknowledges that buried archaeological sites could be discovered during construction in the various project impact areas (WSA July,

2007, p. iii) and considers this possibility in proposing mitigation measures for project impacts (AFC, pp. 5.4-37–38).

Staff needs a more information on which to assess the potential presence and locations of buried archaeological sites in the proposed project area and to gauge whether the construction and operation of the proposed project could impact them. Staff requests that the applicant provide a geoarchaeological analysis of the project area. By ascertaining the presence or absence of subsurface strata on which prehistoric Native Americans could have left remains of their activities, such an analysis could allow staff to either reduce the amount of archaeological monitoring that staff recommends in the conditions of certification for the project or focus the recommended monitoring more efficiently and cost effectively than would otherwise be possible.

The applicant may choose one of two ways to conduct the requested geoarchaeological study. The first option (first data request, below) is to compile extant geological and archaeological data and provide staff with information regarding the landforms on which PHPP components would be located and a summary of geologists' and archaeologists' understanding of the prehistoric use of the project area. The second option is to conduct a field investigation (last three data requests, below).

While the first option could result in the applicant supplying the data staff needs and may be less expensive than a field investigation, staff does not know whether sufficient published data are extant to develop an adequate assessment of the likelihood of buried archaeological deposits in the proposed project area. If such data are not extant, if the applicant cannot develop a factual assessment of the likelihood of buried archaeological deposits that is of a fine enough resolution to meaningfully address the scale of the project area, then the field investigation (the second option) would still be necessary and would incorporate the information gathered under the first option.

DATA REQUESTS

Option One:

22. Please review the extant literatures for archaeology, geoarchaeology, and Quaternary science and provide, under confidential cover, an assessment of what is currently known about the incidence of buried archaeological deposits in the portion of Antelope Valley that includes the proposed project area. Staff suggests materials pertinent to the archaeology of Antelope Valley are held at the cultural resources records and curation facility at Edwards Air Force Base and recommends that these materials be accessed and relevant information from them be incorporated into the requested assessment. The primary emphasis of the assessment should be the present state of knowledge of the landscape contexts for archaeological resources that are characteristically found in the portion of Antelope Valley that includes the proposed project area and on the landform or landforms traversed by the western part of Segment 2 of the proposed transmission line. The fewer archaeological data available, the more emphasis should be given to the historical geomorphology of the project area to provide a more substantive context for interpreting the possible presence of

buried archaeological deposits. Where the data are available, please emphasize the kinds of buried archaeological deposits that have been found, the stratigraphy in, above, and below the deposits, and the depths at which the archaeological deposits in the area typically occur.

Option Two:

23. Please have a qualified geoarchaeologist (meets the U.S. Secretary of Interior's Professional Qualifications Standards for prehistoric archaeologist and able to demonstrate the completion of graduate-level coursework in geoarchaeology) research the project area and, using information gathered under Option 1, propose a research design to:

    - Map the landforms in the project area;
    - Sample the landforms for those areas of the site where project excavations would extend deep (> one meter) into native soils that presently compose the surface of the project area, and where project excavations would extend any depth into native soils;
    - Acquire data to determine the precise physical character and ages of the various sedimentary deposits and paleosols that may lie beneath the surface of the landforms in the project area to the proposed maximum depth of excavation for the proposed project, and;
    - Provide an interpretation of the geoarchaeological field data assessing the likelihood and the potential distribution of buried archaeological deposits in those portions of the proposed project area that would be subject to deep ground disturbance, and the probable age ranges and deposit types that may be present.

24. Please submit the resume (including copies of graduate course transcripts) of the geoarchaeologist and the research design to staff for review and approval.

25. When a geoarchaeological research design for the proposed site has been approved by staff, please have the author of the research design conduct the approved testing and submit a report to staff.

Technical Area: Geology and Paleontology
Author: Dal Hunter, Ph.D., C.E.G.

BACKGROUND

The geologic hazards section (Section 5.5) and the project geotechnical report (Kleinfelder, 2008) indicate the site is subject to hydrocompactable soils to a depth of 26 feet. These soils would be prone to collapse if saturated after the site has been graded and the plant constructed. Kleinfelder performed 11 consolidation tests to measure hydrocollapse potential from samples between 6 and 26 feet deep, with samples collapsing 1.7 to 6 percent upon wetting.

The proposed mitigation recommended for the project is over-excavation of 3 to 5 feet. Given that soils are measured to have moderate to high collapse potential to depths of at least 11 feet under the power block and to 26 feet under portions of the solar collector area, this mitigation does not appear to be sufficient to protect settlement-critical portions of the plant from hydrocompaction. Additionally, infiltration basins are planned to mitigate surface storm water discharge along the west and north sides of the power plant block, and along the north edge of the overall plant adjacent to East M Avenue. Soils are near-horizontally layered, so any water that infiltrates will have a tendency to spread laterally before infiltrating vertically, and may saturate soils under adjacent portions of the plant.

DATA REQUEST

26. Please provide further evaluation and/or recommendations for mitigation of hydrocompaction and verify that calculated hydrocollapse settlements (potentially in combination with previous elastic settlements under initial construction) do not exceed tolerances for the proposed facilities. A summary of typical layering and settlement potential from each layer, after mitigation, would be appropriate.

Technical Area: Hazardous Materials Management
Author: Dr. Alvin Greenberg

BACKGROUND

The table of hazardous materials for this project (Table 5.6-3) only lists materials that will be stored in volumes in excess of 55 gallons for liquids, 500 pounds for solids, and 200 cubic feet for compressed gases (section 5.6.3.3). Also, the AFC states that the "boiler water treatment chemicals have not yet been selected" and thus Table 5.6-3 provides only examples of what these chemicals might be. This table is incomplete in that it does not list CAS numbers or reportable quantities. If the project is certified by the Commission, the project owner will be limited to using only those hazardous materials, strengths, and amounts listed on this table. Therefore, staff needs the specific identity, amount, strength, and CAS number of all hazardous materials proposed for use.

DATA REQUESTS

27. Please provide the identity, amount, concentration (if a liquid), proposed use, location of use and storage, CAS number, toxicity, fire hazard (if any), and reportable quantity (if listed as such by any federal or California regulation) of **any** hazardous material that is proposed for use or storage at the proposed power plant.

Technical Area: Land Use
Author: Negar Vahidi

INTRODUCTION

As described in the Palmdale Hybrid Power Plant (PHPP) AFC Section 1.1 (Project Overview) on page 1-2, the "*Project owner and Applicant submitting this Application for Certification (AFC) is the City of Palmdale*." According to AFC Section 2.0 (Project Description) on page 2-1, the City of Palmdale proposes to construct, own and operate the PHPP on an approximately 377-acre site in the northern portions of the city. As stated on page 5.7-1 in AFC Section 5.7 (Land Use), *"[t]he City of Palmdale has land use jurisdiction over the entire plant site and most of the linear facilities routes, except for portions of the transmission line route and reclaimed water pipeline that are in unincorporated areas of Los Angeles County."*

BACKGROUND

On page 5.7-21 (Section 5.7.3.2-Operations Phase Impacts), the AFC states:

> As the current plant site is zoned and designated for commercial, light industrial, business park, recreational and airport related uses under the Specific Plan, the proposed Project would not be consistent with the existing Zoning and General Plan land use designations. However, according to City of Palmdale Planning Department staff, a General Plan amendment from Specific Plan to Industrial and a zoning change from Specific Plan to M-2 General Industrial are anticipated at the end of 2008/early 2009 (Kite, July 2008). This process starts with a public hearing with the Planning Commission, which would make a recommendation to the City Council for approval. A public hearing would be held by the City Council in which the General Plan Amendment would be approved by resolution. A second reading (*hearing?*) would occur for the Zoning change and the ordinance change would take into effect 30 days after the reading (*hearing?*). Utility facilities excluding major communications facilities is a land use type subject to site plan review under the Zoning Ordinance for areas zoned M-2. With the General Plan and zoning changes discussed above, the PHPP would be consistent with the City's land use plans.

Further, the applicant (i.e., the City of Palmdale) has recommended mitigation measure **LAND-1** to *"ensure that land use impacts are less than significant*." **LAND-1** reads as follows:

LAND-1 The City of Palmdale will process a General Plan Amendment and as well as Zoning changes to Industrial and M-2 General Industrial, respectively (please note that this is anticipated by City of Palmdale staff to occur prior to completion of the CEC licensing process).

DATA REQUEST

28. Given that the information provided in the AFC is from July 2008, and that early 2009 is approaching, please provide information regarding the current status of the City's General Plan Amendment and zone change for the proposed PHPP project site. Please advise when the General Plan Amendment and zone change process for the PHPP project site will be completed.

29. Given the upcoming expected General Plan Amendment and zone change for the proposed PHPP project site, Energy Commission staff assumes that the City is conducting CEQA analysis to determine the impacts of the General Plan Amendment and zone change process. If so, please provide the results of the city's CEQA analysis for its General Plan Amendment and zone change.

30. Please provide specific details regarding the city's findings associated with the recommendation to approve the General Plan Amendment and zone change for the project site.

BACKGROUND

AFC Section 5.7 (Land Use) provides information on applicable laws, ordinances, regulations and standards (LORS) documents. Information is provided regarding City of Palmdale documents applicable to the PHPP. However, although some general plan policies are presented and some zoning code sections are referenced, there is no specific information as to the specific policies and zoning code sections applicable to the PHPP. In addition, although there is a general statement that the PHPP is not currently consistent with the project site's general plan and zoning designations, there is no information regarding the several miles of project linear facilities. Given that the PHPP's linear facilities traverse several different general plan and zoning designations in the City of Palmdale, Energy Commission staff would appreciate input from the City regarding the City's interpretation of its own policy guidance documents.

DATA REQUEST

31. For each specific land use and zoning designation traversed by the proposed project linear facilities as described in AFC Tables 5.7-2b and 5.7-3b, please provide the applicable General Plan policies and zoning code section and the city's consistency determination of the particular project component with each of those policies and zoning requirements, and justification for consistency. For an example of this type of LORS consistency analysis, please refer to the Land Use section of any of the recently published Energy Commission Staff Assessments.

32. Please provide the conditions the city would impose if it were the permitting agency (but for the exclusive authority of the Energy Commission), in order to ensure the project's consistency with the city's applicable LORS.

BACKGROUND

Although AFC Figure 5.7-5 (Important Farmland in the Vicinity of the Project and Linear Facilities) illustrates the PHPP's location with respect to Important Farmlands, the scale (1 inch = 2 miles) of Figure 5.7-5 makes it difficult to discern affected designated lands.

DATA REQUEST

33. Please provide Figure 5.7-5 at an easily legible scale (e.g., 1 inch = ½ mile).

34. Please provide the exact source (including year of data) for Figure 5.7-5.

35. Please discuss whether any of the lands affected by the PHPP (including linear facilities) are under a Williamson Act Contract. If so, provide the exact location and amount of land (in acres) that would be disturbed.

BACKGROUND

AFC Section 5.7.1.2 (State LORS) on page 5.7-4 states*, "…the City of Palmdale has reviewed the Project with the Air Force and the Air Force is satisfied with the location of the PHPP plant site, solar arrays, and linear facilities."*

DATA REQUEST

36. Please provide written documentation of the Air Force's satisfaction with the PHPP plant site, solar arrays, and linear facilities.

BACKGROUND

AFC Section 5.7.1.5 (Required Permits and Permit Schedule) on page 5.7-17 states*, "[City of] Palmdale land use related approvals for the Project would include processing a tentative and final Parcel Map to consolidate the separate parcels within the plant site and the solar arrays into a single legal lot."* Table 5.7-9 indicates that the merging of the project site parcels would occur prior to construction.

37. Please provide detailed information on when the applicant (i.e., the city) expects to initiate the parcel merger process for the 61 (shown in AFC Table 2-1) currently separate project site parcels.

38. Please provide detailed information regarding the city's procedures as they would apply to the PHPP project site for processing the Parcel Map and completion of parcel consolidation.

BACKGROUND

AFC Section 2.5.1 (Transmission Line Construction) on page 2-33 states:

> The PHPP transmission line will be approximately 35.6 miles long and consist of two segments. Segment 1 begins on the PHPP onsite switchyard and extends approximately 23.7 miles through new and existing ROWs to SCE's existing

Pearblossom Substation and will involve stringing conductors on new steel poles. Average pole spacing will be approximately 750 feet; pole heights will range from 100 feet to 135 feet. Segment 2 will be approximately 11.9 miles long and the conductors will be strung on new steel poles in the existing SCE ROW between Pearblossom and the Vincent Substation.

Road Work: As needed, dirt roads will be cleared for access along the transmission line route to provide access to the pole and tower locations. It is assumed that stub roads (average dimensions 50 feet long by 14 feet wide) will be needed for all of the new poles in Segment 1.

Foundations: It is expected that the total area of disturbance at each location for all transmission line installation activities will average 200 feet by 200 feet.
Pulling Sites: Pull sites will be required at a number of locations along both Segments 1 and 2. Most sites will be on existing access roads or access roads that will be installed as part of the transmission line installation.

DATA REQUEST

The following information is needed to calculate the land disturbance impacts of the proposed transmission line:

39. Please specify which portions (specify distance and locations) of the 23.7-mile Segment 1 require new transmission line right-of-way, and which portions are within existing rights-of-way. This is especially important given that each new pole along new right-of-way areas would need a stub road.

40. Please specify whether, or not, each stub road will remain in place permanently for access to the transmission line during operations and maintenance activities for the line. If not, please specify the number, location, and size (in width and length) of maintenance access roads for the transmission line.

41. For the portions of Segment 1 that would be sited within existing rights-of-way, please specify what types of existing right-of-way would be used where these portions would be located.

    a. For example, discuss whether these existing rights-of-way would be in public roadways, other existing utility corridors, etc.

    b. Discuss whether there is sufficient room (i.e., width) within these existing rights-of-way to site the proposed 230 kV transmission line.

42. Given that new right-of-way would be needed for portions of Segment 1, please specify the width of the right-of-way required for the proposed 230 kV transmission line in both urban and rural lands being traversed. Note that transmission line right-of-way width requirements are different (i.e., greater) in urbanized areas due to the potential for development in close proximity to high voltage lines.

43. Would the 200 X 200 feet of disturbance for each pole foundation be temporary or permanent disturbance (i.e., for maintenance activities).

44. Please specify approximately how many pulling sites would be required along the entire 35.6 miles of transmission line right-of-way.

45. Please specify the total amount of land disturbance (in acres) resulting from each pulling site.

46. Please specify the location and size (in acres) of the construction laydown and worker parking area for Segments 1 and 2 of the 35.6-mile transmission line.

47. For Segment 2, please provide the following information:

    a. Specific data on the SCE transmission line (i.e., name and voltage) currently existing in the right-of-way that would be used for Segment 2;

    b. The width (in feet) of the existing SCE right-of-way between Pearblossom and Vincent Substations;

    c. Clarification as to whether there is sufficient room in the existing SCE right-of-way to accommodate the siting of a new 230 kV transmission line on tubular steel poles for 11.9 miles;

    d. If not, a description of how much additional width (in feet) would be required to accommodate the 230 kV transmission line in Segment 2;

    e. Indication as to what entity would own and operate the transmission line; Note that if the transmission line is not SCE-owned and operated, it would not be sited within an SCE right-of-way but rather would be sited in an adjacent right-of-way;

    f. If the 230 kV transmission line is sited in an adjacent right-of-way to the existing SCE right-of-way, describe the land that would need to be acquired to accommodate the line;

48. For both Segments 1 and 2 of the transmission line, please provide the following information:

    a. A description of how the applicant (i.e., the city) intends to obtain the rights-of-way needed for siting of the 35.6 miles of transmission line;

    b. A description of any applicant plans to purchase lands through which the transmission line right-of-way would traverse, or to obtain easement agreements for the right-of-way;

    c. If land needs to be purchased for siting of the transmission line, a schedule for when purchase agreements would be executed to ensure that the transmission line right-of-way has been obtained;

d. If the applicant intends on entering into easement agreements for the right-of-way, a schedule as to when these agreements would be in place;

49. Please specify the locations and distance along the 35.6-mile transmission line right-of-way of lands to be purchased vs. lands that would be leased for easement.

Technical Area: Soil and Water Resources
Author: Christopher Dennis, P.G.

BACKGROUND

The project proposes to use recycled water from the City of Palmdale Water Reclamation Plant (PWRP) as the primary water supply for power plant cooling and other industrial uses. Information regarding the volume of recycled water generated by PWRP and current and future uses of the recycled water has not been provided.

DATA REQUEST

50. Please provide the monthly and yearly total recycled water volume produced by the PWRP for the last 10 years (1998 to 2008).

51. Please provide the projected total volume of recycled water that would be produced by the PWRP during the first 10 years of the proposed power plant's operation, and provide a copy of the source of that information.

52. Please identify whether there are current or future customers that can or will request delivery of recycled water from the PWRP, and identify the volume of water that will or would be required by those customers

53. Please discuss the reliability of the recycled water supply and whether there have been any interruptions in production or delivery of the recycled water supply during the past 10 years (1998 to 2008).

BACKGROUND

Section 2.4.5.2 of the AFC proposes to use a maximum of 3,150 acre-feet per year (AFY) of recycled water for power plant cooling and other processes. However, in a letter to the California Energy Commission dated September 5, 2008, the City of Lancaster wrote:

> "Section 4.3.1 pertaining to cooling technologies alternatives assumes $200 per acre-foot for recycled water. The accompanying Table -using this number -infers that 5,250-acre feet of water will be used annually for cooling and makeup water, which is far more than is identified elsewhere in the document. Because of the already severe water supply shortfall in the Valley, and because the recycled water can be recharged to the aquifer for later potable use, the cost per acre foot for recycled water should be the dollar figure associated with purchasing and importing water through the State Water Project. In our situation, the recycled water should be used primarily in substitution for current potable water uses not for new large uses such as this project. This is supported by what is expected to result from the currently underway lawsuit that would limit and allocate groundwater production for municipal and industrial uses to a significantly reduced volume. The recycled water will be needed to offset what is lost through the litigation process."

This information raises questions about the volume of water use and potential impacts to the local and regional groundwater supply. Also, it does not appear that other alternative water supplies have been fully evaluated.

DATA REQUEST

54. Please clarify and explain what would be the proposed annual average and maximum recycled water use requirement for the project in acre-feet.

55. Please quantify the economic soundness and environmental desirability of using the lower aquifer, which is contaminated with arsenic.

56. Please discuss the effect of the project's recycled water use on the local and regional water supply.

57. Please add the wet-dry hybrid cooling option to AFC Table 4-1 and include the initial capital costs and the estimated annual water use for process needs including cooling.

BACKGROUND

The Los Angeles County Department of Public Works, Waterworks District No. 40, Antelope Valley, Region 34, Desert View Highlands would provide potable water and backup process water to the power plant during plant operations. It is unclear whether the proposed project site is within the service boundaries of this District.

DATA REQUEST

58. Please clarify if the proposed project site within the service boundaries of the District identified in the application

BACKGROUND

In a letter to the California Energy Commission dated September 5, 2008, the City of Lancaster raised several questions. One of the questions raised related to the list of projects identified in the *Cumulative Impacts* section of the AFC. The AFC identified only two projects within the City of Lancaster. However, the City of Lancaster notes that, "there are many other projects within the three-mile radius within the City of Lancaster that are currently undergoing review. Information regarding related projects was provided to the consultant working on the application but does not appear to have been incorporated."

DATA REQUEST

59. Please provide information on all the other projects undergoing review within the City of Lancaster or provide the rationale for why these projects were not included in the cumulative impacts analysis.

BACKGROUND

The mirrors in the solar thermal portion of the facility will require routine cleaning and roads between the mirrors will require maintenance for vehicle access. Excess water

from mirror washing would likely promote vegetation growth, particularly noxious and invasive species. It appears there would also be a need for surfactants for dust suppression and stabilization of these routes. Information related to potential impacts from these activities was not provided.

DATA REQUEST

60. Please provide the proposed mirror washing schedule, including frequency, duration, and quantity of water that would be used.

61. Please provide the long term maintenance requirements on access routes, reapplication of dust suppression on all disturbed surfaces that receive repeated use, and the expected number and size of the fleet of maintenance equipment that would be used for all maintenance activities in the facility.

62. Please describe in detail the method by which the mirrors would be washed and the volume of water that would run off the mirrors and onto the soil below the mirrors

63. Please describe how vegetation would be managed, including treatment of noxious and invasive species, beneath the mirrors.

64. Please describe the chemical constituents and their concentration in the water that would be used to wash the mirror.

65. Please discuss and quantify the buildup of the mirror wash water chemicals in the soil beneath the mirrors throughout the life of the project.

66. Please discuss how wastewater from the mirror washing would be managed.

Technical Area: Socioeconomics
Author: Joseph Diamond Ph. D.

BACKGROUND

The time value of money should be reflected for all economic estimates. Staff needs to know the year that corresponds to the dollar estimate.

DATA REQUEST

67. In the Application for Certification (AFC), capital costs for the PHPP are in 2011 dollars but please indicate the year for all economic estimates (e.g., IMPLAN economic impact analysis, school impact fees, construction and operation sales tax, property taxes etc.).

BACKGROUND

Construction workers may relocate to Palmdale and Lancaster hotel/motels to work on PHPP. If adequate housing supply is not available, it may create a significant adverse socioeconomic impact.

DATA REQUEST

68. Please provide an estimate of the number of rooms and vacancy rates for 14 hotel/motels in Palmdale and 16 hotel/motels in Lancaster cited in the AFC that might accommodate construction workers who may temporarily relocate.

BACKGROUND

In the AFC, for construction and operation local purchase of materials, supplies, equipment, and services are multiplied by the Los Angeles County sales tax rate to get total local sales taxes.

DATA REQUEST

69. Is the local purchase of materials, supplies, equipment, and services just for Los Angeles County or does it also include San Bernardino and Kern Counties (the three-county area) since that has been used in the context of defining local?

70. If multiple counties are local (the three-county area), then a weighted average of sales taxes from the three-county area might be used to calculate local sales taxes for the PHPP or by impacted county or some other method. If appropriate, please provide a revised sales tax estimate.

71. If you believe that your original estimate for Los Angeles County total sales tax for the PHPP is a reasonable estimate, then please explain why?

BACKGROUND

Gross economic benefits including secondary operational impacts (indirect and induced) are an important part of PHPP.

72. Were total (permanent and short-term contract) operation workers used to run the IMPLAN model to estimate secondary impacts? If complete workforce estimates were not used then please recalculate the operation secondary employment impacts or explain the rationale for not doing it including using numeric information to bound the economic impacts.

Technical Area: Transmission System Engineering
Authors: Laiping Ng
Technical Senior: Mark Hesters

BACKGROUND

The California Environmental Quality Act (CEQA) requires the identification and description of the "Direct and indirect significant effects of the project on the environment." The Application for Certification requires discussion of the "energy resource impacts which may result from the construction or operation of the power plant." For the identification of impacts on the transmission system resources and the indirect or downstream transmission impacts, staff relies on the System Impact and Facilities Studies for insuring the interconnecting grid meets the California Independent System Operator (California ISO) reliability standards. The studies analyze the effect of the proposed project on the ability of the transmission network to meet reliability standards. When the studies determine that the project will cause a violation of reliability standards, the potential mitigation or upgrades required to bring the system into compliance are identified. The mitigation measures often include the construction of downstream transmission facilities. CEQA requires the analysis of any downstream facilities for potential indirect impacts of the proposed project. Without a complete System Impact Study (SIS) or Facilities Study Report (FSR), staff is not able to fulfill the CEQA requirement to identify the indirect effects of the proposed project.

DATA REQUEST

73. Provide a one-line diagram for the existing SCE Vincent Substation before the interconnection of the Palmdale project.

74. Provide a one-line diagram for the SCE Vincent Substation after the addition of the project. Show all equipment ratings including bay arrangement of the breakers, disconnect switches, buses, and etc. which are required for the addition of the Palmdale project.

75. The existing 230 kV transmission lines from Vincent Substation to Pearblossom Substation feed the California Department of Water Resource (CDWR) water pumping plant. This circuit will be moved and placed on the new PHPP steel poles. Provide evidence showing that CDWR is informed of and supports the proposed changes, and that CDWR can accept any possible interruption to the normal operation of the pumping plant.

76. Clarify if any existing poles that are supporting the above Vincent – Pearblossom 230 kV line will be removed after relocating the transmission lines.

77. Provide the rating of the disconnect switch which is connecting the project switchyard and the generation tie-line (see Figure 2-10 of the AFC).

78. Provide the Facility Study Plan.

79. Provide the Facility Study Report

Technical Area: Visual Resources
Author: James Adams

BACKGROUND

In the visual resources section of the AFC (pg. 5.15-15), there is a reference to a Conceptual Landscaping Plan (Figure 5.15-10) that is not contained within either the visual resources section of the AFC or is it in the Appendices (Volume 2 of the AFC). The plan involves transplanting Joshua trees in the northeastern area of the site, along the access road, and around the parking lot and administration. Staff needs to review the plan from a visual resources and biological resources perspective.

DATA REQUESTS

80. Please provide the Conceptual Landscaping Plan (Figure 5.15-10) on 11” by 17” paper.

Technical Area: Waste Management
Author: Suzanne Phinney

BACKGROUND

Consistent with Section 5.16.1.5 (page 5.16-7) of the AFC, a US Environmental Protection Agency (EPA) hazardous waste generator identification number will be required for the PHPP. Section 5.16.1.5 references Section 5.16.4, WM-2. However, WM-2 deals only with construction-generated waste, and states that "the Project will include provisions that require the contractor to manage construction-generated hazardous materials and solid waste in accordance with established good housekeeping practices." WM-2 also states that "the Project will require each contractor to provide a written summary of how they will appropriately handle and dispose of construction-generated hazardous materials during and following construction."

It is not clear from the AFC whether construction waste materials will be the responsibility of the contractor or the project owner. Both the construction contractor and the project owner/operator could be considered the generators of hazardous wastes at the site during the construction period. Since hazardous waste generator status is determined based on project site location, the Energy Commission requires the project owner or its representative to obtain a unique hazardous waste generator identification number for the site prior to start of construction

DATA REQUEST

81. Please confirm that the project owner or their representative will be responsible for construction wastes, and that the project owner will obtain an EPA identification number for these wastes. Also, pursuant to the above, please identify whether the project owner or their representative will then be responsible for preparing a construction waste management plan.

BACKGROUND

AFC Tables 5.16-5 and 5.16-6 list the onsite management methods for several hazardous and non-hazardous waste streams as "none." More information on project waste onsite management is needed for staff to fully assess the impact of the proposed activity.

DATA REQUEST

82. For each waste stream where AFC Tables 5.16-5 and 5.16-6 identified onsite management as "none," please provide more information regarding the onsite management of the wastes or state why no onsite management is required.

BACKGROUND

AFC Tables 5.16-5 and 5.16-6 list recycling as the offsite management methods for several hazardous and non-hazardous waste streams. However no information is

provided identifying the recycling services and facilities, or other treatment, storage, and disposal facilities (TDSFs) that may be used by the applicant.

DATA REQUEST

83. Please provide information on the waste transport, recycling, and waste transfer facilities/services that may be used to transport, recycle or otherwise manage project wastes. The information provided should include, as appropriate, the following:

    a. Facility/company name;

    b. Phone number;

    c. Location;

    d. Class and/or type of service;

    e. Materials accepted;

    f. Permit or license for activity;

    g. Recycling methods used;

    h. Which project wastes will potentially be managed by the facility/service;

    i. Permitted capacity;

    j. Annual usage;

    k. Remaining capacity;

    l. Estimated closure date;

    m. Expiration date for permit or license;

    n. Approximate distance from site (in miles); and

    o. Any special conditions or other comments pertinent to the facility or service.

BACKGROUND

The Integrated Waste Management Act of 1989 (AB 939) established landfill waste diversion goals of 50 percent by the year 2000 for state and local jurisdictions. To meet the solid waste diversion goals, many local jurisdictions have implemented Construction and Demolition Waste Diversion Programs.

DATA REQUESTS

84. Please indicate whether either the city of Palmdale or county of Los Angeles operates a Construction and Demolition Waste Diversion Program.

85. Please describe how operators of the Palmdale Hybrid Power Project will meet each of the requirements of the program cited in the previous data request.

BACKGROUND

A Phase I Environmental Site Assessment (ESA) needs to be conducted for the entire length of the proposed natural gas, water supply, and sewer pipeline alignments, as well as for the length of the proposed transmission Interconnection. The PHPP is proposing a 8.7-mile natural gas pipeline, 7.4-mile reclaimed water pipeline, 1.0-mile potable water pipeline, and a 1.0-mile sewer connection. The project also proposes a 35.6-mile 230 kV transmission line interconnection, extending north and east from the plant site, then south and back west to Southern California Edison's Vincent Substation.

The following types of businesses warrant investigation if they are located on, adjacent to, or in proximity to the proposed linear facility routes. Proximity is defined as within a path of migration from these businesses.

a. Automobile dealerships, maintenance /repair, and storage and salvage lots.

b. Golf courses (fertilizers and pesticides).

c. Machine /equipment /appliance servicing operations.

d. Commercial printing operations.

e. Oil distribution facilities.

f. Any industry engaged in the storage /transport /disposal of hazardous waste or the use of hazardous materials.

g. Schools, daycare centers and hospitals.

DATA REQUEST

86. Please provide a Phase I ESA for the 8.7-mile natural gas pipeline, 7.4-mile reclaimed water pipeline, 1.0-mile potable water pipeline, 1.0-mile sewer connection, and 35.6-mile 230 kV transmission line interconnection route which, according to ASTM 2000 guidelines, need to evaluate if the project crosses the following:

a. Property where contamination is known, or suspected at an up-gradient or adjoining site.

b. Property, which is, or has been used for industrial/manufacturing purposes. Adjoining property with this type of usage should also be included in the investigation.

c. Property for which any prior environmental investigation indicated the potential for contamination.

d. Property displaying evidence of hazardous waste storage on site, whether permitted or not. For example, the existence of a former dry cleaner or gas station, which utilized underground or above ground storage tanks. Agricultural properties, where pesticides were stored/mixed and potentially released, should also be investigated.

e. Property with visible staining.

f. Property where contaminants exceeding drinking water standards have been detected.

g. Property where state / federal agency notices of violation have been issued.

h. Property on which equipment containing PCBs was stored.

i. Property where fill dirt has been brought that has, or may have originated from a contaminated site.

j. Property with known or suspected discharges of wastewater (other than storm-water and sanitary waste) into a storm water drain.

k. Property with an environmental lien on it (imposed either by CERCLA 42USC / 9607(1) or similar state and local laws).

l. Property along existing or past railroad tracks.

m. For agricultural areas, please provide a representative sample (at least 10 percent) of all parcels randomly selected for a Determination of Pesticide Use assessment.

87. The Phase I ESA shall identify the type of crops grown over as long a period as records indicate, the historical use and identity of pesticides (including organic and inorganic pesticides as well as herbicides), and a statement of the likelihood of finding levels of pesticides along the pipeline/transmission route that might present a risk to pipeline workers and/or the public.

Technical Area: Worker Safety and Fire Protection
Author: Dr. Alvin Greenberg

BACKGROUND

The only access point to the PHPP site described in the AFC is the main entrance located on the north end of the site at E Ave M and 10th St E (Figure 2.1 and Section 5.13.2.2). A secondary access point for emergency response is not identified. Staff needs this information in order to assess fire and hazardous materials spill response.

DATA REQUESTS

88. Please provide a narrative description and a map showing primary and secondary access points and gates to the project site. The secondary access point can be one restricted to the use of emergency response personnel.

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 *PALMDALE HYBRID*** ***POWER PROJECT***	**Docket No. 08-AFC-9** **PROOF OF SERVICE** ***(Revised 8/4/08)***

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 08-AFC-9
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

Thomas M. Barnett
Executive Vice President
Inland Energy, Inc.
3501 Jamboree Road
South Tower, Suite 606
Newport Beach, CA 92660
tbarnett@inlandenergy.com

Antonio D. Penna Jr.
Vice President
Inland Energy
4390 Civic Drive
Victorville, CA 92392
tonypenna@inlandenergy.com

Laurie Lile
Assistant City Manager
City of Palmdale
38300 North Sierra Highway, Suite A
Palmdale, CA 93550
llile@cityofpalmdale.org

APPLICANT'S CONSULTANTS

Sara Head, Vice President
ENSR Corporation
1220 Avenida Acaso
Camarillo, CA 93012
SHead@ensr.aecom.com

COUNSEL FOR APPLICANT

Michael J. Carroll
Marc Campopiano
Latham & Watkins, LLP
650 Town Center Drive, Ste. 2000
Costa Mesa, CA 92626
michael.carroll@lw.com
marc.campopiano@lw.com

INTERESTED AGENCIES

California ISO
P.O. Box 639014
Folsom, CA 95763-9014
e-recipient@caiso.com

INTERVENORS

ENERGY COMMISSION

JACKALYNE PFANNENSTIEL
Chairman and Presiding Member
jpfannen@energy.state.ca.us

ARTHUR H. ROSENFELD
Commissioner and Associate Member
pflint@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

John Kessler
Project Manager
jkessler@energy.state.ca.us

Caryn Holmes
Staff Counsel
cholmes@energy.state.ca.us

Elena Miller
Public Adviser
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Hilarie Anderson, declare that on December 10, 2008, I deposited copies of the attached Data Request Set 1 (#'s 1-88) in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was 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 that the foregoing is true and correct.

Original Signature in Dockets
Hilarie Anderson