

Memorandum

Date: December 21, 2009

Telephone: (916) 654-4781

File: 09-AFC-3

To: Commissioner Julia Levin, Presiding Member
Commissioner Jeffrey Byron, Associate Member
Ken Celli, Hearing Officer

DOCKET	
09-AFC-3	
DATE	<u>DEC 21 2009</u>
RECD.	<u>DEC 21 2009</u>

From: California Energy Commission - Craig Hoffman
1516 Ninth Street
Sacramento, CA 95814-5512
Siting Project Manager

Subject: Mariposa Energy Project (09-AFC-3)
Project Status Report 1

A Data Response and Issue Identification Workshop was held on December 15, 2009, for the Mariposa Energy Project (MEP). Staff now has a better understanding of the issues that need to be resolved, the comments of the local, state and federal agencies, comments from the public and the timing issues the project will face.

Data Response and Issues Resolution Workshop

The applicant submitted Data Responses to Data Request Set 1A and 1B on November 30, 2009. Staff has reviewed this material and on December 15, 2009, a Data Response Workshop was held with staff, the applicant, intervenors and members of the public. Staff has asked for clarification of data responses in technical areas including; air quality, water resources and transmission system engineering. The applicant will be providing the needed clarification in late December and mid January.

The applicant is also working with the San Joaquin Valley Air Quality Management District (SJVAQMD), the Bay Area Air Quality Management District (BAAQMD), the California Department of Fish and Game and the U.S. Fish and Wildlife Service to ensure that agency permits and applications have been filed and are being reviewed. The applicant has invited staff to attend meetings with state and federal agencies and is providing staff information on current activities.

Project Issues

Comments from the public and other agencies have been focused on air quality, airport safety, air plume modeling, biological resources and water supply. These are discussed in the following paragraphs.

PROOF OF SERVICE (REVISED 12/7/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 12/21/09

TG

Staff and the applicant are working with the SJVAQMD and the BAAQMD in order to make sure the project conforms to regional thresholds and mitigation is secured as necessary. Staff is communicating with the BAAQMD on the Preliminary Determination of Compliance that will be needed for the Preliminary Staff Assessment (PSA).

Staff has received comments from the Contra Costa County Airport Land Use Commission, Keith Freitas, Contra Costa County Director of Airports and Hal Yeager, Contra Costa County Airport Land Use Commissioner. The applicant and staff are working to provide them additional information and to complete the analysis on airport safety concerning power plant air plumes. Staff will complete its analysis which will be included in the technical areas of air quality, biological resources, public health and traffic and transportation in the PSA

Questions were raised by staff and the public about water supply for the project. The applicant provided additional information on water alternatives and Byron-Bethany Irrigation District provided a letter stating their ability to supply water to the project. Staff is reviewing this information and will provide its analysis in the alternatives and water resources sections.

Staff continues to review information from the applicant and the comments from the public and other agencies. A complete analysis will be provided in the Preliminary and Final Staff Assessments.

Project Schedule

The Mariposa Committee has issued a scheduling order for the project. Staff will work diligently to stay on schedule given the current heavy workload issues in the Siting, Transmission and Environmental Protection Division, the Governor's Executive Order on renewable projects and the impact of three furlough days a month on staff resources. The American Recovery and Reinvestment Act (ARRA) renewable energy projects are a priority and will require a great deal of staff time in the upcoming months.

The applicant and staff have discussed the possibility of the project to have a single Staff Assessment compared with the preparation of a Preliminary Staff Assessment and Final Staff Assessment. Staff is open to the idea, but only if the information needed to complete technical analysis is provided in a timely manner and issues can be resolved, before publication of staff's analysis.

Staff will prepare a project status report for February 1, 2010 and continue to keep the Committee apprised of current work product and critical timelines.

cc: Proof of Service List
Docket 09-AFC-3



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 **MARIPOSA ENERGY PROJECT**
(MEP)

Docket No. 09-AFC-3

PROOF OF SERVICE
(Revised 12/7/09)

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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on December 21, 2009, I served and filed copies of the attached (09-AFC-3) Mariposa – Status Report 1 dated December 21, 2009 . 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/mariposa/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:

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

X 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:

X 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. 09-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