

# Memorandum

Date: March 4, 2010  
Telephone: (916) 654-4781  
File: 09-AFC-5

To: Commissioner Anthony Eggert, Presiding Member  
Commissioner James Boyd, Associate Member  
Paul Kramer, Hearing Officer

<b>DOCKET</b>	
<b>09-AFC-5</b>	
DATE	MAR 04 2010
REC'D	MAR 04 2010

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

Subject: **Abengoa Mojave Solar (09-AFC-5)**  
**Project Status Report 4**

Pursuant to the Committee Scheduling Order dated December 17, 2009, the following is staff's Status Report #4 for the proposed Abengoa Mojave Solar (AMS) project. This is an update for activities that have occurred since the previous Status Report on February 3, 2010.

### Staff Assessment

Staff are working to complete their technical sections in order for the Staff Assessment to be published on March 16, 2010. The delay in the publication date from March 4, 2010 allowed staff to incorporate final reports and data responses from the applicant and other agencies into the document.

- Staff received comments and suggested conditions from San Bernardino County on February 10 and 16 in regard to Land Use and Water Resources that have been incorporated into the staff analysis.
- The applicant provided an Interconnection Optional Study by California ISO on February 25 for Transmission Engineering that will help complete staff review.
- The applicant provided data responses for Water Resources on February 16 and 17 containing a groundwater basin analysis and a groundwater basin quality analysis.
- The applicant provided data responses for Cultural Resources on February 17 in regard to the final site study and sampling plan.
- The applicant provided data responses for Air Quality and Public Health on February 25 that is being incorporated into staff analysis.

- The Mojave Desert Air Quality District provided the Preliminary Determination of Compliance on March 1 that is being incorporated into staff analysis.

The Staff Assessment that will be published on March 16 will be a more substantially complete document than if staff tried to publish on March 4.

### **Staff Assessment Workshops**

A Staff Assessment Workshop will be held on April 6 in Sacramento at the Energy Commission building for the applicant, staff, intervenors and the public to discuss the document. Staff will also hold a Staff Assessment Workshop on April 7 at the Barstow City Hall so local members of the public may attend and ask questions of the commission project manager, staff attorney and the applicant. These two workshops will be noticed with the publication of the Staff Assessment.

### **Supplemental Staff Assessment**

Based on the workshops, written comments, and additional data from the applicant, staff may refine its analysis, correct errors, and finalize conditions of certification and will then publish a Supplemental Staff Assessment (SSA). The SSA will be a limited document representing revisions and additions rather than a document including each technical section.

Staff expects that the following information will need to be incorporated into the SAA.

Air Quality - a Final Determination of Compliance will be needed from the Mojave Desert Air District and incorporated into staff analysis.

Biological Resources – a section 7 consultation will need to be initiated between the applicant and US Fish and Wildlife Service. The applicant will need to provide to the Energy Commission, US Fish and Wildlife Service, and California Department of Fish and Game: a Draft Desert Tortoise Exclusion Fencing Plan, Clearance Survey, and Translocation Plan (Desert Tortoise Plan), a Draft Burrowing Owl Monitoring and Mitigation Plan (Burrowing Owl Plan), Swainson's Hawk Survey Results – Spring 2010 and Golden Eagle Survey Results and related Foraging Habitat Assessment. Staff will need to ensure that the current proposed mitigation measures in the Staff Assessment do not need to be modified based upon new information.

Transmission System Engineering – the applicant will need to provide environmental information for downstream congestion management improvements in order for staff to complete a CEQA analysis on proposed improvements.

Water - Completion of staff's analysis of the proposed project is subject to the following:

Submittal of the following to the Lahontan Regional Quality Control Board (RWQCB) and County of San Bernardino for review and comment and to the Energy Commission for approval:

- (a) Engineering design detail and groundwater monitoring plans for the four proposed wastewater evaporation ponds;
- (b) Engineering design detail and groundwater monitoring plans for the proposed Heat Transfer Fluid (HTF) fluid bioremediation units;
- (c) Characterization of the anticipated waste streams proposed to be discharged into the evaporation ponds and bioremediation units;
- (d) A description of the frequency and chemical analysis of waste and a plan that describes actions that will be taken in case of a detectable release;
- (e) Engineering design detail for the proposed sanitary waste septic system and leach field;
- (f) A closure plan for the evaporation ponds and bioremediation units; and
- (g) Demonstration that the proposed project would be in compliance with RWQCB Order 2009-0009-DWQ Storm Water requirements that go into effect July 1, 2010.

Submittal of the applicant's storm water surface profile analysis for flows in the main storm water diversion channel to San Bernardino County for review and comment and to the Energy Commission for approval.

Waste Management – the applicant is completing a site characterization and sampling report which will be reviewed by staff to verify no new Waste Management mitigation measures are necessary.

The SSA will be completed once the above information is available and public comments have been incorporated into the document and workshops have been completed. Staff anticipates the SSA being published around May 12, 2010.

### **Project Schedule**

The project schedule has slipped by about 2 weeks because of the benefits of incorporating data responses from the applicant that were provided in late February and responses from other agencies that were later than anticipated. Staff will continue to keep the Committee apprised of work progress and critical timeline challenges.

cc: Proof of Service List  
Docket 09-AFC-5



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
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APPLICATION FOR CERTIFICATION  
FOR THE **ABENGOA MOJAVE**  
**SOLAR POWER PLANT**

*Docket No. 09-AFC-5*  
**PROOF OF SERVICE**  
(Revised 3/4/2010)

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**DECLARATION OF SERVICE**

I, April Albright, declare that on March 4, 2010, I served and filed copies of the attached Energy Commission Staff's Status Report 4, dated March 4, 2010. 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: [\[http://www.energy.ca.gov/sitingcases/abengoa/index.html\]](http://www.energy.ca.gov/sitingcases/abengoa/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;
- by delivering on this date, for mailing with the United States 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 "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. 09-AFC-5  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[Hdocket@energy.state.ca.us](mailto:Hdocket@energy.state.ca.us)

I declare under penalty of perjury 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.

Original signed by: \_\_\_\_\_  
**April Albright**