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Document Title:	Mojave Solar Project, Overnight Solar Project, Data Requests Set 1
Description:	Mojave Solar Project, Overnight Solar Project Shared Facilities Petition to Amend, Data Requests Set 1
Filer:	Ashley Gutierrez
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**CALIFORNIA
ENERGY COMMISSION**



**CALIFORNIA
NATURAL
RESOURCES
AGENCY**

March 19, 2024

Mahnaz Ghamati, Compliance Manager
Mojave Solar LLC
42134 Harper Lake Road
Hinkley, California 92347

Data Requests for Mojave Solar Project (09-AFC-05C) - Overnight Solar Project Shared Facilities Petition to Amend – Ground Water and New Transmission Line Corridor

Dear Mahnaz Ghamati:

The California Energy Commission (CEC) staff is requesting information specified in the enclosed data requests, which is necessary for the staff analysis of the Mojave Solar Project (MSP) petition to amend ([TN 260764](#)) which proposes to construct a 1.1-mile transmission line south of Alpha Block within the MSP site and provide groundwater to the Overnight Solar Project (OSP) for the construction and operation of the transmission line, solar panels, and substation.

These data requests seek further information in the areas of socioeconomics, transportation, biological resources, soil and water resources, and transmission system engineering, based on the contents of the petition to amend.

To ensure a timely environmental review, CEC staff is requesting responses to the data requests within 30 days. If you are unable to provide the information requested or need to revise the timeline, please let me know within 10 days of receipt of this letter.

If you have any questions, please email me at Ashley.Gutierrez@energy.ca.gov.

Ashley Gutierrez

Ashley Gutierrez
Compliance Project Manager

Enclosure: Data Requests

SOCIOECONOMICS AND TRANSPORTATION

Author: Ashley Gutierrez

BACKGROUND

The Mojave Solar Project (MSP) is proposing to construct a 1.1-mile transmission line corridor and share groundwater for construction and operation of the Overnight Solar Project (OSP). Groundwater used during the construction phase is primarily for dust abatement while groundwater used during the operations phase is to wash solar panels and provide water for OSP fire suppression purposes.

DATA REQUESTS

1. What is the estimated number of workers required for construction of the transmission line? What is the estimated length of time required to complete construction of the transmission line?
2. What is the estimated number of truck trips generated by the construction of the transmission line? How many, if any, oversized trucks would be used for the construction of the transmission line?
3. Will any transmission line work take place outside of the existing fence line of the MSP facility?
4. Will existing plant workers build the transmission line, or will a third-party contractor be required?
5. Provide a schedule for the construction of the transmission line.
6. Provide a construction schedule for the substation and solar panels or other OSP site construction activities that require MSP groundwater.
7. Provide a map of the MSP and OSP sites and include internal construction roadways required for the movement of groundwater from MSP to the OSP site.

SOIL AND WATER RESOURCES

Author: Ashley Gutierrez and James Ackerman

BACKGROUND

In October 2024, a Draft Environmental Impact Report (DEIR) was published for the OSP. In the Hydrology and Water Quality section of the DEIR, OSP's description of the shared ground water use includes water use for both the construction and operation phases.

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Specifically, OSP's expected ground water use for the construction phase is expected to be 89-acre feet per year (AFY) and operational use would be 11 AFY.

The MSP secured ground water rights of 2,163 AFY during the CEC's licensing process from the Mojave Water Authority (MWA). On average, MSP pumps approximately 1,532 AFY to meet their operational demands, thus a consistent surplus is available for the shared use of groundwater.

CEC staff requested confirmation of the MWA's approval of the shared groundwater use and on January 16, 2025, the MSP team provided a letter from MWA that featured one sentence stating that MWA did not have any "conflicts" with the project. Following CEC staff review and internal discussions, it was determined that the letter lacked an approval statement and description of the shared water use, to fully support the claim that the shared use had been acceptably approved.

DATA REQUEST

8. Please provide a revised approval letter from MWA that includes: 1) A description of the construction and operational shared water use; 2) And an approval statement of the shared use and any subsequent concerns the MWA may have, if any.

BIOLOGICAL RESOURCES

Author: Ann Crisp

BACKGROUND

The United States Fish and Wildlife Service's (USFWS) Biological Opinion (BO) addresses threats to the desert tortoise (*Gopherus agassizii*) from the construction, operation, and maintenance of the MSP. In order for staff to determine if the project would remain in compliance with conditions of certification related to the desert tortoise, staff requires additional information regarding the BO for the project, including whether there would be a need for re-initiation of consultation with USFWS or any other actions.

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9. Please provide copies of all substantive correspondence between MSP and the USFWS regarding the project, including letters and e-mails, related to the proposed installation of the OSP gen-tie line that would run east across MSP. This includes any coordination on the Biological Opinion for the MSP.
10. Please confirm that this work would fall under the Biological Opinion and compliance obligations for the MSP. In addition, please confirm that the USFWS considers that this work would be covered under the Biological Opinion and compliance requirements for the MSP.

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11. Please provide clarification on whether the construction would be carried out by OSP or MSP workers or if third party workers provide who would be responsible for those workers.
12. Please confirm whether OSP or MSP would be responsible for maintenance of the transmission line during operation.
13. Please provide a figure with the dimensions and location of construction activities and location of any equipment and material staging.

BACKGROUND

The original proceedings for the MSP addressed potential impacts of the project on special-status and migratory bird species, including the risk of bird collisions with transmission lines. The petition states that potential impacts from the construction of the proposed project would be addressed through the implementation of existing conditions of certification (COCs). However, the potential impacts from the operation of the new transmission line on special-status and migratory birds were not addressed in the petition. Compliance with COC BIO-7 for the MSP would require that all transmission lines and electrical components comply with the Avian Powerline Interaction Committee's guidelines to minimize bird electrocutions and collisions.

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14. Please provide a discussion of how the existing conditions of certification (COCs) would reduce the proposed transmission line's risk of collisions for special-status and migratory birds. If the existing COCs would not reduce the risk of collision to less than significant, please include proposed mitigation measures to reduce bird strikes, including bird flight diverters, deterrents, or modifications to transmission line design.
15. If these impacts are discussed in the Draft Environmental Impact Report for the OSP, please provide a summary and the determination of significance of impacts.

BACKGROUND

The original proceedings for the MSP addressed potential impacts of the project on burrowing owl (*Athene cunicularia hypugaea*), as a species of special concern, as designated by the California Department of Fish and Wildlife (CDFW). On October 25, 2024, burrowing owl became a candidate species under the California Endangered Species Act (CESA). Under California law, "take" of candidate species is prohibited unless authorized by an incidental take permit. The MSP license does not include take authorization for this species. The 2024 Annual Compliance Report reported two active burrowing owl locations on the MSP site. It is unknown if there are additional active burrows on the MSP site.

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The activities described by the proposed amendment could result in incidental take of the burrowing owl depending on the location of the species in relation to construction activities. These activities include the installation and construction of facilities and structures, general vehicle and heavy equipment operations, and activities generating noise, vibration, and dust. Incidental take in the form of mortality ("kill") may occur due to collisions with or crushing by vehicles or heavy equipment, burial or destruction of burrows and refugia, or crushing of individuals or eggs depending on the location of burrowing owl in relation to project activities. It is unclear whether an incidental take permit for the OSP will authorize take for activities on the MSP site.

Staff needs additional information regarding the locations and status of burrowing owl within the MSP site to assess potential for impacts and conformance with LORS. This includes mapping active and historical burrows, documenting observed individuals, and identifying mitigation measures. Staff needs clarification on whether project activities may indirectly impact owl habitat. A CESA incidental take permit should be obtained if full avoidance is not possible. Staff requires confirmation on whether OSP has take authorization for the species. This information is needed to determine conformance with CESA.

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16. Provide the locations and status of burrowing owl populations within the MSP site, including mapping of active and historical burrows within the project site.
17. Provide additional information regarding the potential impacts to burrowing owl from construction of the proposed facilities on the MSP site.
18. Clarify whether any proposed project activities may indirectly impact burrowing owl habitat within or adjacent to the MSP site.
19. Confirm whether OSP will have coverage for incidental take for burrowing owl for the gen-tie line corridor on the MSP site as part of the requested OSP Incidental Take Permit (ITP).
20. If OSP is expecting incidental take coverage under the OSP ITP, submit a list of any expected avoidance, minimization, or mitigation measures for installation of the gen-tie line.

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Transmission System Engineering

Author: Sudath Edirisuriya

BACKGROUND

The applicant is proposing to construct a 1.1-mile generator tie line to interconnect the project to the existing MSP substation. The interconnection would occur by modifying the existing substation bay and utilizing the necessary equipment such as disconnect switches, breakers, relays, and protection components. The power generated by OSP would share the same 230kV generator tie line with MSP and transfer power radially into the existing Sandlot substation and then into the grid at the Southern California Edison (SCE) Kramer 230kV substation.

Though the existing MSP gen-tie line can carry additional power, as the PTA suggests, staff believes the additional power transfer by the two projects would increase the existing gen-tie line continuous current flow. This could increase stress on the existing protection equipment, necessitating a review and possibly modifying their settings. Additionally, the combined projects' net output power transfer would change at the grid point of interconnection. This might trigger the adjacent SCE system's thermal overloads, create power supply and demand imbalance due to line congestion, and lead to frequency deviation, which could have significant implications for the stability and reliability of the California Independent System Operator (ISO) grid. Therefore, staff needs the following information.

DATA REQUESTS

21. Provide the OSP generation output in MW.
22. Provide one-line diagrams showing how the OSP 230 kV gen-tie line would be connected to the existing MSP gen-tie line at the Alpha Substation. Show possible interconnection points and bay arrangement. Show equipment ratings including breakers, disconnect switches and buses that would be required for interconnection of the OSP.
23. Provide the overhead 230 kV gen-tie conductor name, type, size, and rating.
24. Provide the pole structures and measurements.
25. Please provide California ISO approval for the Post-COD Modification. If SCE or California ISO has suggested any impacts and mitigations, please provide that information to staff.

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REFERENCES

OSP 2024 – Draft Environmental Impact Report for the Overnight Solar Project, San Bernardino County (SCH No. 2024010434), dated October 2024. Available online at: https://files.ceqanet.opr.ca.gov/294681-2/attachment/7Uo8d_RLXtcVZPbcsgd-AGen5CqJ3_I9-22FqHSBa7LRrQAWnhDKKZyQPktOHvadLkEBB_s5Ng1RvnyH0