

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



November 12, 2008

Chuck Hicklin, Project Manager
Mirant Corporation
P.O. Box 192
Pittsburg, CA 94565

DOCKET**08-AFC-6**

DATE NOV 12 2008

RECD. NOV 12 2008

Dear Mr. Hicklin,

DATA REQUESTS 1 THROUGH 48 FOR THE WILLOW PASS GENERATING STATION (08-AFC-6)

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff is asking for 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 (#1-48) are being made in the area(s) of Air Quality Resources, Biological Resources, Cultural Resources, Geological Resources, Noise and Vibration, Socioeconomics, Soil and Water Resources, Transmission System Engineering Waste Management, and Visual Resources. Written responses to the enclosed data requests are due to the Energy Commission staff on or before December 4, 2008, or at such later date as may be mutually agreeable.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, you must send a written notice to both Commissioner. Karan Douglas Presiding Committee Member for the Willow Pass Generating Station project, and to me, within 10 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time, and the grounds for any objections (see Title 20, California Code of Regulations, section 1716 (f)).

Note; Air Quality Data Requests are not included and will be filed with the second round of Data Requests.

If you have any questions, please call me at (916) 654-3911, or email me at IBenciwo@energy.state.ca.us

Sincerely,

Ivor Benci-Woodward, Project Manager
Siting, Transmission, and Environmental
Protection Division

Enclosure
cc: Dockets 08-AFC-6

PROOF OF SERVICE (REVISED 10/24/08) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 11/12/08

HA

Technical Area: Biological Resources
Author: Laurel Cordonnier

BACKGROUND

The Willow Pass Generating Station (WPGS) Application for Certification (AFC) states that the water supply and return pipelines will need to be installed by jack and bore drilling beneath three areas along the water pipeline routes. The proposed areas for jack and bore drilling are the drainage channel immediately south of the developed portion of the existing Pittsburg Power Plant (PPP), the drainage channel in the Union Pacific Railroad switchyard, and Kirker Creek and an unnamed tributary of Kirker Creek between the Pittsburg-Antioch Highway and the Union Pacific Railroad. The drainage channel, creek, and tributary are wetlands that need to be avoided. The AFC states that a federal Clean Water Act Section 404 permit may need to be obtained from the US Army Corps of Engineers (USACE) for this work. In addition, the applicant may need a Streambed Alteration Agreement from California Department of Fish and Game (CDFG) and a Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB). Energy Commission staff needs to know the status of the USACE Section 404 permit, the CDFG Streambed Alteration Agreement, and the RWQCB Section 401 Water Quality Certification processes to complete its analysis.

DATA REQUESTS

1. Please provide a summary of communication with the USACE regarding the need for a Section 404 permit, the CDFG regarding the need for a Streambed Alteration Agreement, and the RWQCB regarding the need for a Section 401 Water Quality Certification.
2. If the USACE indicates that a permit will be needed, please provide information about when the application for the permit was filed with the USACE and, based upon USACE comments, an estimation of when the permit is likely to be provided to the project developer.
3. If the CDFG indicates that a Streambed Alteration Agreement will be needed, please provide information about when the application for the Streambed Alteration Agreement was filed with the CDFG and, based upon CDFG comments, an estimation of when the Streambed Alteration Agreement is likely to be provided to the project developer.
4. If the RWQCB indicates that a Section 401 Water Quality Certification will be needed, please provide information about when the application for the Section 401 Water Quality Certification was filed with the RWQCB and, based upon RWQCB comments, an estimation of when the Section 401 Water Quality Certification is likely to be provided to the project developer.

BACKGROUND

The AFC states that jack and bore drilling would be conducted, but no additional information was provided. Jack and bore drilling requires launching and receiving pits in order to put the casing or pipe below the obstruction to be avoided and at a depth in

which no impacts are expected. Energy Commission staff needs more information regarding the jack and bore drilling to complete its analysis.

DATA REQUESTS

5. Please provide a detailed description of the jack and bore drilling operation and all proposed measures to be implemented to avoid impacts to the three proposed areas. Include a discussion of how deep the casing or pipe would be below the obstruction.
6. Please provide a description of the procedures to be implemented in the event of a frac-out.
7. Please provide a map, at a scale appropriate to show the biological resources of the area, for each area where a jack and bore drilling operation would occur. On each map, identify the launching and receiving pits location in relation to the banks of the drainage channels and Kirker Creek and unnamed tributary. On each map, please provide the distances the launching and receiving pits would be from the drainage channels and Kirker Creek and unnamed tributary.

BACKGROUND

The AFC states that for the water pipeline a portion of Kirker Creek would need to be trenched perpendicular to the creek bed (AFC pages 7.2-20 to 7.2-21). This would occur where the water pipeline alignment would turn north from Pittsburg-Antioch Highway and continue on Arcy Lane. The AFC states this is necessary due to the large elevation difference between the grade level and excavated channel of Kirker Creek at this location which makes jack and bore drilling infeasible. In order to cross this creek, the applicant states the water pipelines will be installed and buried under the creek through a four foot wide open-cut trench which would result in a temporary disturbance of 15-foot wide area.

Kirker Creek is a potential jurisdictional wetland or water of the US. The applicant has conducted a wetland delineation and filed a jurisdictional wetland delineation report with the USACE on June 20, 2008. The applicant stated that due to the temporary disturbance of the potentially jurisdictional wetlands, implementation of the USACE “no net loss” policy would be necessary to fully mitigate potentially significant impacts from the open-cut trench operation. According to the AFC, this operation would also require a Streambed Alteration Agreement with CDFG and a Section 401 Water Quality Certification from the RWQCB. Energy Commission staff needs more information regarding the plans for the open-cut trench operations and filings with other agencies to complete the analysis.

DATA REQUESTS

8. Please provide a detailed description of the open-cut trench operation and all proposed measures to be implemented to avoid impacts to Kirker Creek. Include procedures to be implemented to minimize the release of sediment or construction debris into Kirker Creek during the open-cut trench operations.

9. Please provide staff with plans for implementing the USACE “no net loss” policy to fully mitigate the potentially significant impacts from the open-trench operation.
10. Please provide staff with a copy of the Streambed Alteration Agreement application filed with CDFG and the Section 401 Water Quality Certification application filed with the RWQCB. Please also supply any report of conversation, written correspondence, and agency contact information that has been compiled and is related to the proposed trenching of Kirker Creek.

Technical Area: Cultural Resources
Author: Amanda Blosser

BACKGROUND

The Willow Pass Generation Station (WPGS) would be constructed on 26 acres of the Pittsburg Power Plant (PPP) site. No construction is planned on the northern 2.5 acres portion along Suisun Bay in order to protect riparian habitat. On the WPGS site, construction would require excavation of approximately 8,300 cubic yards of soil and approximately 83,000 cubic yards of fill for compaction and grading to a level site for construction. Figure 2.6-2 provides a site grading and drainage plan for the WPGS, but does not provide the maximum depths for site grading and excavation required for construction.

DATA REQUEST

11. To enable staff to better assess the impacts to potential subsurface archaeological deposits, please provide a description of the excavation and grading for the project area, including the maximum depth of excavation for the major plant components that require foundations and footing. A grading site plan should be included with the description.

BACKGROUND

The Cultural Resources section in the AFC characterizes the history of the proposed WPGS site (Section 7.3.1.1, Affected Environment). The Bay Miwok tribe occupied the area before and during the Spanish and Mexican periods, and after the American period, the area was patented as part of the 8,859 acres of Rancho Los Medanos. During the early American settlement period, "New York of the Pacific" was established adjacent to the project area. Later this town was renamed Pittsburg. The area at the WPGS project site was largely undeveloped and used for grazing until the construction of the PPP in 1951.

The plat map of Rancho Los Medanos shows the Pittsburg Coal Company's wharf located in the vicinity of the PPP plant. The 1908 *Antioch* U.S.G.S topographic map shows five structures located at the site. The map also shows that a road extended from the Sacramento Northern Railroad spur to the unnamed site with five structures. The Environmental Site Assessment for the proposed project site states the project area was used for grazing and livestock prior to construction of the PPP, although there is no mention of this 1908 site. By 1939, the site no longer appears on maps.

DATA REQUEST

12. Please provide a complete land-use history for the WPGS, based on additional archival research, to determine the nature of the site shown on the U.S.G.S. *Antioch* topographic map. Please provide a map showing the location of this site in relation to the proposed project site. If the 1908 site is located on the proposed project site, please provide an analysis as to whether or not any remains of the site could be present beneath the previously disturbed portions of the project site

and support your opinion with historical information. In the absence of additional historical information, please provide the results of a subsurface historical archaeological inventory investigation.

BACKGROUND

The applicant identified three known historic-period cultural resources within the project site: the Southern Pacific Railroad (P-07-813), the Southern Pacific, Northern Contra Costa Route (P-07-505), and the Los Medanos Wasteway and Culvert (P-07-2775). Both the Southern Pacific Railroad (P-07-0813) and the Southern Pacific Northern Contra Costa Route (P-07-505). The DPR523 forms provided for these three resources are over five years old. Since these two resources are subject to impacts from the proposed project, staff needs more recent and complete information on them.

DATA REQUESTS

13. Please update and provide the DPR523 (A) forms for the three named resources.
14. Please provide a resume for the individual completing the updates, demonstrating that he/she meets the Secretary of the Interior's Professional Standards for Architectural Historian.

BACKGROUND

Copies of the applicant's request letter to the Native American Heritage Commission (NAHC), and copies of the NAHC response letter, mailing list, and the applicant's informational letter sent to the Native Americans on the list are required as part of the cultural resources report. The applicant failed to provide the copies in the confidential report. Staff needs to document the applicant's outreach to Native Americans and, in addition, needs any responses the applicant has received from Native Americans to date.

DATA REQUEST

15. Please provide copies of the request letter sent to the NAHC, the NAHC response letter, mailing list, informational letter, and any responses received to date.

Technical Area: Geological Resources
Author: Patrick Pilling

BACKGROUND

Site-specific subsurface information is essential to completely evaluate a site with respect to potential geologic hazards and how the existing materials may impact design, construction, and operation of the facility. The information is also useful in establishing the geologic profile with respect to potential paleontological resources. The AFC references existing geotechnical reports for the project site (Dames & Moore, 1951; Dames & Moore, 1952; Dames & Moore, 1953; and Dames & Moore, 1968).

DATA REQUEST

16. Please provide copies of any geotechnical documents that have been completed for the project site.

Technical Area: Noise and Vibration
Author: Steve Baker

BACKGROUND

The applicant has predicted the volume of noise that would be produced, by both construction and operation of the project, at the nearest sensitive receptor (residences to the east of the project site, at a location called LT-1). Construction noise is predicted in section 7.5.2.2 of the AFC; noise from operation of the plant is predicted in section 7.5.2.4. In section 7.5.2.2, the distance from the project to LT-1 is listed as 1,500 feet; in section 7.5.2.4 it is listed as 500 feet.

DATA REQUEST

17. What is the correct distance from the project to LT-1? Are the predicted figures for construction noise and noise from operation of the project correct?

Technical Area: Socioeconomics
Author: Marie McLean

BACKGROUND:

Section 7.8.2.8, Public Services and Utilities; Gas, indicates that natural gas will be provided by PG&E. The California State Board of Equalization (BOE) administers the Natural Gas Surcharge Law. The surcharge is imposed on the consumption of natural gas in California on and after January 1, 2001.

Each public utility gas corporation and each consumer of natural gas from an interstate pipeline must remit to the Board the amount of applicable surcharge. (Natural Gas Surcharge Law, Part 1, Division 1, Public Utilities Code.)

DATA REQUEST

Please provide the dollar amount of the natural gas surcharge you must pay.

BACKGROUND:

Section 7.8.2.8, Public Services and Utilities; Public Services; Fire Protection, Law Enforcement, and Medical Facilities includes information about those services. However, information provided is incomplete.

DATA REQUEST

Please provide:

18. Average response times and distance to project site for fire protection and law enforcement.
19. Information about ambulance services to nearest hospital, including average response times and distance to project site.
20. Names of local hospitals; medical services provided at each; and distance of each hospital to project site.

BACKGROUND:

Section 7.8.2.2, Direct Economic Impacts, includes information about plant construction. However, it does not directly identify all capital costs; that is, the one-time charges, including cost of financing and commissioning the plant, needed to bring the plant to a commercially operable status.

DATA REQUEST

Please provide each capital cost associated with the project.

BACKGROUND:

Section 7.8.3, Cumulative Impacts, includes the names of seventeen projects that could “temporarily deplete certain types of trade labor and equipment.” However, the list only contains the names of 16 projects. In addition, the text reads “these projects are not considered significant because of the specialized nature of power plant construction and because there is a large supply of construction workers/laborers within the Five-County Study Area.” Consequently, the cumulative impacts from these projects were considered less than significant.

However, the information provided is not sufficient to determine the cumulative effects of these projects. For example, although power plant construction demands workers with specific skills, many of the skills required in constructing power plants are likely to be required by the other 17 projects. In addition, determining cumulative significance also requires taking into account other socioeconomic impacts such as travel times, lodging, public facilities and services, and recreation.

DATA REQUEST

Please provide:

23. The name of the seventeenth project.
24. Brief description of each project.
25. A documented analysis of the cumulative impacts of the 17 projects on the construction of the power plant. A documented analysis includes (1) identifying by location and type the 17 projects; (2) correlating the kind, number, and period of time the specific skills are needed by the power plant with the skills needed by the 17 projects; (3) analyzing the 17 projects’ impacts on power-plant workers’ travel times; lodging; public facilities and services; and recreation; and (4) determining the significance of the impacts resulting from the analysis.

Technical Area: Soil and Water Resources

Author: Richard Latteri

BACKGROUND

In Delta Diablo Sanitation District's (DDSD) "Will Serve Letter" dated June 25, 2008, DDSD states:

... staff has analyzed DDSD's current and expected plant flows for the years 2012 and beyond. Based on this analysis, DDSD has sufficient uncommitted quantities of recycled water to support Mirant's anticipated peak usage of 1.5 million gallons per day at peak flow rate of 1,400 gallons per minute of recycled water. This supply is in addition to the quantities of water described in my June 2, 2008 letter to you regarding your proposed Marsh Landing Generating Station, provided that Mirant incorporates an adequate volume of on-site storage and/or incorporates other operating flexibility into its plant design to meet the periods of DDSD's highest daily peak demand hours.

DATA REQUEST

26. Please provide a list of the current recycled water customers that receive tertiary treated recycled water from the DDSD, their contractual delivery amounts, and a discussion of the long-term (30-35 years) recycled water supply reliability based on current and future supply and demand projections for tertiary treated recycled water from DDSD.
27. Please define the periods (hours per day and number of days) when DDSD experiences its highest daily peak demand and provide a discussion of the adequacy of the proposed 1.6 million gallon on-site storage tank to compensate for insufficient deliveries of recycled water during these periods.
28. Please provide the source (potable, recycled, or groundwater) and quality of the water that would be used during construction of the WPGS.
29. Please provide in tabular format the specific uses and volume of construction water in gallons per day and total annual consumption in acre-feet for construction of the Willow Pass Generating Station (WPGS).

BACKGROUND

In their "Will Serve Letter" dated June 25, 2008, DDSD also states:

Annexation to the District's service area would also be required, and a formal notification process with the Contra Costa Water District is required. Subject to DDSD Board approval of a definitive agreement between DDSD and Mirant, DDSD is willing to make such water available to Mirant for its proposed generation facility.

DATA REQUEST

30. Please provide a discussion of the requirements and timeframe for the annexation of the (WPGS) into the DDSD's service area.

31. Please provide a DDS Board approved agreement for the long-term delivery (30-35 years) of tertiary treated recycled water at a peak delivery rate of 1,400 gallons per minute and up to 1.5 million gallons per day.

BACKGROUND

Mirant Willow Pass, LLC (applicant) proposes to use recycled water provided by DDS for operation of the WPGS. The California Code of Regulations (CCR) has a number of treatment standards and use restrictions for recycled water under the provisions of CCR Title 22.

DATA REQUEST

32. Please define the level of Title 22 treatment (disinfected tertiary, disinfected secondary-2.2, or disinfected secondary-23) of all recycled water sources proposed for use at the WPGS.
33. Please provide a discussion of the permits and over-sight requirements of the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB), Department of Public Health (DPH), and the City of Pittsburg for the supply and use of recycled water at the WPGS and if a new or revised discharge permit will be required by DDS for the increased effluent that would be discharged to New York Slough.
34. Please provide the names and telephone numbers of the SFBRWQCB and DPH personnel who are responsible for recycled water permitting and use.

BACKGROUND

The San Francisco Bay Regional Water Quality Control Board reissued waste discharge requirements under the National Pollutant Discharge Elimination System permit (No. CAS0029912) for the Contra Costa Clean Water Program (Program). The City of Pittsburg, under Provision C.3 of the Program, requires significant redevelopment projects to design and implement storm water treatment measures to reduce the discharge of storm water pollutants to the maximum extent practicable.

DATA REQUEST

35. Please provide a draft Storm Water Control Plan per the Provision C.3 requirements of the Contra Costa Clean Water Program NPDES permit No. CAS0029912 and that fulfills the City of Pittsburg's municipal standards.

BACKGROUND

Within the Application for Certification (Sections 7.14.1.6 and 7.14.2.3), the applicant states that the WPGS site and portions of the pipeline route are within the designated 100-year floodplain and that the WPGS site will be elevated above the 100-year floodplain to an elevation of approximately 8 to 13 feet above mean sea level.

DATA REQUEST

36. Per the requirements of the National Flood Insurance Program, please discuss the procedure for requesting a revision or amendment of the 100-year floodplain map for removal of the WPGS site from the floodplain and provide the expected timeframe or schedule for submitting an application to the Federal Emergency Management Agency for this purpose.

Technical Area: Transmission Safety Engineering
Author: Ajoy Guha, P. E. and Mark Hesters

INTRODUCTION

Staff needs to determine the system reliability impacts of the project interconnection and to identify the interconnection facilities including downstream facilities needed to support the reliable interconnection of the proposed Willow Pass Generating Station (WPGS) project. The interconnection must comply with the Utility Reliability and Planning Criteria, North American Electric Reliability Council (NERC) Planning Standards, NERC/Western Electricity Coordinating Council (WECC) Planning Standards, and California Independent System Operator (California ISO) Planning Standards. In addition the California Environmental Quality Act (CEQA) requires the identification and description of the “Direct and indirect significant effects of the project on the environment.” For the compliance with planning and reliability standards and the identification of indirect or downstream transmission impacts, staff relies on the System Impact Study (SIS) and Facilities Study (FS) as well as review of these studies by the agencies responsible for insuring the adjacent interconnecting grid meets reliability standards, in this case, the Pacific Gas and Electric Company (PG&E) and/or California ISO. 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 the transmission to violate reliability requirements the potential mitigation or upgrades required to bring the system into compliance are identified. The mitigation measures often include modification and construction of downstream transmission facilities. The CEQA requires environmental analysis of any downstream facilities for potential indirect impacts of the proposed project.

BACKGROUND

The September, 2008 SIS, using the 2013 Summer Peak base case, identified a new overload on the Alham Tap2-Oleum #1 115 line for the double (N-2) contingencies of the El Cerrito-Sobrante #1 and #2 115 kV lines. The suggested mitigation alternatives in the SIS report for the double (N-2) contingency overload are: an operational procedure or the installation of a special protection system (SPS).

DATA REQUESTS

37. To eliminate overload on the Alham Tap2-Oleum 115 kV line, select the mitigation alternative of an operational procedure or the installation of a SPS with the amount of the WPGS generation curtailment. Provide evidence that the curtailment of WPGS generation is feasible, preferably with a letter from the California ISO and from PG&E.

BACKGROUND

As required by the California ISO planning standards, the SIS performed with the 2013 summer peak case does not include power flow analysis for Category B contingencies of possible simultaneous combinations of a transmission line /transformer and a

generator (L-1 & G-1), and for Category C contingencies of multiple transmission elements (more than N-2) in the SIS. The SIS also does not include analyses for transient stability, short circuit, post-transient voltage and reactive power deficiency.

DATA REQUESTS

Provide the following analyses with a list of contingencies studied for the addition of the proposed WPGS 550 MW power output by using the 2013 summer peak case:

- a) Power flow analysis for critical Category B contingencies of possible combinations of a transmission line/transformer and a generator (L-1 & G-1).
 - b) Power flow analysis for critical Category C contingencies of multiple transmission elements (such as 230 kV & 115 kV buses or bus sections around Pittsburgh and Contra Costa or others).
 - c) Transient stability analysis for critical Category B (N-1) and Category C (N-2) contingencies of the PG&E bulk power (230 kV & 500 kV) transmission lines/transformers and for full load rejection of the proposed WPGS generators with monitoring of voltages, frequencies and generator rotor angles.
 - d) Short circuit analysis for three line-to-ground faults. If the data is available, the analysis for single line-to-ground faults should be performed.
 - e) Post-transient voltage analysis with governor power flow for selected single and double contingencies.
 - f) Reactive power deficiency analysis for selected single and double contingencies.
38. Provide the study results of each analysis in a Table format with pre and post-project data, if applicable.
39. Submit a power flow analysis report for interconnection of the proposed 550 MW WPGS to the PG&E Pittsburgh 230 KV switching station with a 2013 summer off-peak full-loop base case or a 2013 spring peak full-loop base case (preferable). The power flow analysis should be performed for normal (N-0) system conditions with all facilities in service, and for Category B (N-1, L-1 & G-1) and Category C (N-2 or more) contingencies. Provide a mitigation plan for any identified reliability criteria violations in the PG&E grid. Provide a list of contingencies studied and the study results of the analysis in a table format with pre and post-project data. In the report list all major assumptions in the base case including major path flows, major generator dispatch including queue & hydroelectric generation and loads in the area systems. Also identify the reliability and planning criteria utilized to determine the reliability criteria violations.
- Provide power flow diagrams (units in MW, percentage loading and per unit voltage) with and without the WPGS generation output for the base cases.

Power flow diagrams should also be provided for all overloads or voltage criteria violations under normal system (N-0) or contingency (N-1 & N-2) conditions

40. Provide electronic copies of *.sav, *.drw. *.dyd and *.swt GE PSLF files and EPCL contingency files in a CD.

Technical Area: Waste Management
Author: Alvin Greenberg

BACKGROUND

A Phase I Environmental Site Assessment (ESA) has been performed for the Willow Pass site. AFC pages 7.13-1, -2 and -3 state that nine areas of the site contain Recognized Environmental Conditions (RECs). At least one Phase II ESA was conducted in 1998 by Fluor Daniel. Staff needs the results of Phase II ESAs for all RECs in order to properly assess the impacts on worker and public health posed by hazardous wastes present on this site and all linears.

DATA REQUEST

41. Please submit a copy of the 1998 Fluor Daniel Phase II ESA.
42. Please list the regulatory agencies that reviewed or commented on the Phase I and Phase II ESAs and provide copies of that correspondence.
43. Please conduct and provide a Phase II ESA that addresses all RECs found in the Phase I ESA.
44. Please determine if any linear facilities, such as segments of the natural gas pipeline, water pipeline, and the wastewater discharge pipeline, will be constructed in areas requiring remediation. Provide a Phase I ESAs for the natural gas pipeline, the water pipeline, and the wastewater discharge pipeline. Provide a Phase II ESAs where RECs are identified.

BACKGROUND

The demolition phase of the project includes removal of aboveground oil storage tank #7. Demolition activities will generate hazardous and nonhazardous wastes.

DATA REQUEST

45. Please describe more specifically how the tanks will be cleaned prior to removal, the anticipated quantities and types of hazardous wastes that will be generated from cleaning, and how those wastes will be managed and disposed or recycled.
46. Please describe more specifically the management of the tank 7 pad and subsurface soils if they are found to be contaminated with oil or other wastes.

Technical Area: Visual Resources
Author: James Adams

BACKGROUND

Staff has reviewed the photos and simulations for key observation points (KOPs) one through nine (Figures 7.11-2 through 11-20). The existing view from KOPs one through six show trees that could provide significant screening for project structures, such as the two heat recovery steam generator stacks (HRSGs). If the trees continue to grow, they could effectively screen the HRSGs from the KOPs. However, the age and growth potential for the relevant trees is unknown. The applicant has stated its willingness to do an additional survey to determine the age of the trees. However, the applicant has not proposed a landscaping plan to mitigate visual impacts from the project at the selected KOPs.

DATA REQUESTS

47. Please provide the results of a landscape survey that includes the age, size and type of existing trees as well as the growth potential for the next five to ten years.
48. Please provide a draft landscaping plan that would mitigate visual impacts from the project at the selected KOPs.



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 *WILLOW PASS*
GENERATING STATION

Docket No. 08-AFC-6
PROOF OF SERVICE
(Revised 10/24/2008)

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-6
1516 Ninth Street, MS-15
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docket@energy.state.ca.us

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DECLARATION OF SERVICE

I, Hilarie Anderson declare that on November 12, 2008, I deposited copies of the attached Data Requests 1-48 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