

STATE OF CALIFORNIA
California Energy Commission

DOCKET

08-AFC-12

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In the Matter of:

The Application for Certification
for the San Joaquin Solar 1 and 2 Hybrid
Power Plant Project

Docket No. 08-AFC-12

CALIFORNIA UNIONS FOR RELIABLE ENERGY
PETITION TO COMPEL PRODUCTION OF INFORMATION
IN RESPONSE TO CURE DATA REQUESTS, SET FOUR

October 14, 2009

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I. INTRODUCTION

The Commission has stressed that when a project presents unusual challenges, it expects the applicant and Staff to thoroughly analyze a project's potential impacts as required by the California Environmental Quality Act ("CEQA").¹ Thus, the relevant scope of discovery, and the decisions that the Commission will be required to make in its evaluation, will vary with the complexity and novelty of the project under review. Although the Commission is required to conduct a thorough analysis of every application before it, the need for a proper analysis is underscored here because this Application is for the first solar thermal-biomass hybrid electric generating facility in the State.²

Section 1716(b) of the Commission's regulations gives *any party* the right to request from the applicant any information that is reasonably available and relevant to the application proceedings or reasonably necessary to make any decision on the application.³ The Commission's discovery procedures require the applicant to provide a response to a data request if "the information sought appears to be reasonably available, relevant, or necessary for [the Commission] to reach *any* decision in [the] proceeding."⁴

On August 24, 2009, California Unions for Reliable Energy ("CURE") served its fourth set of data requests on the Applicant, San Joaquin Solar 1 and 2 LLCs

¹ Committee Order Responding to CURE's Motion to Compel Production of Information, In the Matter of the Application for Certification for the Carrizo Energy Solar Farm, Docket No. 07-AFC-08 (Dec. 3, 2008), pp.2-3.

² California Energy Commission, Press Release "Review starts for solar thermal-biomass facility," (Mar. 11, 2009).

³ Cal. Code Regs., tit., § 1716(b).

⁴ Committee Ruling re: CVRP Petition to Compel Production of Documents, Docket No. 99-AFC-3 (Nov. 21, 2000), p.1 (emphasis added).

(“SJS”), pursuant to section 1716(b). (Exhibit 1.) On September 14, 2009, SJS served objections to seventeen data requests. (Exhibit 2.) SJS served partial responses to CURE’s fourth set of data requests on September 23, 2009. (Exhibit 3.)

CURE requested information that relates to the direct, indirect and cumulative environmental impacts of the San Joaquin Solar 1 and 2 Hybrid Power Plant Project (“Project”) under Commission regulations, the California Environmental Quality Act (“CEQA”),⁵ and the Warren-Alquist Act.⁶ This information relates to the Commission’s analysis of the Project’s potentially significant impacts to agricultural lands, worker safety, and threatened species. Without this information, the Commission will not have all of the information necessary to evaluate the Project.⁷ In addition, CURE will be unable to exercise its right to fully participate in this proceeding and to provide meaningful input into the Commission’s licensing process.

CURE respectfully submits this petition pursuant to section 1716(f) of the Commission’s regulations to compel the production of information that is relevant, reasonably available and, in some cases, within the sole control of SJS.⁸ For the reasons that follow, the Commission should find SJS’s objections meritless and compel SJS to provide the information sought. CURE respectfully requests an

⁵ Pub. Res. Code § 21000 *et seq.*

⁶ Pub. Res. Code § 25500 *et seq.*

⁷ *Concerned Citizens of Costa Mesa, Inc., v. 32nd District Agricultural Association* (1986) 42, Cal.3d 929, 936 (“CEQA compels an interactive process of assessment of environmental impacts and responsive project modification which must be genuine. It must be open to the public, premised upon a full and meaningful disclosure of the scope, purposes, and effect of a consistently described project, with flexibility to respond to unforeseen insights that emerge from the process This process helps demonstrate to the public that the agency has in fact analyzed and considered the environmental implications of its action.”(citations omitted)).

⁸ Cal. Code Regs., tit. 20, § 1716(f).

order directing SJS to provide the information requested in Data Requests 100, 101, 102, 103(2), 104(2), 125, 171, 173, 174, 189, and 191.

II. DISCUSSION

Any party to an AFC proceeding may “request from the applicant any information reasonably available to the applicant which is relevant to the ... proceedings or reasonably necessary to make any decision on the ... application.”⁹ At least three sources define the type of information that is relevant and reasonably necessary to make a decision on SJS’s AFC. First, Commission regulations identify the preliminary scope of environmental information that must be produced by SJS before the Commission can determine that an application is “data adequate.”¹⁰ Second, CEQA requires sufficient facts and analysis for the Commission to identify potentially significant environmental impacts and devise feasible mitigation measures for significant adverse direct, indirect, and cumulative impacts of the project.¹¹ Third, the Warren-Alquist Act requires that the Commission determine the project’s conformity with other laws, ordinances, regulations and standards (“LORS”), and assure that the public’s health and safety will be protected prior to issuing a license.¹² Information related to any of these requirements is unquestionably relevant and necessary for the Commission’s review of SJS’s AFC.

⁹ Cal. Code Regs., tit. 20, § 1716(b) (emphasis added).

¹⁰ Cal. Code Regs., tit. 20, art. 6, Appendix B.

¹¹ Pub. Resources Code §§ 21080(d)-(f), 21081.6, 21082.2; Cal. Code Regs., tit.14,§15151.

¹² Pub. Resources Code § 25500.

A. SJS's Objections Lack Merit

SJS raises general and specific objections to CURE's data requests. For the second time in this proceeding, SJS has accused CURE, by way of a general objection, of engaging in illegal labor practices by virtue of its participation in this proceeding.¹³ SJS raises several specific grounds for objection, chief among which is that the data sought by CURE is not reasonably available to SJS.¹⁴ SJS's objections lack merit. Our response to SJS's general objection is provided below,¹⁵ followed by our response to SJS's specific objections.

i. SJS's General Objection Conflicts with its own AFC and Commission Precedent

SJS objects to CURE's data requests claiming that, after SJS filed its AFC, CURE initiated efforts to seek labor agreements for the Project. SJS alleges that CURE's "objective" as an intervener in this matter is to obtain a project labor agreement.¹⁶ While SJS's accusation is certainly a provocative effort at distracting the Commission from the environmental issues in the case, SJS's objection is contradicted by its own prior representations to the Commission and the actual sequence of events. Most importantly, the Commission should not accept SJS's

¹³ SJS first raised its general objection in its Objection to Data Requests of California Unions for Reliable Energy Set 4. SJS raised the same objection in its Response to CURE in Applicant's Response to CURE's Motion to Compel Set 3, which it served on October 1, 2009.

¹⁴ See generally 08-AFC-12, Objections to Data Requests of California Unions for Reliable Energy, Set 4 (Sep. 14, 2009).

¹⁵ CURE's response also addresses SJS's general objections raised in its Response to CURE's petition to compel production of information in response to CURE's third set of data requests. (CURE's Reply to San Joaquin Solar 1 and 2, LLC's Response to CURE's Petition to Compel Production of Information in Response to CURE Data Requests, Set Three, Docket No. 08-AFC-12 (Oct. 2, 2009) p.1.))

¹⁶ Objections to Data Requests of California Unions for Reliable Energy Set 4, Docket No. 08-AFC-12, (Sep. 14, 2009) ("SJS Objections"), p.5.

invitation to delve into matters of labor relations that are not part of the Commission's responsibility or expertise, and should not attempt to divine CURE's "objective" any more than it tries to divine the "objective" of the myriad of other participants in Commission proceedings.

In November 2008, SJS filed its AFC with the Commission. In the AFC itself, **SJS** expressly stated that it would seek a Project Labor Agreement in order to address the construction workforce needs of the project:

SJS 1&2 LLC and the local union will enter into a project labor agreement (PLA) to ensure that a sufficient supply of skilled craft workers is available at the Project to perform construction related activities.¹⁷

Thus, from the very beginning, SJS made clear that *it* sought and would enter into a Project Labor Agreement for the Project. SJS's claim that "CURE and its legal counsel initiated efforts to seek labor agreements"¹⁸ conflicts with its own AFC.

Furthermore, SJS's claim that "CURE only takes negative action...when applicants cannot or do not enter construction labor agreements in what CURE considers to be a sufficient time period before or shortly after filing the AFC" is also belied by the facts in this very case. On April 2, 2009, approximately three weeks after the AFC was deemed complete, CURE filed a petition to intervene in the certification process.¹⁹ On April 24, 2009, the Committee granted CURE's petition to intervene.²⁰ CURE then began reviewing the AFC and filed its first set of data

¹⁷ AFC, p.3-25.

¹⁸ SJS Objections, p.4.

¹⁹ Petition to Intervene by California Unions For Reliable Energy, Docket No. 08-AFC-12 (Apr. 2, 2009).

²⁰ Committee Order Granting Petition to Intervene, Docket No. 08-AFC-12 (Apr. 24, 2009).

requests on May 28, 2009. All of this took place in the context of SJS's own publicly stated intention to enter into a labor agreement.

Subsequently, CURE received an invitation from SJS to meet with company management regarding labor matters. While CURE accepted the invitation, CURE continued to review the AFC and filed its second set of data requests on July 14, 2009. As acknowledged by SJS,²¹ it was not until July 16, 2009 that CURE met, for the first time, with SJS in response to its invitation. CURE's participation in this proceeding was already well underway prior to discussion of labor matters with company management and in the context of SJS's own publicly stated intention to enter into a labor agreement. Thus, the timeline makes SJS's accusations untenable.

More importantly, while offering no evidence to support the idea that CURE's participation before the Commission has been anything other than appropriate, SJS appears to invite the Commission into an arena that is wholly beyond its authority: namely labor relations. SJS is attempting to transform normal discussions between labor and management into something sinister. Such discussions are typical business negotiations, which like many business negotiations, are irrelevant to the Commission's proceeding.

This proceeding is not the first time that the Commission has been invited into this arena. In 2004, Robert L. Balgenorth, CURE's Chairman, responded to

²¹ SJS Objections, p.5.

accusations by Republican Assembly members on the very same topic.²² In 2008, in the Carrizo Energy Solar Farm proceeding, Ausra attempted to avoid its obligations to produce environmental information by raising labor issues. CURE responded to Ausra's accusations.²³ The Committee in its order *granting* CURE's motion to compel in that proceeding dismissed the accusations in one sentence:

In considering the present Motion, we have disregarded the rhetorical elements of the pertinent filings and have evaluated whether the information sought appears to be reasonably available, relevant, or necessary for us to reach a decision in this proceeding.²⁴

As then, this is not a subject that is appropriate for the Commission.

As to the matter of participation in Commission proceedings, CURE, along with any other interests that seek to participate, can petition to intervene and raise issues within the Commission's jurisdiction. To suggest that the Commission should attempt to divine the "objective" of a participant instead of the merits of the claims raised is inconsistent with the Commission's obligations under the Warren-Alquist Act, and would lead the Commission into a morass of irrelevant speculation. Is the "objective" of a neighboring property owner protesting the air pollution, noise and traffic of a project to preserve the value of the property? Is the "objective" of a farmer protesting a project drawing water from the same aquifer to preserve the farmer's ability to grow crops? Is the "objective" of a City's protesting the visual

²² Letter from Robert L. Balgenorth, CURE Chairman, to Chairman William Keese and Commissioners, Re: California Unions for Reliable Energy, August 24, 2004. (Exhibit 4.)

²³ California Unions for Reliable Energy Motion to Compel Production of Information, In the Application for Certification for the Carrizo Energy Solar Farm, Docket No. 07-AFC-08 (October 24, 2008).

²⁴ Committee Order Responding to CURE's Motion to Compel Production of Information, In the Application for Certification for the Carrizo Energy Solar Farm, Docket No. 07-AFC-08 (December 3, 2008), p.2.

impact of a coastal project to transform the beachfront property to create greater economic development? Each of these objectives is valid, but simply irrelevant for the Commission. The Commission's review process depends on the analysis and input of stakeholders and other interested parties, whatever the objective for their participation.

ii. CURE's Environmental and Economic Interests Are Relevant

Although irrelevant, CURE has no reluctance to discuss its "objective." CURE intervened in the proceeding to protect its environmental and economic interests. Because CURE is a coalition of unions whose members construct and operate power plants in California, the project directly affects the union members' immediate economic interests.

The project also affects the union members' long-term economic and environmental interests. When a project proposes to degrade area wage standards, degrade air quality, and squander limited available water and emissions offsets, it is entirely appropriate that labor unions closely scrutinize the project.

Environmental degradation jeopardizes future jobs by causing construction moratoriums, depleting limited emissions offsets, using limited fresh and ground water, and putting other stresses on the environmental carrying capacity of the state. This reduces future employment opportunities. In contrast, well designed projects that reduce environmental impacts of electricity generation improve long-term economic prospects. Union members are concerned about projects that cause serious environmental harm without providing countervailing economic benefits.

This Project clearly demonstrates the potential effects of a poorly designed project or a project with inadequate mitigation. The Project is the first hybrid biomass-solar facility to come before the Commission, and as such it presents novel issues regarding the transportation and burning of biomass, the use of scarce groundwater, and potential environmental trade-offs in renewable energy generation. Thus, if the impacts are not adequately mitigated, the area will not be able to support further renewable energy development. This is precisely the type of proceeding that should have active public participation to assist the Commission in making well-informed decisions on renewable energy development. This Project is a classic example of how inadequate environmental analysis and mitigation could adversely impact the environment, the economic interests of construction workers and California's renewable energy goals.

iii. SJS's Objections are the Equivalent of a SLAPP Suit

SJS boldly accuses CURE of engaging "in a pattern and practice of Commission intervention to promote labor organizing objectives of CURE's member unions rather than for legitimate objectives under CEQA or Commission regulations."²⁵ SJS also suggests that the Commission should "severely curtail[] and restrict[] CURE's rights in proceedings like this one..."²⁶ The only possible reason for SJS to make these accusations and refer to CURE, its unions, its workers, its president, and its counsel in an objection to a data request is an

²⁵ Objections to Data Requests of California Unions for Reliable Energy Set 4, Docket No. 08-AFC-12 (Sep. 14, 2009), p.3.

²⁶ Objections to Data Requests of California Unions for Reliable Energy Set 4, Docket No. 08-AFC-12 (Sep. 14, 2009), p.3.

attempt to intimidate. This type of behavior is not allowed in California courts, and it should not be allowed in the Commission's proceedings.

The California Legislature has acted to halt litigation tactics aimed at punishing individuals for exercising their first amendment rights. Section 425.16 of the California Code of Civil Procedure, commonly known as the "anti-SLAPP" provision, creates a special motion procedure to strike a lawsuit filed "against a person arising from any act of that person in furtherance of the person's right of petition or free speech under the United States or California Constitution in connection with a public issue."²⁷ An "act in furtherance" of these rights includes the following:

(1) [A]ny written or oral statement or writing made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law; (2) any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive, or judicial body, or any other official proceeding authorized by law; (3) any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest; (4) or any other conduct in furtherance of the exercise of the constitutional right of free speech in connection with a public issue or an issue of public interest.²⁸

CURE's participation in the Energy Commission's certification process and the review and approval processes of other public agencies related to the Project are acts in furtherance of CURE's constitutional rights of petition and free speech. The sole purpose of SJS's tactics is to intimidate CURE and impair CURE's ability to

²⁷ Code Civ. Proc. § 425.16(b).

²⁸ Code Civ. Proc. § 425.16(e).

represent its members' interests, *i.e.*, to interfere with CURE's constitutionally protected rights.

This Commission has a long, exemplary record of encouraging public participation. It should show no tolerance for attempts to curtail public participation.

iv. CURE Has A Long Record of Environmental Achievement

SJS's claims that "[f]inalizing the project labor agreement...is the only way [SJS] will cause CURE to cease or limit its data requests and other activity in this proceeding."²⁹ SJS provides no evidence to support its claim because the claim is simply false. When CURE participates in a proceeding, CURE does not "cease or limit its data requests and other activity" when a project labor agreement is finalized. As the Commission well knows, CURE consistently seeks resolution of its environmental issues on the merits.

The Commission has once before performed an investigation of CURE's record of involvement in Commission proceedings. The anticlimactic conclusion of that investigation was that "CURE, like most intervenors, has its own set of issues and concerns that it wants addressed in siting cases."³⁰ These concerns are no less legitimate than any other party's concerns, including an applicant's. The Commission also noted that "CURE has been as effective as other sophisticated intervenors in raising issues of concern with proposed projects, seeking project

²⁹ *Id.* at p.4.

³⁰ Letter from Robert L. Therkelsen, Executive Director of the California Energy Commission to Matt Tennis Legislative Director of Associated Builders and Contractors of California (Oct. 26, 2004), p.5.

changes in response to its concerns, and presenting its perspective in the proceedings.”³¹ Finally, in response to protests regarding the costs and delay incident to responding to CURE’s data requests – protests similar to those raised by SJS in this proceeding – the Commission’s simple retort was that “answering data requests from parties is a normal aspect of a power plant siting case.”³² Such logic applies here.

CURE seeks information that is relevant to the Commission’s decision in this proceeding under Commission regulations, CEQA, and the Warren-Alquist Act. CURE’s long record of environmental achievement in Commission proceedings is well documented. CURE’s participation in this proceeding continues CURE’s demonstrated commitment to making environmental improvements to California power plants.

Beginning in 1997, CURE advocated for lowering the nitrogen oxides (“NOx”) emission rate from gas-fired power plants. In the first post-deregulation AFC (97-AFC-01), the High Desert Power Project proposed a NOx emission rate of 4.0 parts per million (“ppm”). In the next AFC (97-AFC-02), Calpine proposed a NOx emission rate of 3.5 ppm. CURE presented expert testimony, including vendor guarantees, supporting lower emission rates. As part of comprehensive settlements with both project developers, they agreed to emission rates of 2.5 ppm. CURE continued to pursue the issue, and in our agreements with the developers of the Three Mountain project and the Elk Hills project, the NOx emission rate was

³¹ *Id.* at p.4.

³² *Id.*

lowered to 2.0 ppm. Now, every application starts with the premise that it must meet this limit. While CURE was not solely responsible for this achievement, as it required persuading EPA to support these limits, it is fair to say that CURE played a major part in this dramatic reduction in NOx emissions.

Similarly, the early AFCs did not propose oxidation catalysts. This equipment reduces toxic and other organic emissions, as well as emissions of carbon monoxide (“CO”). In the Sunrise AFC (98-AFC-04), CURE vigorously argued that an oxidation catalyst should be required to reduce toxic acrolein emissions. CURE submitted extensive expert testimony. The applicant and CEC staff opposed CURE, and the CEC did not require an oxidation catalyst. However, shortly thereafter, the staff asserted that an oxidation catalyst should be required for the Metcalf project, and it has been standard equipment since that time.

CURE was also the first to raise the applicability of State Water Resources Control Board Resolution 75-58 regarding the use of fresh water for power plant cooling. Concerned with the use of Delta water for cooling for the High Desert Power Project, CURE cited Resolution 75-58 as establishing a hierarchy for the use of water resources in power plant cooling. We did not get a favorable response. However, though fulfillment was a long time in coming, the Commission’s 2003 Integrated Energy Policy Report relied on it to establish the Commission’s policy on using fresh water for power plant cooling.³³

³³ 2003 Integrated Energy Policy Report, California Energy Commission, Docket No: 02-IEP-1, Pub Bo. 100-03-019 (December 2003), pp.39-41.

This record of environmental achievement by labor unions has not gone unrecognized. In June 2005, CURE's chair, Bob Balgenorth, was honored by the California League of Conservation Voters with the Byron Sher Environmental Leadership award.³⁴

CURE's environmental achievements are also explained in a 2005 report published by the Planning and Conservation League entitled *Everyday Heroes Protect the Air We Breathe, the Water We Drink, and the Natural Areas We Prize: Thirty-Five Years of the California Environmental Quality Act*.³⁵ In an article entitled *CEQA Cleans Up California's Power Plants*, the CEC is commended for inviting community organizations such as CURE to use the authority derived from CEQA to require mitigation for significant air quality impacts from construction and operation of power plants.

CURE's participation in some of the Commission's proceedings has been a major factor in achieving these and many other environmental improvements in California power plants.

v. CURE Does Not Seek An Illegal Project Labor Agreement

SJS states in its objection that it does not have legal standing to enter into a project labor agreement and that "entering into the labor agreements that CURE demands, in order to settle any issues and/or eliminate CURE's intervention activity in this proceeding, could subject [SJS] to legal exposure" under various

³⁴ <http://www.ecovote.org/laborandenvironment/>

³⁵ *Everyday Heroes Protect the Air We Breathe, the Water We Drink, and the Natural Areas We Prize: Thirty-Five Years of the California Environmental Quality Act*, Planning and Conservation League, Project Manager and Acting Executive Director: Karen Douglas (2005).

laws.³⁶ Consequently, SJS requests that the Commission “sustain [SJS’s] objection...to avoid further adverse action in the permitting proceeding.”³⁷

These statements are baffling, since it was SJS, not CURE that said in the AFC that SJS sought a project labor agreement. Neither CURE nor any of its participating unions has sought or will seek any illegal agreements of any sort. In fact, SJS acknowledges that CURE proposes a legal agreement by securing a union contractor.³⁸ The fact that nearly all of the power plants built in California during the past decade have been built using project labor agreements amply demonstrates that legal agreements are the norm.

For these reasons, the Commission should overrule SJS’s general objection. SJS should be compelled to provide the requested information, which is reasonably available and both relevant and necessary to a full assessment of the issues in this proceeding.

B. SJS’s Specific Objections to CURE’s Data Requests Lack Merit

The Committee in the Carlsbad Energy Center proceeding noted that the production of “information” by the applicant includes data and other objective information available to it.³⁹ Although the answering party is not required to perform research or analysis on behalf of the requesting party, the “line between discoverable data and undiscoverable analysis and research is dependent on the

³⁶ SJS Objections, p.4.

³⁷ SJS Objections, p.4.

³⁸ SJS Objections, p.5.

³⁹ Committee Ruling on Intervenor Center for Biological Diversity’s Petition to Compel Data Responses, Application for Certification for the Carlsbad Energy Center, Docket, No. 07-AFC-6, December 26, 2008.

particulars of a request and cannot be drawn with precision.”⁴⁰ Thus, in evaluating the request, the Committee in Carlsbad Energy Center considered four factors:

1. The relevance of the information;
2. Whether the information is available to the applicant, or from some other source, and whether it has already been provided in some form;
3. Whether the request is for data, analysis, or research; and
4. The burden on the applicant to provide the data.⁴¹

If the applicant refuses to provide the requested information, the requesting party “may petition the committee for an order directing the responding party to supply such information.”⁴²

SJS should provide responses to CURE’s data requests, because, as shown below, CURE’s data requests are relevant, the information sought should be reasonably available to SJS because it is required by Commission regulations and, for that same reason, exact no unfair burden on SJS.

**i. CURE’s Data Request Nos. 100, 101, 102, 103(2), 104(2)⁴³:
Quantification and Assessment of Agricultural Impacts**

Information regarding significant impacts to agriculture is particularly necessary in this case. The Applicant claims that there will not be significant impacts to biological resources because the Project site *is currently in*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.* at § 1716(g).

⁴³ Since CURE inadvertently duplicated the numbering of data requests 100 through 104, SJS marked the duplicate numbers as 100(2), 101(2), 102(2), 103(2), and 104(2). As a result, CURE will now refer to these data requests accordingly.

agriculture use. However, the County of Fresno stated on October 13, 2009 that the Project site “*is currently not in agricultural use.*”⁴⁴

CURE’s data requests attempt to resolve this fundamental discrepancy. Either there may be significant impacts to agriculture or significant impacts to biological resources. The Commission needs to know which.

According to the AFC, SJS proposes to remove 640 acres from agricultural use. The AFC says the Project would lead to the conversion of farmland of local importance to non-agricultural uses which conflicts with the existing Williamson Act contract on the Project site.⁴⁵ However, the AFC does not include an analysis of significant impacts to agriculture.

In contrast is the County’s proposal to allow a CEQA exemption for cancellation of the Williamson Act contract for 468.88 acres on the basis that the Project site is currently *not* in agricultural use and that the CEC will evaluate significant agricultural impacts in this proceeding. CURE seeks to resolve the discrepancy by obtaining information clearly describing the current use of the property and information supporting SJS’s assertion that the Project would not result in significant impacts to agriculture.

CURE’s data requests 100, 101 and 102 request information necessary to establish the *environmental baseline* for evaluating potentially significant impacts to agriculture under CEQA. Similarly, CURE’s data requests 103(2) and 104(2)

⁴⁴ Fresno County, Agricultural Land Conservation Committee Staff Report, Agenda Item No. 2 (October 13, 2009). (Exhibit 5.)

⁴⁵ AFC, p.5.4-13.

request information necessary to evaluate *significant impacts* to agriculture and are necessary in order to identify appropriate mitigation measures.

It may be possible that information provided in response to one of these data requests would be responsive to another request. The basis for these requests is to resolve the inconsistencies in the AFC and between SJS and the County, to obtain information supporting SJS' assumptions regarding the environmental baseline, to obtain the required analysis of potentially significant agricultural impacts, and to obtain information to enable identification of feasible mitigation measures.

The basis for CURE's Data Requests 100, 101 and 102 is as follows:

Background: ENVIRONMENTAL SETTING

The AFC's description of current land uses on the Project site is overbroad and inconsistent. An accurate description of the environmental baseline is necessary for an adequate analysis of potentially significant impacts. For example, the AFC states that the Project site is currently active farmland recently cleared and planted with wheat and pistachios, including cotton, safflower and garlic.⁴⁶ The AFC also states that the majority of the Project site is actively cultivated at this time, with pistachio and wheat cultivation in progress.⁴⁷ However, a portion of the Project site is not in agricultural production.⁴⁸ In addition, the Project site is bare due to recent plowing.⁴⁹ Finally, with respect to the land use baseline for the

⁴⁶ AFC, p.5.6-1.

⁴⁷ AFC, p.5.6-5.

⁴⁸ AFC, p.5.4-1 ("The northeastern corner of the site was previously used for oil exploration.")

⁴⁹ AFC, p.5.6-4.

Project's proposed transmission corridor, the AFC states that "the majority of the proposed transmission line alignment is comprised of orchards and row crops."⁵⁰

Data Request

100. Please provide documentation supporting the AFC's statement on page 5.6-1 that the Project site is recently planted with wheat and pistachios, including cotton, safflower and garlic.

SJS Objection

The referenced AFC statement was based on oral communications with the property owners. The Applicant has requested "documentation" from the owner's of the Project site and will provide it, if it is reasonably available. However, to the extent that the "documentation" is not available, the Applicant objects to this request on the grounds that the "documentation" is not reasonably available to the Applicant. The Applicant also objects on the grounds that the information is not reasonably necessary for the Commission to make a decision on the Application.

CURE's Response

Data Request 100 requests information that should be reasonably available to SJS. SJS is working with the owner of the proposed Project site to develop a power plant on the site. SJS is also working with the owner of the Project site to apply for a cancellation of the Williamson Act contract on 468.88 acres. SJS has obtained enough information to state in the AFC that the Project site is recently

⁵⁰ AFC, p.5.6-5.

planted with wheat, pistachios, cotton, safflower and garlic. Therefore, documentation supporting this information should be reasonably available to SJS.

Furthermore, Data Request 100 requests information relevant to the Commission's duty under CEQA to determine whether a proposed project could have a potentially significant impact on agriculture and to identify potential mitigation measures.⁵¹ CEQA Guidelines, Appendix G specifically provides that a project may have a potentially significant impact to agriculture if it "involves changes to the existing environment" that could result in "conversion of farmland to nonagricultural use," as in this case. As explained above, in light of the inconsistencies in the AFC and from Fresno County, the extent to which the Project site is recently planted is relevant to the Commission's duty under CEQA to set forth an adequate description of the environmental baseline and an adequate analysis of potentially significant impacts to agriculture.

Data Request

101. Please explain the AFC's statement on page 5.6-5 that a "majority of the Project site is actively cultivated at this time" by describing the number and location of acres actively cultivated at this time.

SJS Response

The Property has been tilled in 2009 and is planted seasonally. The number of acres actively planted varies depending on the season. Currently, pistachio trees are planted and cultivated on over 150 acres of the project site. It is appropriate to

⁵¹ Pub. Resources Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a), 15126.6, subd. (b).

consider the entire site is planted periodically, and seasonal plantings occur on portions of the site.

CURE Response

SJS's response is incomplete. Data Request 101 requests information relevant to the Commission's duty under CEQA to analyze potentially significant impacts on agriculture, and if such impact exists, to consider feasible mitigation and alternatives that would lessen or eliminate that impact.⁵² The AFC states that a majority of the Project site is actively cultivated at this time. SJS explained in response to CURE Data Request 103 that "[m]ajority means more than 50%."⁵³ CURE's data request seeks a description of the number and location of acres actively cultivated at this time. However, SJS only provides information regarding approximately 150 acres of a 680 acre Project site, much less than 50%. Moreover, SJS failed to describe the location of acres actively cultivated at this time.

Data Request

102. Please provide documentation reflecting the last date of planting of each crop type at the Project site. The response should provide the year and month.

SJS Response

The Applicant does not have such documentation of the "last date" of planting of "each crop type." The Applicant objects to the question on the grounds that the information is not reasonably available to the Applicant and that the information is not reasonably relevant to any decision the Commission must make on this

⁵² Pub. Resources Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a), 15126.6, subd. (b).

⁵³ SJS Response to CURE Set 4, Response to CURE Data Request 103.

Application. We are not aware of any Commission decision that has discussed, much less made findings, concerning the last date of planting of each crop type on a proposed project site.

CURE Response

Data Request 102 requests information that should be reasonably available to SJS. SJS is working with the owner of the proposed Project site to develop a power plant and to apply for cancellation of a Williamson Act contract on the Project site. SJS has obtained enough information to state that the majority of the Project site is actively cultivated at this time, with pistachio and wheat cultivation in progress.⁵⁴ However, SJS also stated that a portion of the Project site is not in agricultural production.⁵⁵ Therefore, documentation supporting SJS's assumptions regarding agriculture should be reasonably available to SJS.

Furthermore, Data Request 102 requests information relevant to the Commission's duty under CEQA to determine whether a proposed project could have a potentially significant impact on agriculture and, if such impact exists, to consider feasible mitigation and alternatives that would lessen or eliminate that impact.⁵⁶ CEQA Guidelines, Appendix G specifically provides that a project may have a potentially significant impact to agriculture if it "involves changes to the existing environment" that could result in "conversion of farmland to nonagricultural use," as in this case. Like Data Requests 100 and 101, the basis for Data Request 102 is to resolve the discrepancies in the AFC and between SJS's and

⁵⁴ AFC, p.5.6-5.

⁵⁵ AFC, p.5.4-1 ("The northeastern corner of the site was previously used for oil exploration.")

⁵⁶ Pub. Resources Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a), 15126.6, subd. (b).

the County's characterization of the Project site by obtaining information clearly describing the current use of the property. Here, the last date of planting of each crop type at the Project site would provide information regarding the environmental baseline to enable an analysis of impacts to that baseline, as required under CEQA.

The basis for CURE's data request 103(2) and 104(2) is as follows:

Background: IMPACTS TO AGRICULTURAL USES

Under CEQA, the lead agency is required to determine whether a proposed project could have a potentially significant impact on agriculture, and if such impact exists, to consider feasible mitigation and alternatives that would lessen or eliminate that impact.⁵⁷ CEQA Guidelines, Appendix G provides that a project may have a potentially significant impact to agriculture if it, 1) conflicts with existing zoning for agricultural use or a Williamson Act contract; (2) involves changes to the existing environment that, because of their location or nature, could result in conversion of farmland to nonagricultural use; or (3) converts prime farmland or farmland of statewide importance to nonagricultural uses.

The Fresno County Planning Code provides that, in order to obtain a conditional use permit, a finding must be made that the proposed use will have no adverse effect on abutting property or the permitted use thereof.⁵⁸ The Williamson Act was passed to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses.

⁵⁷ Pub. Resources Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a), 15126.6, subd. (b).

⁵⁸ Fresno County Zoning Ordinance, § 873(F).

In addition, the California Agricultural Land Evaluation and Site Assessment Model (“LESA”), created by the California Department of Conservation, provides a specific threshold of significance to determine the Project’s impacts on agricultural lands.⁵⁹ The Department of Conservation developed LESA to provide lead agencies with a methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process.⁶⁰ LESA evaluation factors include two land evaluation measures regarding soil resource quality and four site assessment factors, including a project’s size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. The project score then becomes the basis for making a determination of a project’s potential significance.⁶¹

The AFC states that land uses in all four directions from the Project site and within the Project site are predominantly in agricultural production.⁶² The AFC further provides that lands directly north of the site, some parcels to the east of the Project site, and 171.12 acres within the Project site are zoned for exclusive agricultural use.⁶³ The Applicant explains that the remaining 468.88 acres of the Project site are under Williamson Act contract.⁶⁴

⁵⁹ See e.g. Final Program Environmental Impact Report, Coalinga Wastewater Treatment Plant (Apr. 2006), p.V-55.

⁶⁰ Pub. Resources Code § 21095.

⁶¹ See e.g. 6-AFC-5C, Final Staff Assessment Panoche Energy Project (Sep. 20, 2007), p.4.5-1.

⁶² AFC, p.5.9-5.

⁶³ See AFC, p.5.9-1.

⁶⁴ San Joaquin Solar 1 & 2 Hybrid Project Supplemental Information in Response to CURE Data Request Set #2, Response to Data Request No. 30. The contract was executed on January 2, 1971 between Standard Oil Company of California and the County of Fresno. San Joaquin Solar 1 & 2

If approved, the Project would remove 640 acres from agricultural use: 171.12 acres currently zoned for exclusive agricultural use and 468.88 acres from the Williamson Act program. The Soils Section of the AFC admits that the Project will lead to the conversion of farmland of local importance to non-agricultural uses and will conflict with the existing Williamson Act contract,⁶⁵ but does not cite to any LESA analysis or otherwise analyze significant impacts to agriculture. Nor does the Soils Section provide mitigation for significant impacts to agriculture. The Land Use section of the AFC states that the land will be taken out of agricultural production, but also does not analyze significant impacts to agriculture.⁶⁶ Furthermore, the Land Use section summarily concludes that the Project will not create significant impacts to surrounding lands and that renewable energy is a “tradeoff” that is “an inherent form of mitigation.”⁶⁷

Data Request

103(2). Please provide an analysis of the Project’s impacts on agriculture.

SJS Response

Please see AFC section 5.9.1.3.2 Agricultural Williamson Act Lands for a discussion of the cancellation process and fees and mitigation for removal of Williamson Act lands from agricultural use. The project will remove 640 acres of

Hybrid Project Supplemental Information in Response to CURE Data Request Set #2, Attachment DR-32.

⁶⁵ AFC, p.5.4-13.

⁶⁶ AFC, p.5.9-12.

⁶⁷ AFC, p.5.9-12.

non-prime farmland from productive capacity, of which approximately 469 acres are currently under a Williamson Act contract.

CURE Response

SJS's Response is non-responsive as it does not provide an analysis of the Project's impacts on agriculture. AFC section 5.9.1.3.2 is merely a description of the Williamson Act cancellation process. The purported land use analysis section of the AFC does not even begin until section 5.9.2. Furthermore, even within section 5.9.2, the AFC merely states that land will be taken out of agricultural production, but ***does not analyze*** significant impacts to agriculture.⁶⁸ Similarly, the Soils Section of the AFC admits that the Project will lead to the conversion of farmland of local importance to non-agricultural uses and will conflict with the existing Williamson Act contract⁶⁹ but does not cite to any LESA analysis, or otherwise analyze significant impacts to agriculture. Instead, both the Land Use and Soils sections of the AFC conclude that no significant agricultural impacts will occur and no mitigation is necessary.⁷⁰

Data Request

104(2). Please provide the LESA score for the 640 acres that will be withdrawn from agricultural use as a result of the Project and the analysis that supports the score obtained.

⁶⁸ AFC, p.5.9-12.

⁶⁹ AFC, p.5.4-13.

⁷⁰ *See, i.e.*, AFC, p.5.9-12.

SJS Objection

The Applicant has not calculated the “LESA” score. The Applicant objects to the question on the grounds that the information is not reasonably available to the Applicant and would require the Applicant to conduct analyses for CURE. The Applicant also objects to the question on the grounds that the information is not reasonably relevant to any decision the Commission must make on this Application.⁷¹

CURE Response

Data Request 104(2) requests information relevant to the Commission’s duty under CEQA to determine whether a proposed project could have a potentially significant impact on agriculture and, if such impact exists, to consider feasible mitigation and alternatives that would lessen or eliminate that impact.⁷² The California Department of Conservation created the LESA model as a specific threshold of significance to determine project impacts on agricultural lands under CEQA.⁷³ LESA was intended to provide CEQA lead agencies with a methodology to ensure that significant effects on the environment from agricultural land conversions are quantitatively and consistently considered in environmental review processes.⁷⁴ Therefore, the information is undeniably relevant to the Commission’s

⁷¹ Objections to Data Requests of California Unions for Reliable Energy Set 4 (Sep. 14, 2009), p.9 (08-AFC-12).

⁷² Pub. Resources Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a), 15126.6, subd. (b).

⁷³ See, e.g., Final Staff Assessment Panoche Energy Project, Docket No. 6-AFC-5C (Sep. 20, 2007), p.4.5-1.

⁷⁴ Pub. Resources Code § 21095.

decisions regarding the significance of the loss of 640 acres of farmland of local importance and appropriate mitigation for the loss.⁷⁵

Furthermore, Data Request 104(2) requests information that should be reasonably available to SJS. Commission regulations governing the content requirements for applications require applicants to include an analysis of the “direct, indirect, and cumulative effects on agricultural land uses.”⁷⁶ In addition, as recently as September 2009 in the Draft Staff Report for Interim Guidance for Desert Renewable Energy Project Development, Energy Commission and other agency staff recommended that project developers for proposed renewable energy projects prepare a LESA analysis:

On privately-owned lands, assess the impacts of the proposed project on agriculture, farmland, and grazing operations through the use of the California [LESA] model. Develop feasible measures to reduce the significance of impacts. Project developers should avoid when possible, the conversion of Prime Farmland, Unique Farmland or farmland of Statewide Importance, or lands under a current Williamson Act contract.⁷⁷

Finally, Energy Commission staff used a LESA analysis to analyze agricultural impacts for the Panoche Energy Project – also in Fresno County – and for the Coalinga Wastewater Treatment Plant near the SJS Project site.⁷⁸ Therefore, the requested analysis is within the reasonable scope of information that applicants should provide to enable the Commission to

⁷⁵ See Pub. Resources Code §§ 21002, 21002.1(a), 21081, 21100(b)(3); Cal. Code Regs., tit.14, §§ 15126.4(a)(1), 15091(a).

⁷⁶ Cal. Code Regs., tit. 20, art. 6, Appendix B (g)(3)(D)(iii).

⁷⁷ California Energy Commission, Draft Status Report, Interim Guidance for Desert Renewable Energy Project Development (Sep. 2009), p.17.

⁷⁸ See Final Program Environmental Impact Report, Coalinga Wastewater Treatment Plant (Apr. 2006), p.V-55; Final Staff Assessment Panoche Energy Project (Sep. 20, 2007) (6-FC-5C), p.4.5-1.

adequately evaluate and mitigate potentially significant agricultural impacts under CEQA.

For the above reasons, the Commission should find SJS's grounds for objection meritless and compel SJS to provide a response to CURE's Data Request No. 100, 101, 102, 103(2) and 104(2).

ii. CURE's Data Request No. 125: Heat Transfer Fluid (HTF) Spills and Leaks

The basis for CURE's data request 124 is as follows:

Background: HEAT TRANSFER FLUID SOIL CONTAMINATION

The AFC states that HTF is a hazardous waste, but does not state whether the Applicant will treat HTF contaminated soil as hazardous waste. Page 5.4-10 of the AFC states that the amount of contaminated soil from HTF spills should not exceed 20 cubic yards in a 3-month period. The AFC proposes to use a 2 acre parcel in the common area for temporary storage of contaminated soil until it is transported off-site.⁷⁹ The AFC states that in areas of potential HTF contamination, the runoff will be diverted to the lined evaporation ponds.⁸⁰

Data Request

125. Please provide the number of hours in which HTF leaks would be abated following detection.

⁷⁹ AFC, p. 5.14-10.

⁸⁰ AFC, p. 5.5-15.

SJS Objection

The Applicant has no idea what this question means. The Applicant objects to the question on the ground that it is vague.

CURE Response

Data Request 125 is clear and straightforward. The request seeks information on SJS's response plan in the event of HTF leaks. The request is relevant to the Commission's analysis of environmental and public health impacts from HTF leaks under CEQA.⁸¹ Furthermore, Commission regulations require applicants to include in the application "the protocol that will be used in modeling potential consequences of accidental releases that could result in off site impacts"⁸² and "[a] discussion of measures proposed to reduce the risk of any release of hazardous materials."⁸³ The Warren-Alquist Act requires the Commission to identify:

(a) Specific provisions relating to the manner in which the proposed facility is to be designed, sited, and operated in order to protect environmental quality and assure public health and safety;

...

(d)(1) Findings regarding the conformity of the proposed site and related facilities with ... public safety standards and the applicable air and water quality standards, and with other relevant local, regional, state, and federal standards, ordinances, or laws.⁸⁴

SJS states in its response to CURE's fourth set of data requests that, "in the solar fields, prompt clean up and appropriate BMPs will keep the HTF segregated

⁸¹ See, e.g., Victorville 2 Hybrid Power Project, Final Commission Decision, Docket No. 07-AFC-01 (Jul. 2008), p. 150,

⁸² Cal. Code Regs., tit. 20, art. 6, Appendix B (g)(10)(D).

⁸³ Cal. Code Regs., tit. 20, art. 6, Appendix B (g)(10)(F).

⁸⁴ *Id.* at § 25523.

from *stormwater*.”⁸⁵ Therefore, SJS appears to understand that HTF is a hazardous contaminant that must be contained. Although SJS provided some information regarding its plans to mitigate stormwater contamination from HTF spills, SJS has inexplicably failed to do the same for potential soil contamination and for worker exposure to impacted soils.

Recent operational experience suggests that HTF spills in solar fields may pose potentially significant environmental impacts on soil and water quality if untreated. The most recent compliance reports submitted for the Luz Solar Partners III through VII SEGS facility in Kramer Junction, California indicate that in January and February of 2006, unanticipated releases of HTF generated “approximately 30-40 cubic yards of HTF-impacted soils.”⁸⁶

In 2007, approximately 125-130 cubic yards of HTF-impacted soils were generated over a period of six months at Kramer Junction as a result of unanticipated releases.⁸⁷ The largest of these released approximately 1,000 gallons of HTF into the solar fields.⁸⁸

To date, SJS has failed to provide any information regarding its plans for responding to accidental leaks and spills of HTF.⁸⁹

⁸⁵ San Joaquin Solar 1&2 Hybrid Project, Supplemental Information in Response to CURE Data Request Set #4, Docket No. 08-AFC-12 (Sep. 23, 2009), Response to Data Request 133 (emphasis added).

⁸⁶ FPL, Energy, First Semester 2006 Bioremediation Monitoring Report Luz Solar Partners III-VII Ltd. SEGS III Through VII Facilities Boron, California (Jul. 2006), p.2.

⁸⁷ *Id.*, p.1.

⁸⁸ *Id.*

⁸⁹ See Applicant’s Draft Industrial Stormwater Pollution Prevention Plan, Docket No. 08-AFC-12, p. 3-4.

The information is also reasonably available to SJS because, according to the company, its spill volumes and frequency estimates are based on its operational experience at the SEGS facilities.⁹⁰ The requested information is also available only to SJS because it pertains to SJS' plans for impact mitigation.

iii. CURE's Data Request Nos. 171, 173, 174

The basis for CURE's data requests 171, 173 and 174 is as follows:

Background: IMPACTS TO SMALL MAMMAL SPECIES

Several small mammal species with special-status listing have the potential to occur in the Project study area.⁹¹ Applicant's supplemental information provides that "protocol" small mammal trapping surveys were conducted, and although the AFC provides a small mammal report that summarizes the results of small mammal trapping conducted along the transmission line routes, the objectives and justification for the work were not provided.⁹²

The northern transmission line corridor will be approximately six miles long.⁹³ However, the transects established for small mammal trapping only extended about two miles along the northern transmission line route and about one mile along the southern transmission line route.⁹⁴ As a result, they did not constitute a robust sampling design and may not have yielded a representative capture of the species present along the transmission line routes.

⁹⁰ San Joaquin Solar 1&2 Hybrid Project, Supplemental Information in Response to CURE Data Request Set #4, Docket No. 08-AFC-12 (Sep. 23, 2009), Response to Data Request 123.

⁹¹ AFC, Appendix F-2.

⁹² See AFC: Bio Tech Report, pp.ES-1, 3-4.

⁹³ AFC, p.5.6-1.

⁹⁴ AFC: Summary Report of Small Mammal Trapping along Two Proposed Transmission Line Corridors for the San Joaquin Solar 1 and 2 Project, Figure 3.

The small mammal trapping report does not describe the habitat(s) associated with the small mammals that were captured. Without any description of habitat at each site, conclusions (other than what animals were captured) remain qualitative and speculative.

Data Requests

- 171. Please cite the protocol used for the small mammal trapping study.
- 173. Please provide justification for why only the western portions of the transmission line routes were sampled.
- 174. Please describe and quantify the habitat variables associated with each trap site.

SJS Responses

Response 171: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

Response 173: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

Response 174: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

CURE Response

CURE compels responses to Data Requests 171, 173 and 174 because SJS's responses are inadequate. SJS directs CURE to the same small mammal trapping report for which CURE sought clarification. However, as stated in CURE's basis for

these requests, the information requested by CURE is not contained within the small mammal trapping report.

By virtue of its responses, SJS admits that Data Requests 171, 173 and 174 seek information that is reasonably available to the applicant, which is relevant to the application or reasonably necessary for the Commission to make a decision on the application. The requested information should be reasonably available to SJS because SJS has already indicated that the company has this information. Specifically, the AFC states that the small mammal trapping surveys were conducted pursuant to protocol.⁹⁵ SJS decided to survey only 3 of the approximate 13 miles of the proposed transmission line alignments.⁹⁶ SJS' consultants decided to extend the transects established for small mammal trapping for approximately two miles along the northern transmission line route and approximately one mile along the southern transmission line route.⁹⁷ Therefore SJS, or its consultants, should be able to provide the basis for the decision to conduct the trappings as described.

Furthermore, since SJS surveyed a total of three miles along the southern and northern transmission line route alignments, SJS should be able to provide the habitat variables associated with each trap site.

⁹⁵ Biological Resources Technical Report for the San Joaquin Solar Power Generating Facility, Fresno County, CA, Docket No. 08-AFC-12 (Jan. 22, 2009), p.2-2.

⁹⁶ The Project transmission line corridor will be approximately six miles long, and the southern transmission line alignment would turn north for approximately 0.6 miles to connect with the Gates Substation. AFC, p.5.6-1 and Figure 1.2-4.

⁹⁷ AFC: Summary Report of Small Mammal Trapping along Two Proposed Transmission Line Corridors for the San Joaquin Solar 1 and 2 Project, Figure 3.

The requested information is relevant to the Commission’s duty under CEQA to analyze potentially significant impacts to biological resources. CEQA requires this level of specificity in order to ascertain the environmental baseline against which the Project’s impacts may be measured.⁹⁸ CEQA guidelines require “a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences . . . [t]he courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.”⁹⁹ CEQA also requires that the Commission’s decisions be made on the basis of facts and not conclusions alone.¹⁰⁰

The requested information is also relevant under the Warren-Alquist Act. The California Endangered Species Act (“CESA”) provides for the protection and management of plant and animal species listed as threatened or endangered, or designated as candidates for such listing.¹⁰¹ CESA requires consultation between the California Department of Fish and Game (“CDFG”) and other state agencies to ensure that projects do not jeopardize the continued existence of threatened or endangered species or habitats essential for the continued survival of any threatened and endangered species. Any mitigation proposed by SJS and accepted as a condition of certification by the Committee must mitigate potential “take” of protected species under CESA.

⁹⁸ *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.

⁹⁹ *Id.* at 954 (citing Cal. Code Regs, tit.14 § 15151).

¹⁰⁰ *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404.

¹⁰¹ Cal. Fish and Game Code §§ 2050-2098.

Several small mammal species with special-status listing have the potential to occur in the Project study area and the proposed transmission line alignments. These include the San Joaquin (Nelson's) antelope squirrel, San Joaquin pocket mouse, short-nosed kangaroo rat, and Tulare grasshopper mouse.¹⁰² Therefore, information regarding the likelihood of their occurrence is relevant to the Commission's basic assessment of the biological baseline.

Lastly, the information is reasonably necessary for a Commission decision. SJS surveyed only 3 of the approximate 13 miles of the proposed transmission line alignments. The transects established for small mammal trapping only extended about two miles along the northern transmission line route and about one mile along the southern transmission line route. As a result, they did not constitute a robust sampling design and may not have yielded a representative capture of the species present along the transmission line routes. Relatively intensive trapping surveys at several historically occupied sites concluded that most populations of short-nosed kangaroo rats are small, fragmented, and widely scattered.¹⁰³ Similarly, research confirmed that populations of the San Joaquin antelope squirrel are small, isolated, and in some cases exist in marginal habitat.¹⁰⁴ Without a description of the habitat(s) at each trapping site, conclusions (other than what animals were captured) remain qualitative and speculative.

¹⁰² AFC, Appendix F-2.

¹⁰³ U.S. Fish and Wildlife Service. 1998. Recovery plan for upland species of the San Joaquin Valley, California. Region 1, Portland, OR. 319, pp.

¹⁰⁴ Harris, J.H., and D.M. Stearns. 1991. Population density and census methods, habitat relationships and home range of the San Joaquin Antelope Squirrel, 1988-89. Nongame Bird and Mammal Sec. Rep. 91-02, 37 pp. California Department of Fish and Game.

iv. CURE's Data Request No. 189: Characterization of Vegetation Communities

The basis for CURE's data request 189 is as follows:

Background: CHARACTERIZATION OF VEGETATION COMMUNITIES

DISTURBED VALLEY SALTBUSH SCRUB/NON-NATIVE GRASSLAND MOSAIC

The Applicant delineated 165.1 acres of Disturbed Valley Saltbush Scrub/Non-Native Grassland along the northern transmission line route and 32.2 acres along the southern route.¹⁰⁵ The AFC states that Valley Saltbush Scrub is typically characterized by open, gray- or blue-green chenopod scrubs (10-40% cover).¹⁰⁶ The AFC further states that because the Valley Saltbush Scrub habitat that is present in the proposed transmission line alignment is sparsely distributed within the non-native grassland community, it is considered disturbed.¹⁰⁷

Data Request

189. Please characterize the Applicant's referenced disturbance within the Valley Saltbrush Scrub habitat present in the Project study area by discussing the features that make it disturbed (e.g. roads, recent agricultural activity, off-road vehicle use) and quantifying the level(s) of disturbance.¹⁰⁸

¹⁰⁵ AFC: Bio Tech Report, p.3-1.

¹⁰⁶ AFC: Bio Tech Report, p.3-2.

¹⁰⁷ *Id.*

¹⁰⁸ California Unions for Reliable Energy Data Requests, Set Four, Docket No. 08-AFC-12 (Aug. 24, 2009), p.27.

SJS Objection

The applicant objects to the question on the grounds that (1) it is vague (CURE does not explain what it means by ‘quantifying the level of disturbance,’ [sic] (2) such calculations are not reasonably available to the Applicant, and (3) this level of specificity is not necessary for the Commission to make a decision on this Application.¹⁰⁹

CURE Response

Data Request 189 is clear and straightforward. CURE requests information supporting SJS’s statement in the AFC that the Valley Saltbush Scrub habitat is considered “disturbed.”¹¹⁰ The information sought includes a discussion of the features that make it disturbed and a quantification of the levels of disturbance. To quantify is to make explicit the logical quantity or “to determine or express the quantity of” a thing.¹¹¹ For example, “the majority of the Project site is actively cultivated at this time.”¹¹²

The information is also reasonably available to SJS. SJS’s suggestion that calculations are not reasonably available ignores that the request also seeks information explaining SJS’s conclusion that the habitat is “disturbed.” Furthermore, SJS’s argument is tantamount to an admission that SJS failed to perform the analysis required by Commission regulations. An application for certification must provide “a regional overview and discussion of terrestrial and

¹⁰⁹ Objections to Data Requests of California Unions for Reliable Energy, Set 4, Docket No. 08-AFC-12 (Sep. 14, 2009), p.14.

¹¹⁰ *Id.*

¹¹¹ Webster’s New World Dictionary 1099 (3rd College Ed. 1988).

¹¹² AFC, p.3-2.

aquatic biological resources, with a particular attention to sensitive biological resources within ten (10) miles of the project;”¹¹³ “[a] discussion of the biological resources at the proposed project site . . . [which] shall address the *distribution of vegetation community types*;”¹¹⁴ and “a description and results of all field studies and seasonal surveys used to provide biological baselines information about the project site.”¹¹⁵ Finally, SJS cannot genuinely justify that the information is not reasonably available, because SJS was able to provide the type of information that CURE seeks elsewhere in its application. For instance, the Biological Resources Technical Report provides,

Areas are designated as disturbed flood channels if the channel has been artificially cleared or disturbed, or if the channel is dominated by nonnative trees and lacks any native riparian component.

Tamarisk dominates the banks of the open channel in the Project area where the Zapato Creek crosses the transmission line alignment south of West Jayne Avenue.¹¹⁶

SJS cannot arbitrarily choose when to comply with Commission regulations.

Although SJS has provided some information regarding Valley Saltbrush Scrub, the conclusions made in the AFC regarding the distribution of Valley Saltbrush Scrub along the transmission line alignment appear to be in conflict: Valley Saltbrush Scrub is by nature sparsely distributed, yet the AFC defines the habitat as disturbed because Valley Saltbrush Scrub is sparsely distributed. SJS then refuses to define “disturbed.” Thus, Data Request 189 seeks clarification.

¹¹³ Cal. Code Regs., tit. 20, art. 6, Appendix B (g)(13)(A).

¹¹⁴ *Id.* at Appendix B (g)(13)(C) (emphasis added).

¹¹⁵ *Id.* at Appendix B (g)(13)(D).

¹¹⁶ Biological Resources Technical Report for the San Joaquin Solar Power Generating Facility, Fresno County, CA, Docket No. 08-AFC-12 (Jan. 22, 2009), p.3-3.

Lastly, the information requested is relevant to the Commission's duty under CEQA to analyze potentially significant impacts to biological resources. CEQA requires this level of specificity in order to ascertain the environmental baseline against which the Project's impacts may be measured.¹¹⁷ CEQA guidelines require "a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences . . . [t]he courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."¹¹⁸ CEQA also requires that the Commission's decisions be made on the basis of facts and not conclusions alone.¹¹⁹

The requested information is also relevant under the Warren-Alquist Act. CESA provides for the protection and management of plant and animal species listed as threatened or endangered, or designated as candidates for such listing.¹²⁰ CESA requires consultation between CDFG and other state agencies to ensure that projects do not jeopardize the continued existence of threatened or endangered species or habitats essential for the continued survival of any threatened and endangered species. Any mitigation proposed by SJS and accepted as a condition of certification by the Committee must mitigate potential "take" of state-threatened species under CESA.

¹¹⁷ *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952.

¹¹⁸ *Id.* at 954 (citing Cal. Code Regs, tit.14 § 15151).

¹¹⁹ *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404.

¹²⁰ Cal. Fish and Game Code §§ 2050-2098.

Information on the type(s) and level(s) of habitat disturbance in the Project area is necessary to make inferences about the presence, abundance, and distribution of the special-status species that may be impacted by the Project. For example, the AFC states that the LeConte's thrasher, a species of special concern, and the threatened San Joaquin antelope squirrel are likely to be present in the Project area where suitable habitat, such as grassland or saltbrush with moderate scrub cover, is present.¹²¹ The LeConte's thrasher is known to be vulnerable to off-road vehicle activity, other disturbance, and removal of shrubs for agricultural or other development.¹²² Elimination of shrubs and soil erosion resulting from heavy livestock grazing can reduce the carrying capacity of the San Joaquin antelope squirrel.¹²³ However, the species may be able to maintain a viable population on moderate-to-severely degraded land as long as certain shrub species are present.¹²⁴ Therefore, the information requested is relevant and reasonably necessary for the Commission to make a decision on the AFC.

v. CURE's Data Request No. 191: Identification of Vegetation Along the Zapato Creek Bank

The basis for CURE's data request 191 is as follows:

¹²¹ AFC, pp. 5.6-11 and 5.6-13.

¹²² Remsen, J. V., Jr. 1978. Bird species of special concern in California. Calif. Dep. Fish and Game, Sacramento. Wildl. Manage. Admin. Rep. No. 78-1. p.54.

¹²³ U.S. Fish and Wildlife Service. 1998. Recovery plan for upland species of the San Joaquin Valley, California. Region 1, Portland, OR. p.319.

¹²⁴ *Id.*

Background: CHARACTERIZATION OF VEGETATION COMMUNITIES

NON-VEGETATED CHANNEL

The Applicant delineated 2.4 acres of Non-Vegetated Channel along the northern transmission line route and 20.1 acres along the southern route.¹²⁵ The AFC indicates non-vegetated channels or floodways are unvegetated or sparsely vegetated drainages outside of the area of tidal influence.¹²⁶ The AFC classifies the portions of Zapato Chino Creek within the Project study area as Open (or Non-Vegetated) Channel.¹²⁷ However, the creek banks are characterized as being dominated by tamarisk, with non-native grasses and cottonwood trees also present.¹²⁸ In subsequent portions of the AFC, the creek is characterized as having riparian habitat.¹²⁹ As a result, it appears inappropriate to classify vegetation along the creek as “Non-Vegetated Channel.”

AGRICULTURAL LANDS

The AFC characterizes the entire 640-acre Project site as Agricultural Lands¹³⁰ that were bare (at the time of surveys) due to recent plowing, except in small areas of the Project site that appear to be access areas.¹³¹ As a result, focused special-status species surveys were not conducted on the Project site.¹³² The statement that the entire Project site is (or was) bare (except small areas) is not supported by imagery available through Google Earth and Google Maps “Street

¹²⁵ AFC: Bio Tech Report, p.3-1.

¹²⁶ *Id.*

¹²⁷ AFC: Bio Tech Report, p.3-3.

¹²⁸ *Id.*

¹²⁹ AFC: Bio Tech Report, p.4-5.

¹³⁰ AFC: Bio Tech Report, p.3-2.

¹³¹ AFC: Bio Tech Report, p.3-1.

¹³² AFC: Bio Tech Report, p.2-2.

View.”¹³³ In particular, there appear to be several areas within the Project site that have characteristics similar to areas the AFC classifies as Non-Native Grassland/Saltbrush Scrub.

Data Request

191. Please characterize the vegetation along the creek bank in the Applicant’s Project study area such that its ecological values can be inferred. In particular, please provide:
- a. The height range of tamarisk trees.
 - b. The height range of cottonwood trees.
 - d. [*sic*] The relative abundance of tamarisk trees to cottonwood trees
 - e. The density and distribution of trees along the creek banks.
 - f. The approximate minimum, maximum and mean distance trees extend from the bank.

SJS Objection

The Applicant objects to question 191 and its various subparts on the grounds that the request requires a level of specificity that is not reasonably necessary for the Commission to make a decision on this Application. This degree of “characterization” is not reasonably available to the Applicant without significant additional fieldwork and would serve no purpose other than to harass and burden the Applicant. If CURE believes that the height of a tamarisk tree is relevant to the Commission’s decision on this Application, it may measure the tree itself.

¹³³ Images taken 31 Jul 2009.

CURE Response

The requested information is relevant because it is necessary for the Commission's analysis of the Project's potentially significant impacts under CEQA.¹³⁴ CEQA requires "facts and analysis," as well as sufficient detail "to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project."¹³⁵ An adequate characterization of riparian habitat along the Zapato Chino Creek within the Project study area is necessary to assess the presence of suitable habitat for the Swainson's hawk, a state threatened species.

Over 85% of documented Swainson's hawk nest trees in the Central Valley have been found in riparian systems.¹³⁶ Swainson's hawks will nest in lone trees, groves, or mature riparian forest.¹³⁷ Cottonwood trees are commonly used for nesting,¹³⁸ but Swainson's hawks are known to nest in tamarisk and a variety of other tree species.¹³⁹ Because Swainson's hawk nests are associated with a variety of riparian conditions, additional information on the heights of the trees in the Project area is necessary to infer whether they could support nesting.

The height range of tamarisk and cottonwood trees is significant because

¹³⁴ 20 Cal. Code Regs. art. 6, Appendix B(g)(13)(E)(i); *id.* B(g)(13)(A); *see* Public Res. Code, § 15151.

¹³⁵ *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 404-405.

¹³⁶ Schlorff, R. W. and P.H. Bloom. 1983. Importance of riparian systems to nesting Swainson's Hawks in the Central Valley of California. pp. 612- 618. In: R.E. Warner and K.M. Hendrix (Eds.). *California Riparian Systems* (University of Ca. Davis, Sept. 17-19, 1981). University of California Press, Berkeley.

¹³⁷ California Department of Fish and Game. 1993. 5-year status review: Swainson's hawk (*Buteo swainsoni*). Available at: nrm.dfg.ca.gov/FileHandler.ashx?DocumentVersionID=3096.

¹³⁸ *Id.*

¹³⁹ Department of Fish and Game, Biogeographic Data Branch. 2009. California Natural Diversity Database. Version 3.1.0. Updated 01 Aug 2009.

studies have documented Swainson's hawks nests occurring in trees at heights ranging from 3.5 to 27.1 meters¹⁴⁰ and 12.6 to 25 meters.¹⁴¹ If the trees in the Project area are within these observed height ranges, one can infer they could support nesting Swainson's hawks. Information on the density and distribution of trees along the creek banks, and the approximate minimum, maximum, and mean distance trees extend from the bank is necessary to make inferences on the abundance and distribution of Swainson's hawk nesting habitat in the Project area.

Swainson's hawks require large, open expanses of suitable foraging habitat adjacent or close to suitable nesting habitat for successful reproductive performance.¹⁴² The abundance and spatial distribution of riparian forest as well as high-quality foraging habitat are both critical determinants of territory suitability.¹⁴³ As such, the requested information is highly relevant to the discussion of the biological baseline within the Project impact area and the Commission's decisions regarding the Project's potential impacts on the Swainson's hawk.

The requested information is also relevant under the Warren-Alquist Act. CESA provides for the protection and management of plant and animal species listed as threatened or endangered, or designated as candidates for such listing.¹⁴⁴ The Act requires consultation between CDFG and other state agencies to ensure

¹⁴⁰ Bechard, M. J. 1983. Food supply and the occurrence of brood reduction in Swainson's hawk. *Wilson's Bulletin* 95(2): 233-242.

¹⁴¹ California Department of Fish and Game. 1993. 5-year status review: Swainson's hawk (*Buteo swainsoni*). Available at: nrm.dfg.ca.gov/FileHandler.ashx?DocumentVersionID=3096.

¹⁴² *Id.*

¹⁴³ *Id.*

¹⁴⁴ Cal. Fish and Game Code §§ 2050-2098.

that projects do not jeopardize the continued existence of threatened or endangered species or habitats essential for the continued survival of any threatened and endangered species. Any mitigation proposed by SJS must address the potential take of protected species under CESA.

SJS's objection that CURE's request is too burdensome and intended to harass is meritless. SJS has not yet undertaken any investigation of Project impacts on the Swainson's hawk. Commission regulations require applicants to include "a regional overview and discussion of terrestrial and aquatic biological resources, with particular attention to sensitive biological resources within ten (10) miles of the project."¹⁴⁵ Commission regulations further provide that the applicant's "discussion shall address the distribution of vegetation community types, denning and nesting sites, population concentrations, migration corridors, breeding habitats, and other appropriate biological resources."¹⁴⁶ Applicants must also include in the application "[a] description and results of all field studies and seasonal surveys used to provide biological baseline information about the project site."¹⁴⁷ The AFC fails to include this information.

Thus far, SJS has provided insufficient facts and analysis to justify its conclusion that impacts to the Swainson's hawk are not anticipated. For example, CURE's fourth set of data requests explained that the AFC incorrectly states that there are no historical Swainson's hawk sightings in the vicinity of the Project site. CURE explained that at least two active Swainson's hawk nests have been

¹⁴⁵ Cal. Code Regs., tit.20, art. 6, Appendix B(g)(13)(A).

¹⁴⁶ Cal. Code Regs., tit.20, art. 6, Appendix B(g)(13)(C).

¹⁴⁷ Cal. Code Regs., tit.20, art. 6, Appendix B(g)(13)(D).

documented within 10 miles of the Project site. These two potentially active nests were detected by CDFG in 2005.¹⁴⁸

SJS then responded to CURE that “the Applicant recently discovered that two nest sites were described in the CNDDDB report.”¹⁴⁹ However, to date, SJS has refused to provide an updated Sensitive Species Locations map that depicts the two potentially active nest locations documented by CDFG.¹⁵⁰ In fact, SJS has not yet consulted with CDFG regarding the presence of potential Swainson’s hawk habitat within the Project study area.¹⁵¹ Thus, the information sought in Data Request 191 is relevant and necessary in order for the Commission to obtain basic information regarding potentially suitable habitat for the Swainson’s hawk within the Project impact area.

III. CONCLUSION

All of the information requested by CURE is relevant and reasonably necessary to make a decision on SJS’s AFC. The information is critical to a basic understanding of the environmental baseline that is required to enable an analysis of the Project’s impacts. The information is also critical to determining impacts and the adequacy of mitigation measures under CEQA. In addition, much of the information is critical to findings that the Commission must make under the Warren-Alquist Act. Without the requested information, the public, the parties,

¹⁴⁸ San Joaquin Solar 1&2 Hybrid Project, Supplemental Information in Response to CURE Data Request Set #4, Docket No. 08-AFC-12 (Sep. 23, 2009), Response to Data Request 185.

¹⁴⁹ San Joaquin Solar 1&2 Hybrid Project, Supplemental Information in Response to CURE Data Request Set #4, Docket No. 08-AFC-12 (Sep. 23, 2009), Response to Data Request 184 (emphasis added).

¹⁵⁰ *Id.*

¹⁵¹ San Joaquin Solar 1&2 Hybrid Project, Supplemental Information in Response to CURE Data Request Set #4, Docket No. 08-AFC-12 (Sep. 23, 2009), Response to Data Request 186.

and the Commission will have insufficient information to assess the impacts of SJS's proposed Project.

Dated: October 14, 2009

Respectfully submitted,

_____/s/_____

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RELIABLE ENERGY

DECLARATION OF SERVICE

I, Bonnie Heeley, declare that on October 14, 2009, I served and filed copies of the attached CALIFORNIA UNIONS FOR RELIABLE ENERGY PETITION TO COMPEL PRODUCTION OF INFORMATION IN RESPONSE TO CURE DATA REQUESTS, SET FOUR. 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/sjsolar/SJSOLAR_POS.PDF. The document has been sent (1) electronically, and (2) via US Mail by depositing in the US Mail at South San Francisco, CA, with first-class postage thereon full prepaid and addressed as provided on the attached Proof of Service list to those addresses NOT marked "email preferred." It was sent for filing to the Energy Commission by sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address shown on the attached Proof of Service list.

I declare under penalty of perjury that the foregoing is true and correct.
Executed at South San Francisco, California, on October 14, 2009.

_____/s/_____
Bonnie Heeley

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STATE OF CALIFORNIA
California Energy Commission

In the Matter of:

The Application for Certification
for the San Joaquin Solar 1 and 2 Hybrid
Power Plant Project

Docket No. 08-AFC-12

CALIFORNIA UNIONS FOR RELIABLE ENERGY
DATA REQUESTS, SET FOUR

August 24, 2009

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FOR RELIABLE ENERGY

The following data requests are submitted by California Unions for Reliable Energy. Please provide your responses as soon as possible, but no later than September 23, 2009, to each of the following people:

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Please identify the person who prepared your responses to each data request. If you have any questions concerning the meaning of any data requests, please let us know.

San Joaquin Solar (“SJS”) 1 & 2

CURE Data Requests Set #4

LAND USE

Background: ENVIRONMENTAL SETTING

The AFC’s description of current land uses on the Project site is overbroad and inconsistent. An accurate description of the environmental baseline is necessary for an adequate analysis of potentially significant impacts. For example, the AFC states that the Project site is currently active farmland recently cleared and planted with wheat and pistachios, including cotton, safflower and garlic.¹ The AFC also states that the majority of the Project site is actively cultivated at this time, with pistachio and wheat cultivation in progress.² However, a portion of the Project site is not in agricultural production.³ In addition, the Project site is bare due to recent plowing.⁴ Finally, with respect to the land use baseline for the Project’s proposed transmission corridor, the AFC states that “the majority of the proposed transmission line alignment is comprised of orchards and row crops.”⁵

Data Requests:

100. Please provide documentation supporting the AFC’s statement on page 5.6-1 that the Project site is recently planted with wheat and pistachios, including cotton, safflower and garlic.
101. Please explain the AFC’s statement on page 5.6-5 that a “majority of the Project site is actively cultivated at this time” by describing the number and location of acres actively cultivated at this time.
102. Please provide documentation reflecting the last date of planting of each crop type at the Project site. The response should provide the year and month.
103. Please provide documentation supporting the AFC’s statement that the majority of the proposed transmission line alignment is comprised of orchards and row crops.

¹ AFC, p.5.6-1.

² AFC, p.5.6-5.

³ AFC, p.5.4-1 (“The northeastern corner of the site was previously used for oil exploration.”)

⁴ AFC, p.5.6-4.

⁵ AFC., p. 5.6-5.

104. Please clarify what the AFC means by a “majority” of the transmission line has been comprised of orchards and row crops, by stating how many acres of the proposed southern and northern transmission line alignments are in active agricultural production, and provide documentation to support your answer. Please provide the zoning of the proposed transmission line alignments for both the southern and northern route alignments. Your response should include acreages subject to each type of zone.

Background: ENVIRONMENTAL SETTING: PRIME AGRICULTURAL LAND

Prime farmland is defined by the California Department of Conservation as land having particular soil quality that has been used for production of irrigated crops for four years prior to mapping in the Important Farmland Map.⁶ The AFC states that the Project site is not prime farmland. However, the AFC also states that, “the Project site is actively cultivated at this time, with pistachio and wheat cultivation in progress.”⁷ The AFC does not explain whether each of the transmission line routes impacts prime farmland, farmland of statewide importance, unique farmland, or farmland of local importance. The AFC only states that, “the majority of the proposed transmission line alignment is comprised of orchards and row crops.”⁸

Data Requests:

100. Please clarify when the site was last irrigated and planted.
101. Please explain whether the transmission line routes are on prime farmland, farmland of statewide importance, unique farmland, or farmland of local importance.

Background: IMPACTS TO AGRICULTURAL USES

Under CEQA, the lead agency is required to determine whether a proposed project could have a potentially significant impact on agriculture, and if such impact exists, to consider feasible mitigation and alternatives that would lessen or eliminate that impact.⁹ CEQA Guidelines, Appendix G provides that a project may have a potentially significant impact to agriculture if it, 1) conflicts with existing zoning for agricultural use or a Williamson Act contract; (2) involves changes to the

⁶ California Department of Conservation, http://www.conservation.ca.gov/dlrp/fmmp/overview/Pages/prime_farmland_fmmp.aspx.

⁷ AFC, p.5.6-5.

⁸ *Id.*

⁹ Pub. Resources Code § 21002; CEQA Guidelines §§ 15126.4, subd. (a), 15126.6, subd. (b).

existing environment that, because of their location or nature, could result in conversion of farmland to nonagricultural use; or (3) converts prime farmland, or farmland of statewide importance to nonagricultural uses.

The Fresno County Planning Code provides that, in order to obtain a conditional use permit, a finding must be made that the proposed use will have no adverse effect on abutting property or the permitted use thereof.¹⁰ The Williamson Act was passed to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses.

In addition, the California Agricultural Land Evaluation and Site Assessment Model (“LESA”), created by the California Department of Conservation, provides a specific threshold of significance to determine the Project’s impacts on agricultural lands.¹¹ The Department of Conservation developed LESA to provide lead agencies with a methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process.¹² LESA evaluation factors include two land evaluation measures regarding soil resource quality and four site assessment factors, including a project’s size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. The project score then becomes the basis for making a determination of a project’s potential significance.¹³

The AFC states that land uses in all four directions from the Project site and within the Project site are predominantly in agricultural production.¹⁴ The AFC further provides that lands directly north of the site, some parcels to the east of the Project site, and 171.12 acres within the Project site are zoned for exclusive agricultural use.¹⁵ The Applicant explains that the remaining 468.88 acres of the Project site are under Williamson Act contract.¹⁶

If approved, the Project would remove 640 acres from agricultural use: 171.12 acres currently zoned for exclusive agricultural use and 468.88 acres from the Williamson Act program. The Soils Section of the AFC admits that the Project will lead to the conversion of farmland of local importance to non-agricultural uses and

¹⁰ Fresno County Zoning Ordinance, § 873(F).

¹¹ See e.g. Final Program Environmental Impact Report, Coalinga Wastewater Treatment Plant (Apr. 2006), p. V-55.

¹² Pub. Resources Code § 21095.

¹³ See e.g. 6-AFC-5C, Final Staff Assessment Panoche Energy Project (Sep. 20, 2007), p.4.5-1.

¹⁴ AFC, p.5.9-5.

¹⁵ See AFC, p.5.9-1.

¹⁶ San Joaquin Solar 1 & 2 Hybrid Project Supplemental Information in Response to CURE Data Request Set #2, Response to Data Request No. 30. The contract was executed on January 2, 1971 between Standard Oil Company of California and the County of Fresno. San Joaquin Solar 1 & 2 Hybrid Project Supplemental Information in Response to CURE Data Request Set #2, Attachment DR-32.

will conflict with the existing Williamson Act contract¹⁷ but does not cite to any LESA analysis, or otherwise analyze significant impacts to agriculture. Nor does the Soils Section provide mitigation for significant impacts to agriculture. The Land Use section of the AFC states that the land will be taken out of agricultural production, but also does not analyze significant impacts to agriculture.¹⁸ Furthermore, the Land Use section summarily concludes that the Project will not create significant impacts to surrounding lands and that renewable energy is a “tradeoff” that is “an inherent form of mitigation.”¹⁹

Data Requests:

103. Please provide an analysis of the Project’s impacts on agriculture.
104. Please provide the LESA score for the 640 acres that will be withdrawn from agricultural use as a result of the Project and the analysis that supports the score obtained.
105. Please discuss the project’s consistency with LORS, including the Fresno County Planning Code’s requirement that the proposed use will have no adverse effect on abutting property or the permitted use thereof.
106. Please discuss the impacts on agriculture from each of the proposed transmission line routes.

Background: CUMULATIVE IMPACTS

CEQA requires a discussion of cumulative impacts.²⁰ The AFC states that the Applicant will provide a list of new projects planned within the six miles from the proposed site.²¹

In its discussion of cumulative impacts on land use, the AFC identifies the Coalinga wastewater treatment project as a foreseeable future project.²² However, the AFC concludes that the wastewater treatment plant will not result in conversion of active farmland to another use, and therefore no cumulative land use

¹⁷ AFC, 5.4-13.

¹⁸ AFC, p. 5.9-12.

¹⁹ AFC, p. 5.9-12.

²⁰ Cal. Code Reg. §15130(a).

²¹ AFC, p. 5.18-6.

²² AFC, p. 5.9-12.

impacts are expected to arise from the Project in combination with the Coalinga wastewater treatment project.²³

The AFC's conclusion regarding cumulative impacts on land use is inconsistent with the April 2006 Final Environmental Impact Report ("FEIR") prepared for the City of Coalinga wastewater treatment plant. The FEIR states that the wastewater treatment plant site is in active agricultural production.²⁴ Specifically, 223 acres were farmed for cotton, and 136 acres were farmed for grain.²⁵ Further, the entire wastewater treatment plant project site, with the exception of 10 acres, was under a Williamson Act contract at the time of issuance of the FEIR.²⁶ The FEIR concluded that the wastewater treatment plant, and the related implementation of the proposed annexation and General Plan Amendment, would result in significant project and cumulative impacts on agriculture.

Data Requests:

107. Please provide the AFC's referenced list of new projects planned within the six miles from the proposed site.
108. Please provide a revised discussion of cumulative impacts on agriculture in light of the wastewater treatment project FEIR's conclusion that the wastewater treatment site was in active agricultural production and any other past, present and reasonably foreseeable projects identified by the Applicant.

Background: AGRICULTURE IMPACT MITIGATION

If approved, the Project would remove 640 acres from agricultural use; 171.12 acres currently zoned for exclusive agricultural use and 468.88 acres from the Williamson Act program. The April 2006 Final Environmental Impact Report ("FEIR") prepared for the City of Coalinga's wastewater treatment plant found similar impacts to be significant. Specifically, the City concluded that the removal of 468 acres from the Williamson Act Program was a significant impact under CEQA.²⁷ The City also found, based on a LESA analysis, that the wastewater treatment plant would result in a loss of 185 acres of agriculturally productive land, and that the wastewater project would result in a loss of land zoned exclusive agriculture.²⁸ Both of these impacts were also deemed significant.²⁹

²³ AFC, p. 5.9-12.

²⁴ Final Program Environmental Impact Report, Coalinga Wastewater Treatment Plant (Apr. 2006), pp. V-50.

²⁵ *Id.*

²⁶ *Id.*, p. V-51.

²⁷ Final Program Environmental Impact Report, Coalinga Wastewater Treatment Plant (Apr. 2006), pp. V-56-57.

²⁸ *Id.*

The FEIR mitigated these agriculture impacts by recommending that 212 acres of the wastewater treatment plant project site be placed in an agricultural conservation easement, to be irrigated by treated effluent from the proposed wastewater treatment plant. In order to mirror the protections provided by the Williamson Act, the mitigation measure was crafted such that the easement would be in effect for a minimum of ten years.³⁰

Similar mitigation was required by the California Energy Commission (“CEC”) in its 2007 approval of the Panoche Energy Project, also sited in Fresno County. There, the CEC adopted mitigation requiring the Applicant to pay a fee to an agricultural land trust for the purchase of a conservation easement in Fresno County to mitigate for the loss of agricultural land.³¹

For San Joaquin Solar 1 and 2, the AFC states:

While the Project removes land from agricultural use, it provides a source of renewable energy. This tradeoff is an inherent form of mitigation. The agricultural lands that are available on the site are sub Prime, and are underutilized dry farm lands. The impact of the Project will not substantially diminish the agricultural productivity of the region. Alternatively the Project will add a renewable energy source that has a 106.8 MW production capacity to the area.³²

Thus, no mitigation for significant impacts to agriculture is identified.

Data Requests:

109. Please explain how withdrawing 640 acres of agricultural land for renewable energy production is an inherent form of mitigation for the loss of agricultural land.
110. Please provide documentation to support the statement that the Project will not substantially diminish the agricultural productivity of the region. Your response should include dollar amounts lost due to cessation of agricultural production on the Project site.
111. Please explain whether the Project proposes any mitigation for significant impacts to agriculture, such as an irrigated agricultural conservation easement, as required for the wastewater treatment

²⁹ *Id.*

³⁰ Final Program Environmental Impact Report, Coalinga Wastewater Treatment Plant (Apr. 2006), pp. V-56.

³¹ 6-AFC-5C, Final Staff Assessment, Panoche Energy Project (Sep. 20, 2007), p.4.5-1.

plant, or the payment of a fee to an agricultural land trust for the purchase of a conservation easement in Fresno County, as required for the Panoche Energy Project.

HAZARDOUS MATERIALS HANDLING

Background: HEAT TRANSFER FLUID SPILLS

According to the AFC, the Project's solar array would contain 185,000 gallons of heat transfer fluid ("HTF") in a circulation loop system at each plant.³³ Therefore, a total of 370,000 gallons of HTF will be used for the Project. The AFC states that the maximum spill that would occur would result from a rupture of one of the expansion vessels and that a containment pit under the vessel "of sufficient size" will hold the spill.³⁴ During the August 6, 2009 data request workshop, the Applicant stated that the maximum spill of HTF that could occur from an expansion valve is 250 gallons.

The AFC states that shutoff valves are located on the end of every row to isolate leaks. Only "[m]ajor HTF flow lines will have isolation valves "in strategic locations."³⁵ The AFC states that the Applicant will update the waste management procedures for construction and implement them for operations, and develop a Hazardous Materials Business Plan to minimize potential plant operation-related impacts.³⁶

Data Requests

112. Please explain the AFC's distinction on page 5.14-10 between a "major" HTF flow line and other HTF flow lines.
113. Please describe the number and location of all "major" HTF flow lines associated with the Project.
114. Please specify how many isolation valves will be installed.
115. Please clarify whether isolation valves will be installed on non-major HTF flow lines throughout the solar field.

³³ AFC, p. 5.15-5.

³⁴ AFC, p. 5.14-10.

³⁵ AFC, p. 5.14-10.

³⁶ AFC, p. 5.14-13.

116. If the Project will employ isolation valves on non-major HTF flow lines, please describe how many isolation valves will be installed.
117. Please quantify the maximum quantity of HTF that could potentially leak from the system between two isolation valves. Please provide documentation to support your answer.
118. Please explain the basis for the Applicant's estimate made during the August 6, 2009 data request workshop that the maximum spill of HTF that could occur from an expansion valve is 250 gallons, or provide a revised estimate regarding the maximum spill that could occur from an expansion valve. Please provide documentation to support your answer.
119. Please provide the volume of HTF fluid that can be contained in an expansion vessel.
120. Please provide the volume of HTF fluid that can be contained in the secondary containment pits to be located under each expansion vessel that the AFC states will be of "sufficient size."

Background: HEAT TRANSFER FLUID FIRE RISK

Therminol VP-1, the heat transfer fluid used in the solar arrays for the Project, is a Class III-B combustible liquid.³⁷ Fires in parabolic trough solar generating facilities are serious threats which have occurred in the past. For example, in 1999, a storage tank containing 900,000 gallons of Therminol exploded at the SEGS II solar power plant in Daggett, CA.³⁸ In another incident on August 21, 1995, a heat transfer pump oil transfer that allowed the release of fluid caught fire at the Daggett facility.³⁹ On August 2, 1994, one of the heat transfer fluid pipes at the SEGS VI facility in Kramer Junction, CA ruptured and the spilled heat transfer fluid caught fire.⁴⁰

The AFC does not contain a discussion of potential risks due to the flammability of the heat transfer fluid. The AFC only states, "other flammable materials that are difficult to ignite will be used at the site during the operational phase: HTF, transformer insulating oil and diesel fuel for the operations vehicles. The risk of a fire and/or explosion will be minimized through the adherence to

³⁷ See Victorville 2 AFC, p. 6.7-18 at

<http://www.energy.ca.gov/sitingcases/victorville2/documents/applicant/afc/6.07%20Haz%20Mat.pdf>

³⁸ CBS News, Blast: Big Flames, No Injuries, February 27, 1999; http://www.cbsnews.com/stories/1999/02/27/national/main36899.shtml?source=search_story.

³⁹ Governor's Office of Emergency Services, Hazardous Materials Spill Report; <http://www.oes.ca.gov/operational/mal haz.nsf/>.

⁴⁰ *Id.*

applicable codes and implementation of effective safety management practices.”⁴¹ The AFC concludes that the potential impacts presented by the use of HTF do not appear significant.⁴²

Data Request:

121. Please provide a discussion of potential fire and explosion risks due to the flammability of Therminol VP-1, the heat transfer fluid used in the solar arrays for the Project.

Background: HEAT TRANSFER FLUID SOIL CONTAMINATION

The AFC states that HTF is a hazardous waste, but does not state whether the Applicant will treat HTF contaminated soil as hazardous waste. Page 5.14-10 of the AFC states that the amount of contaminated soil from HTF spills should not exceed 20 cubic yards in a 3-month period. The AFC proposes to use a 2 acre parcel in the common area for temporary storage of contaminated soil until it is transported off-site.⁴³ The AFC states that in areas of potential HTF contamination, the runoff will be diverted to the lined evaporation ponds.⁴⁴

At the August 6, 2009 data request workshop, CURE asked where the Project proposes to locate the 2 acre storage area for contaminated fill. The Applicant responded that it did not know. However, CEQA requires an adequate description of the proposed Project, which includes the location of proposed Project components.

Data Requests

122. Please clarify if spills of HTF will trigger hazardous waste reporting requirements or CERCLA spill notification and any necessary facility response to the notification, such as containment, diking, or temporary cover.
123. Please explain the basis for the AFC’s estimate on page 5.14-10 that the amount of contaminated soil from HTF spills should not exceed 20 cubic yards in a 3-month period.

⁴¹ AFC, p. 5.15-6.

⁴² AFC, p. 5.15-7.

⁴³ AFC, p. 5.14-10.

⁴⁴ AFC, p. 5.5-15.

124. Please provide a revised project layout diagram showing the location of the Project's proposed 2 acre parcel for temporary storage of HTF contaminated soil.
125. Please provide the number of hours in which HTF leaks would be abated following detection.
126. Please described how HTF contaminated soil will be transported to the proposed 2-acre parcel for temporary storage.
127. Please explain how the proposed 2-acre parcel for temporary storage of HTF contaminated soil will be constructed, including whether the storage area will be lined.
128. Please explain whether the 2-acre parcel for temporary storage of HTF contaminated soil will be constructed to meet any necessary requirements for storage of hazardous waste.
129. Please state the length of time that contaminated soil will remain in the 2-acre parcel and how it would be treated.
130. Please explain how many trucks will be required to haul the HTF contaminated soil and whether these trucks are included in the AFC's analysis of truck trips during Project operation.

Background: HEAT TRANSFER FLUID STORM WATER CONTAMINATION

The AFC states that in areas of potential HTF contamination, the runoff will be diverted to the lined evaporation ponds.⁴⁵ According to the AFC, the Project's solar array would contain 185,000 gallons of heat transfer fluid ("HTF") in a circulation loop system at each plant.⁴⁶ Table 3-1 of the Industrial SWPPP identifies HTF as a "significant material," and provides that the maximum allowable quantity on-site of HTF is 185,000 gallons of HTF at each plant. However, the SWPPP fails to include HTF in its discussion of Significant Leaks and Spills (3-1), Liquid Wastes (3-3), or BMPs for controlling and responding to HTF spills (4-9). The SWPPP also fails to include measures for monitoring and reporting HTF spills. (SWPPP, Monitoring and Reporting Plan).

⁴⁵ AFC, p. 5.5-15.

⁴⁶ AFC, p. 5.15-5.

Data Requests:

131. Please explain whether the Project includes groundwater monitoring for HTF compounds, including biphenyl and diphenyl oxide.
132. Please state the number of gallons of HTF that would be necessary to generate 53.4 MW.
133. Please explain what measures will be taken to segregate stormwater that may contain HTF.

BIOLOGICAL RESOURCES

Background: IMPACTS TO THE BURROWING OWL

The AFC indicates burrowing owls have not been observed in the Project vicinity for several years.⁴⁷ This statement appears to be inconsistent with the Applicant's "Sensitive Species Locations" map,⁴⁸ which further conflicts with information available from the California Natural Diversity Database (CNDDB).⁴⁹ Specifically, the CNDDB has nine records of burrowing owls documented as occurring within 10 miles of the Project site between 2001 and 2006.⁵⁰ This includes four burrow sites that in 2005 were approximately 765 feet from the eastern border of the Project site.⁵¹

The AFC indicates biological field surveys were conducted in accordance with CEC regulations, and California Department of Fish and Game (CDFG) and U.S. Fish and Wildlife Service (USFWS) protocols.⁵² During the Project surveys, biologists searched for burrowing owl signs or burrows, and burrows that appeared to be suitable for burrowing owl use were scoped to confirm use.⁵³ Burrowing owls were not detected by surveys in the Project area during 2008, and they were not detected during surveys for the habitat conservation planning process in 2005 and 2006.⁵⁴

⁴⁷ AFC: Bio Tech Report, p. 2-4.

⁴⁸ AFC, Figure 5.6-3.

⁴⁹ Department of Fish and Game, Biogeographic Data Branch. 2009. California Natural Diversity Database. Version 3.1.0. Updated 01 Aug 2009.

⁵⁰ *Id.*

⁵¹ *Id.*, occurrence number 829.

⁵² AFC, p. 5.6-2.

⁵³ AFC, p. 5.6-3.

⁵⁴ AFC, p. 5.6-10.

Phase II of the burrowing owl survey protocol entails a search for burrows.⁵⁵ If burrows are present, they should be mapped and Phase III of the protocol should be conducted. Phase III requires site visits on four separate days, with surveys conducted around sunrise or sunset.⁵⁶ During these surveys, observations should be conducted from as many fixed points as necessary to provide visual coverage of the site.⁵⁷ If no owls are observed using the site during the breeding season, a winter survey is required.⁵⁸ Once surveys are completed a report (i.e., Phase IV of the protocol) should be prepared for CDFG that gives the results of each Phase of the survey protocol.⁵⁹ The specific information that should be included in the survey report is outlined in the protocol.

Further, the AFC states that the power block areas and the solar fields will be graded during the first six months of construction.⁶⁰ Thereafter, the Project footprint will occupy the entire 640-acre project area.⁶¹ Although the AFC concludes that smaller raptors (including burrowing owl) would still be able to use the site, the AFC provides no justification for this conclusion or mitigation measures to make it plausible.⁶² Most raptor species forage in open habitats where they visually search for prey.⁶³ Once prey is located, the raptor will dive and attempt to capture the prey by pouncing on it.⁶⁴ The Project solar collector assemblies will impede these basic foraging behaviors by blocking a raptor's line of sight (to prey) and by preventing an unobstructed attack approach. The ability for burrowing owls to use the site will be further limited by Project grading, which will eliminate any existing burrows. Not only are burrows a constituent habitat element for the species, but they also provide habitat for small mammals (which are prey species).⁶⁵

Data Requests:

134. Please clarify whether focused surveys were conducted within the Project site to identify the presence of burrows.
135. Please provide the Phase II and III burrowing owl survey results. Your response should include the date and time of visits including

⁵⁵ The California Burrowing Owl Consortium. 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines. Available online at: <http://www.dfg.ca.gov/wildlife/species/docs/boconsortium.pdf>.

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ AFC, p. 3-16 and 3-26.

⁶¹ AFC, p. 3-1.

⁶² AFC, p. 5.6-23.

⁶³ California Wildlife Habitat Relationships System. 2005. California Department of Fish and Game. California Interagency Wildlife Task Group. CWHR version 8.1 personal computer program. Sacramento (CA).

⁶⁴ *Id.*

⁶⁵ *Id.*

weather and visibility conditions; survey methods including transect spacing and burrow monitoring; and a description of the area(s) surveyed.

- a. For any and all Phase II and III burrowing owl surveys conducted, please provide a map of burrow concentrations.
 - b. For any and all Phase II and III burrowing owl surveys conducted, please provide a discussion of any burrowing owls or burrowing owl sign detected.
- 136. Please provide the anticipated schedule for the burrowing owl winter survey and provision of the Phase IV report required of the protocol.
 - 137. Please provide the rationale behind the conclusion that smaller raptors (including burrowing owl) will still be able to use the site after Project grading and construction.
 - 138. Please discuss the measures that will be implemented to avoid direct impacts to burrowing owls.
 - 139. Please discuss the measures that will be implemented to offset impacts to burrowing owl habitat if owls are detected once protocol surveys have been completed.
 - 140. Please provide documentation that supports the statement in the AFC that no burrowing owls were detected during the 2005 and 2006 HCP planning process.
 - 141. Please identify the methods that were used to determine whether owls were using the burrows that were detected within the Project study area, including any visual burrow monitoring that occurred. The response should include information on the length of time spent observing burrows to minimize potential for false absence (in the event that an owl was flushed from its burrow or was foraging when the burrow was scoped).
 - 142. Please provide a revised Sensitive Species Locations map that accurately depicts historic burrowing owl occurrences within the Project vicinity.

Background: FEDERAL ENDANGERED SPECIES ACT COMPLIANCE

The AFC indicates that the Project will potentially impact federally endangered species. Once species have been listed as threatened or endangered

under the federal Endangered Species Act (ESA), they are entitled to certain regulatory protections. Section 9 of the ESA specifically prohibits the taking of any endangered species of fish or wildlife. The term “take” is defined as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.”

Under Section 10 of the ESA, private individuals and states may receive exemptions from the prohibitions on incidentally taking species. An incidental take permit can be obtained to develop land or conduct any legal activities not directed at harming the species. As a requirement to obtain an incidental take permit to develop land, the landowner must formulate a Habitat Conservation Plan (HCP). HCPs allow development of portions of habitat used by listed species in exchange for the creation and implementation of a plan designed to conserve the same species in the remainder of the habitat.

The Applicant has indicated that federal ESA compliance will be achieved through formal consultation pursuant to section 7 of the ESA. Section 7 consultation occurs between federal agencies only, covering a specific, discretionary federal action that may affect a listed species (a federal nexus). The Applicant has indicated that U.S. Army Corps of Engineers (USACE) will initiate section 7 consultation with the U.S. Fish and Wildlife Service (USFWS) in connection with the 404 permitting process.⁶⁶

Data Requests:

143. If the Applicant intends to apply for a Section 404 permit, please describe the Project component that would require such permit.
144. Please describe the status of the Applicant’s application to the USACE and provide a copy of any application that has been filed with USACE.
145. Please describe the status of consultations between the USACE and USFWS.
146. Please list the species that will be subject to Section 7 consultation between USACE and USFWS.
147. Please provide any correspondence or other documentation among the Applicant, federal action agencies, and state and federal wildlife agencies regarding Section 7 consultation for the Project.
148. Please state whether the Applicant intends to apply for an Incidental Take Permit under Section 10 of the ESA.

⁶⁶ AFC, p.5.6-24.

149. If the Applicant intends to apply for an Incidental Take Permit, please provide the status of Applicant's Habitat Conservation Plan.

Background: IMPACTS TO NESTING BIRDS

To mitigate impacts to nesting bird species, the applicant has proposed pre-construction nest surveys of trees within the Project area during the non-breeding season.⁶⁷ If nests are detected, nest trees will be removed during the non-breeding season.⁶⁸ The Applicant has also proposed that vegetation clearing will only occur during the non-breeding bird season (September 1 to January 31).⁶⁹

Most birds construct new nests for each breeding attempt.⁷⁰ Therefore, nests detected during the non-breeding season may not be an accurate indicator of use during the subsequent breeding season.

Data Requests:

150. Please clarify whether all vegetation removal (including trees) will occur during the non-breeding season.
151. Since most birds construction new nests for each breeding attempt, please explain how surveys during the non-breeding season will ensure that birds are not impacted during the breeding season.
152. If vegetation and tree-clearing occurs during the non-breeding season, please discuss the Project's potential impacts on migratory birds in the subsequent breeding season.
153. If any vegetation removal will occur during the breeding season, please discuss the following:
- a. How the Applicant intends to comply with the Migratory Bird Treaty Act which provides protection to most nesting bird species.
 - b. The vegetation types that will be removed.
 - c. The approximate number of trees that will be removed, by species, and the heights of the trees that will be removed.

⁶⁷ AFC, p. 5.6-23.

⁶⁸ *Id.*

⁶⁹ AFC, p. 5.6-24.

⁷⁰ Hansell, M. H. 2000. Bird Nests and Construction Behaviour. Cambridge University Press, Cambridge, United Kingdom.

Background: IMPACTS TO RARE PLANTS

The AFC indicates CDFG protocol rare plant surveys would be conducted along both transmission line alignments during spring 2009. Although the AFC indicates Hoover's eriastrum (*Eriastrum hooveri*) is likely to occur in the Project area where suitable habitat is present, the Applicant has not proposed surveying the Project area to determine impacts to this or other rare plant species.⁷¹

The AFC provides a list of the plant species that were detected within the Project study area during 2008 surveys. Several of the species listed are within the same genus as one or more special-status species, but they were apparently not identified to the level necessary to determine whether the plant detected was a special-status species. Specifically, "*Astragalus* sp.", "*Cryptantha* sp.", "*Eriogonum* sp.", "*Hemizonia* sp.", and "*Plagiobothrys* sp." are listed as occurring within the Project study area.⁷² Each of these genera has one or more species with special-status listing.

Data Requests:

154. Please provide the results of the 2009 rare plant surveys.
155. Please clarify the portions of the Project study area that were (or will be) surveyed for rare plants.
156. Please provide any ecological evidence that helps rule out the possibility that the plant species that were detected, but that were not identified to the species level, were not special-status species.
157. Please clarify whether the Applicant considered potential Project impacts to pale yellow layia (*Layia heterotricha*).
158. Please clarify whether the Applicant considered potential Project impacts to the Miles' milk-vetch *Astragalus didymocarpus* var. *milesianus*).⁷³

⁷¹ Because the Applicant distinguishes likelihood of occurrence between the transmission line route and Project area, we assume the Project area refers to the SJS 1&2 Project site. See AFC, Appendix F-2.

⁷² AFC, Appendix F-4.

⁷³ The AFC associates the scientific name for Mile's milk-vetch with pale yellow layia. See AFC, Appendix F-2.

Background: IMPACTS TO THE BLUNT-NOSED LEOPARD LIZARD

In 2008, one blunt-nosed leopard lizard (BNLL) was detected during surveys of the CDFG-owned Pleasant Valley Preserve near the southern transmission line route.⁷⁴ No BNLL were observed on the SJS 1&2 site.⁷⁵ The Applicant has proposed focused surveys of the southern transmission line route in 2009 to determine if the BNLL that was detected is still present.⁷⁶ If detected, the pole locations near the CDFG reserve will be sited to avoid native vegetation and monitoring would be conducted to preclude BNLL mortality.⁷⁷

Common ravens may prey on the blunt-nosed leopard lizard and other sensitive wildlife species. Ravens depend on human encroachment to expand into areas where they were previously absent or in low abundance.⁷⁸ Ravens adapt to human activities and are sustained by the food and water, as well as roosting and nesting resources that are introduced or enhanced by human encroachment.⁷⁹ Man-made structures, such as buildings, signs, lamps, and utility poles provide roosting and nesting opportunities that otherwise would be unavailable.⁸⁰ Landscape irrigation, swimming pools, decorative fountains and ponds provide valuable water.⁸¹

Data Requests:

159. Please provide a map that shows the relationship among the Pleasant Valley Preserve, the southern transmission line route, and the location of the BNLL that was detected.
160. Since the Applicant's surveys have already established presence of the BNLL along the southern transmission line route, please clarify why the results of 2009 surveys will be relied on to dictate the need for monitoring and avoidance of native vegetation.
161. Please qualify the statement that no BNLL were observed on the SJS 1&2 Project site by discussing the focused survey effort that was dedicated to the site (including number of hours spent surveying the site).
162. Please provide the results of the 2009 BNLL surveys conducted for the

⁷⁴ AFC, p. 5.6-21.

⁷⁵ AFC: Bio Tech Report, p. 3-6.

⁷⁶ AFC, p. 5.6-21.

⁷⁷ *Id.*

⁷⁸ URS. 2009. Raven monitoring and control plan for the SES Solar One site in San Bernardino County, California. Available at:

<http://www.energy.ca.gov/sitingcases/solarone/documents/index.html>

⁷⁹ *Id.*

⁸⁰ *Id.*

⁸¹ *Id.*

Project.

163. Please provide the Applicant's analysis of the Project's impacts on BNLL, including a discussion of the following:
- a. the habitat associated with the BNLL that was detected,
 - b. the amount of potential BNLL habitat that may be impacted by the Project, and
 - c. the significance of Project impacts on the BNLL.
164. Please indicate whether the Applicant intends to implement a raven control plan to minimize increased raven predation on the BNLL (and other sensitive wildlife species) resulting from the Project.

Background: IMPACTS TO RAPTORS AND MIGRATORY BIRDS

The Applicant concluded that potential impacts to raptors and migratory birds from collisions with the proposed transmission lines are anticipated to be less than significant, as the SJS 1&2 Project site is not within an area that would concentrate migratory birds.⁸² Because the SJS 1&2 Project site is not located near a large perennial waterbody, the Applicant concluded large numbers of susceptible waterfowl species are absent from the Project vicinity.⁸³ As a result, the Applicant concluded a conservative estimate of between 10 and 430 birds (all bird species) per year could be killed from collisions with the proposed transmission line associated with the Project. The AFC provides that the use of FireFly bird flight diverters or similar devices placed on the transmission lines will make the structures more visible and minimize the risk of bird collisions.⁸⁴

The Project site is located within the Pacific Flyway. California provides vital winter habitat for about 60 percent of the waterfowl population in the Pacific Flyway.⁸⁵ This is estimated to be between four and six million birds a year.⁸⁶ The greatest concentration of these birds is found in the Central Valley, where agricultural lands and remaining wetlands provide the nutrition and other requirements necessary for survival.⁸⁷ During the winter, nearly 170 bird species reside in the Central Valley (combined winter residents and permanent residents).⁸⁸

⁸² AFC: Bio Tech Report, p. 4-2.

⁸³ *Id.*

⁸⁴ *Id.*

⁸⁵ Department of Fish and Game, the Resources Agency, State of California. 2003. Atlas of the biodiversity of California. Sacramento (CA): California Department of Fish and Game.

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ Ducks Unlimited, In. 1995. Wildlife resources of the Central Valley, California Birds – Part II: Winter residents and transients.

The AFC indicates transmission line towers often provide habitat in the form of perching and nesting sites for raptors.⁸⁹ The AFC further indicates the transmission poles will be sited so that they will span any habitats that may potentially support special-status species, as well as the jurisdictional waters and any associated riparian vegetation associated with Zapato Chino Creek.⁹⁰ However, the AFC also states it is not possible to determine the habitats that will be impacted by the installation of the transmission line poles because pole locations have not yet been determined.⁹¹

Data Requests:

165. Please provide a discussion of the Project's impacts on migratory birds traveling through the Pacific Flyway.
166. Please state whether the Applicant's consultant has conducted any waterfowl surveys within the Project study area during the times of year when waterfowl are most abundant in the central valley (i.e., migration and winter).
167. Please quantify the AFC's estimate of 10 to 430 birds (killed) by providing the unit of measurement (e.g., per mile) associated with the estimate.
168. Please clarify whether bird flight diverters will be installed on transmission lines associated with the Project.
169. Please clarify whether Project transmission line poles will encourage or discourage perching and nesting of predatory bird species.
170. Please identify the habitats that may support special-status species that will be spanned by transmission poles.

Background: IMPACTS TO SMALL MAMMAL SPECIES

Several small mammal species with special-status listing have the potential to occur in the Project study area.⁹² Applicant's supplemental information provides that "protocol" small mammal trapping surveys were conducted, and although the

⁸⁹ AFC: Bio Tech Report, p. 5-2.

⁹⁰ AFC: Bio Tech Report, p. 4-2.

⁹¹ *Id.*

⁹² AFC, Appendix F-2.

AFC provides a small mammal report that summarizes the results of small mammal trapping conducted along the transmission line routes, the objectives and justification for the work were not provided.⁹³

The northern transmission line corridor will be approximately six miles long.⁹⁴ However, the transects established for small mammal trapping only extended about two miles along the northern transmission line route and about one mile along the southern transmission line route.⁹⁵ As a result, they did not constitute a robust sampling design and may not have yielded a representative capture of the species present along the transmission line routes.

The small mammal trapping report does not describe the habitat(s) associated with the small mammals that were captured. Without any description of habitat at each site, conclusions (other than what animals were captured) remain qualitative and speculative.

Data Requests:

171. Please cite the protocol used for the small mammal trapping study.
172. Please provide the objectives and justification for the small mammal trapping efforts.
173. Please provide justification for why only the western portions of the transmission line routes were sampled.
174. Please describe and quantify the habitat variables associated with each trap site.
175. Please clarify whether the black-tailed jackrabbit is a species of special concern impacted by the project, as indicated in the AFC.⁹⁶

Background: HABITAT IMPACTS FROM TRANSMISSION POLES

The AFC indicates habitat along the transmission line route will be returned back to the existing state once construction is finished.⁹⁷ However, the AFC lacks a revegetation plan or any information on how habitat impacted by pole installation

⁹³ See AFC: Bio Tech Report, pp. ES-1, 3-4

⁹⁴ AFC, p. 5.6-1.

⁹⁵ AFC: Summary Report of Small Mammal Trapping along Two Proposed Transmission Line Corridors for the San Joaquin Solar 1 and 2 Project, Figure 3.

⁹⁶ AFC, p. 5.6-8.

⁹⁷ AFC: Bio Tech Report, p. 4-4.

will be restored.

Data Request:

176. Please provide information on the Applicant's proposed efforts to restore habitat, such that their likely effectiveness can be evaluated.

Background: GLINT AND GLARE IMPACTS ON WILDLIFE

The AFC states that, "[d]uring rotation of the collectors from the stow position, potential glint/glare from the mirrors may be visible to adjacent areas to the east/west; however, as this would occur in the early hours of the morning, sunlight is not strong and glint/glare from the mirrors is not anticipated to be significant."⁹⁸ In the analysis of glint and glare impacts on planes flying over the Project site, the AFC provides that "[v]iews and/or potential glint/glare from the Project are anticipated to be similar to a body of water to pilots in aircraft flying over the site."⁹⁹ The Applicant has stated that the Project site is not near a large perennial waterbody.¹⁰⁰ Therefore, if the Applicant's analysis is correct, waterbirds, which require stopover sites during migration, may view the Project site as the only large water resource in the region and collide with the Project's mirrors when they attempt to land.

Data Request:

177. Because the AFC states that the Project site is not near a perennial waterbody and that glint and glare impacts are anticipated to be similar to a body of water to pilots in aircraft flying over the site, please provide a discussion of the Project's glint and glare impacts on birds that may require stopover sites during migration.

Background: EFFECTIVENESS OF MITIGATION

The Applicant proposes preparing construction monitoring and compliance reports that analyze mitigation measure effectiveness.¹⁰¹ CEC siting regulations require the Applicant to provide a discussion of proposed compliance and monitoring programs that will be implemented to ensure the effectiveness of impact

⁹⁸ AFC, p. 5.13-25.

⁹⁹ AFC, p. 5.13-26.

¹⁰⁰ AFC: Bio Tech Report, p. 4-4.

¹⁰¹ AFC, p. 5.6-24.

avoidance and mitigation measures incorporated into the Project.¹⁰² CEC siting regulations also require a discussion of all proposed off-site habitat mitigation and habitat improvement or compensation, and an identification of contacts for compensation habitat and management.¹⁰³

Data Requests:

178. Please specify the biological resources that will be monitored and the contents of the associated compliance reports. In your response please include:
 - a. The frequency and duration of monitoring and reporting.
 - b. Monitoring methods.
 - c. Success criteria and triggers for additional mitigation if success criteria are not met.
179. Please provide a discussion of all proposed off-site habitat mitigation and habitat improvement or compensation, and an identification of contacts for compensation habitat and management.

Background: EVAPORATION POND IMPACTS TO BIRD SPECIES

The Project evaporation pond serves as a mortality hazard to wildlife, in part due to its potentially toxic condition.¹⁰⁴ In response to this concern, the Applicant responded to CEC Data Request 47 by stating:

Waterfowl are not common in the immediate SJS 1&2 project vicinity; however, a variety of waterfowl and shorebirds may seasonally utilize evaporation ponds as resting, foraging, and nesting areas. It is not likely that most resident or migrant birds and other small wildlife species would ingest large amounts of highly saline water or water with high concentrations of selenium from the evaporation pond because the majority of these species obtain their water from their food. Therefore, wildlife impacts from evaporation ponds may occur but are not expected to be significant.

The fact that some species can obtain water from their food does not mean they won't drink water if it is available, especially in an arid environment. In addition, the Applicant's response does not address the hazard to waterfowl and shorebird

¹⁰² California Energy Commission. 2007. Appendix B of Rules of practice and procedure & power plant site certification regulations. Document No. CEC-140-2007-003. Also see the updated Appendix B from July 2008 at <http://www.energy.ca.gov/2008publications/CEC-140-2008-003/CEC-140-2008-003.PDF>

¹⁰³ *Id.*

¹⁰⁴ Applicant's response to CEC Data Request 47.

species that may seasonally use evaporation ponds (and that drink and ingest water). Finally, the Applicant's response with respect to saline and selenium does not address impacts from ingestion of HTF contaminated water. The AFC states that in areas of potential HTF contamination, the runoff will be diverted to the lined evaporation ponds.¹⁰⁵

Data Requests:

180. Please discuss how the mortality hazards associated with HTF contamination and other discharges held in the evaporation pond will be minimized for waterfowl and shorebirds that may use it for resting, foraging, and nesting.

Background: IMPACTS TO THE SWAINSON'S HAWK

The AFC's discussion of the Swainson's hawk states: "This species was not observed in the Project area during the 2008 surveys, and there are no historical sightings recorded on the CNDDDB nearby. Therefore, Swainson's hawk utilizes the habitat in the vicinity of the SJS 1&2 site." Although the AFC had previously indicated field surveys were conducted according to CDFG and USFWS protocols, there is nothing to suggest protocol surveys for the Swainson's hawk were conducted.¹⁰⁶ Furthermore, the implication that there have been no historical sightings in the vicinity of the Project site is incorrect. At least two active (defined by the CDFG as used during one or more of the last five years) Swainson's hawk nests have been documented within 10 miles of the Project site.¹⁰⁷ Both of these nests were (are) associated with conditions similar to those described for Zapato Chino Creek within the Project area (i.e., cottonwood and tamarisk trees adjacent to a water channel and surrounded by agricultural land), suggesting that habitat suitable for Swainson's Hawk may be present within the Project area.¹⁰⁸

Department of Fish and Game guidelines state, "Projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree shall provide 0.5 acres of HM [Habitat Management] and for each acre of urban development authorized (0.5:1 ratio)" and "project sponsors shall provide for the long-term management of the HM lands by funding a management endowment (the interest

¹⁰⁵ AFC, p. 5.5-15.

¹⁰⁶ Swainson's Hawk Technical Advisory Committee. 2000. Recommended timing and methodology for Swainson's hawk nesting surveys in California's Central Valley. Available at: http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html

¹⁰⁷ Department of Fish and Game, Biogeographic Data Branch. 2009. California Natural Diversity Database. Version 3.1.0. Updated 01 Aug 2009. Occurrence numbers 1431 and 1432.

¹⁰⁸ AFC, p. 5.6-6.

on which shall be used for managing the HM lands) at the rate of \$400 per HM land acre (adjusted annually for inflation and varying interest rates).¹⁰⁹ The Applicant has not proposed any specific mitigation for impacts to Swainson's hawk nest sites or foraging habitat.

Data Requests:

181. Please clarify whether the Applicant's consultant conducted protocol surveys for the Swainson's hawk.
182. If protocol surveys for Swainson's hawk were conducted, please provide the methods that were used to conduct the surveys.
183. If protocol surveys for Swainson's hawk were not conducted, please provide the anticipated schedule for conducting the surveys.
184. Please clarify why Swainson's hawk nest locations were not included on the "Sensitive Species Locations" map provided in the AFC (i.e., Figure 5.6-3).
185. Please provide a revised "Sensitive Species Locations" map that depicts at least the two active Swainson's hawk nest locations documented by DFG within 10 miles of the Project site.
186. Please provide information on any correspondence between the Applicant and the CDFG related to the Swainson's hawk, including any needed studies and the presence of more recent nest records (that have yet to be entered into the CNDDDB).
187. Please quantify the amount of potential Swainson's hawk foraging habitat that will be impacted by the Project.
188. Please specify any measures that will be implemented to mitigate potential impacts to Swainson's hawk nest sites and foraging habitat.

Background: CHARACTERIZATION OF VEGETATION COMMUNITIES

A habitat assessment survey was conducted for the Project site, both sides of the northern transmission line alignment, and areas within one mile of the Project study area.¹¹⁰ According to the AFC, all areas were surveyed on foot, and all areas

¹⁰⁹ CDFG. 1994. Staff report regarding mitigation for impacts to Swainson's hawks (*Buteo swainsoni*) in the Central Valley of California. Available from Department of Fish and Game, Sacramento (CA).

¹¹⁰ AFC: Bio Tech Report, p. 2-2.

were visible from the survey routes.¹¹¹ However, it appears the habitat assessment was conducted in less than five man-hours, making it impossible for the surveyors to have visually observed all the areas indicated.¹¹² The habitat assessment resulted in the delineation of four vegetation communities within the Project study area (Developed, Agricultural Land, Disturbed Valley Saltbrush Scrub/Non-Native Grassland Mosaic, and Non-Vegetated Channel),¹¹³ and the determination that focused special-status species surveys were not necessary for the Project site.¹¹⁴

DISTURBED VALLEY SALTBUSH SCRUB/NON-NATIVE GRASSLAND MOSAIC

The Applicant delineated 165.1 acres of Disturbed Valley Saltbush Scrub/Non-Native Grassland along the northern transmission line route and 32.2 acres along the southern route.¹¹⁵ The AFC states that Valley Saltbush Scrub is typically characterized by open, gray- or blue-green chenopod scrubs (10-40% cover).¹¹⁶ The AFC further states that because the Valley Saltbush Scrub habitat that is present in the proposed transmission line alignment is sparsely distributed within the non-native grassland community, it is considered disturbed.¹¹⁷

NON-VEGETATED CHANNEL

The Applicant delineated 2.4 acres of Non-Vegetated Channel along the northern transmission line route and 20.1 acres along the southern route.¹¹⁸ The AFC indicates non-vegetated channels or floodways are unvegetated or sparsely vegetated drainages outside of the area of tidal influence.¹¹⁹ The AFC classifies the portions of Zapato Chino Creek within the Project study area as Open (or Non-Vegetated) Channel.¹²⁰ However, the creek banks are characterized as being dominated by tamarisk, with non-native grasses and cottonwood trees also present.¹²¹ In subsequent portions of the AFC, the creek is characterized as having riparian habitat.¹²² As a result, it appears inappropriate to classify vegetation along the creek as “Non-Vegetated Channel.”

¹¹¹ *Id.*

¹¹² AFC, Appendix F-3.

¹¹³ AFC: Bio Tech Report, p. 3-1.

¹¹⁴ AFC: Bio Tech Report, p. 2-2.

¹¹⁵ AFC: Bio Tech Report, p. 3-1.

¹¹⁶ AFC: Bio Tech Report, p. 3-2.

¹¹⁷ *Id.*

¹¹⁸ AFC: Bio Tech Report, p. 3-1.

¹¹⁹ *Id.*

¹²⁰ AFC: Bio Tech Report, p. 3-3.

¹²¹ *Id.*

¹²² AFC: Bio Tech Report, p. 4-5.

AGRICULTURAL LANDS

The AFC characterizes the entire 640-acre Project site as Agricultural Lands¹²³ that were bare (at the time of surveys) due to recent plowing, except in small areas of the Project site that appear to be access areas.¹²⁴ As a result, focused special-status species surveys were not conducted on the Project site.¹²⁵ The statement that the entire Project site is (or was) bare (except small areas) is not supported by imagery available through Google Earth and Google Maps “Street View.”¹²⁶ In particular, there appear to be several areas within the Project site that have characteristics similar to areas the AFC classifies as Non-Native Grassland/Saltbrush Scrub.

Data Requests:

189. Please characterize the Applicant’s referenced disturbance within the Valley Saltbrush Scrub habitat present in the Project study area by discussing the features that make it disturbed (e.g., roads, recent agricultural activity, off-road vehicle use) and quantifying the level(s) of disturbance.
190. Please provide a more thorough description of the vegetation present along Zapato Chino Creek within the Applicant’s Project study area and justify the inclusion of bank vegetation in the Non-Vegetated Channel community.
191. Please characterize the vegetation along the creek bank in the Applicant’s Project study area such that its ecological values can be inferred. In particular, please provide:
 - a. The height range of tamarisk trees.
 - b. The height range of cottonwood trees.
 - d. The relative abundance of tamarisk trees to cottonwood trees.
 - e. The density and distribution of trees along the creek banks.
 - f. The approximate minimum, maximum, and mean distance trees extend from the bank.
192. Please provide the minimum mapping unit used by the Applicant to map vegetation communities within the Project study area.
193. Please clarify the vegetation community present (baseline) at the

¹²³ AFC: Bio Tech Report, p. 3-2.

¹²⁴ AFC: Bio Tech Report, p. 3-1.

¹²⁵ AFC: Bio Tech Report, p. 2-2.

¹²⁶ Images taken 31 Jul 2009.

following locations within the Project site:¹²⁷

- a. Lat 36.136411°, Lon -120.221974°
- b. Lat 36.135362°, Lon -120.222403°
- c. Lat 36.135439°, Lon -120.220004°
- d. Lat 36.135534°, Lon -120.224342°
- e. Lat 36.136587°, Lon -120.226192°
- f. Lat 36.132468°, Lon -120.221586°
- g. Lat 36.123411°, Lon -120.229823°
- h. Lat 36.124231°, Lon -120.227991°
- i. Lat 36.125118°, Lon -120.227346°
- j. Lat 36.125115°, Lon -120.228099°

194. Please describe the methods used by the Applicant to characterize the vegetation and habitat for the southern transmission line alignment given “general” plant surveys had not yet been performed when the AFC was submitted.¹²⁸

Background: IMPACTS TO THE SAN JOAQUIN ANTELOPE SQUIRREL

The Applicant concluded the San Joaquin antelope squirrel is likely within the Project area where suitable habitat is present.¹²⁹ Because the Applicant’s small mammal trapping efforts were not specifically designed to detect the presence of the San Joaquin antelope squirrel, the AFC recommends focused trapping for the species be conducted prior to ground clearing activities for the transmission line.¹³⁰ The San Joaquin antelope squirrel is a State-listed threatened species. Sections 2081(b) and (c) of the California Endangered Species Act allow CDFG to issue an incidental take permit for a State listed threatened or endangered species only if specific criteria are met. An incidental take permit may be issued only if the Applicant minimizes and fully mitigates the impacts of the authorized take. The AFC fails to provide a description of potential Project impacts to the species, or plans for mitigating those impacts.

Data Requests:

195. Please provide the results of focused trapping efforts for the San Joaquin antelope squirrel or provide the schedule for their completion.

¹²⁷ WGS84 datum.

¹²⁸ See AFC: Bio Tech Report, p. 2-2. AFC, p. 5.6-2.

¹²⁹ AFC: Appendix F, p. F-2-2.

¹³⁰ AFC: Bio Tech Report, p. 3-4.

196. Please provide a discussion of potential Project impacts to the San Joaquin antelope squirrel, including the amount of suitable habitat that may be impacted.
197. Please discuss any measures that will be implemented to minimize and mitigate impacts to the San Joaquin antelope squirrel, including whether compensation will be provided for impacts to the species' habitat.

Background: IMPACTS TO JURISDICTIONAL WATERS

A jurisdictional waters delineation was conducted for the Project. However, it is unclear whether the delineation encompassed the entire Project study area, or only the portions of the study area where Zapato Chino Creek crosses the transmission line alignments.¹³¹

Data Requests:

198. Please clarify the portion(s) of the Project study area covered by the Applicant's jurisdictional waters delineation.
199. If the Applicant's jurisdictional waters delineation does not encompass the entirety of the Project study area, please provide wetland delineations for all areas to be impacted by the Project.
200. Please provide a copy of all correspondence with the U.S. Army Corps of Engineers regarding potential wetlands within the Project study area.

Background: IMPACTS TO THE SAN JOAQUIN KIT FOX

The Applicant has assumed presence of the San Joaquin kit fox within the 640-acre Project site. Habitat along the transmission line routes is also likely to support the San Joaquin kit fox.¹³² During Project surveys, potential San Joaquin kit fox dens were observed along the northern transmission line route. However, the surveyors concluded the dens were not active.¹³³

¹³¹ See AFC: Bio Tech Report, p. 2-5.

¹³² AFC, p. 5.6-21.

¹³³ AFC, p. 5.6-8.

To mitigate impacts to 640 acres of kit fox habitat, the Applicant has proposed habitat compensation at a 1.1:1 ratio.¹³⁴ The AFC states this mitigation ratio is consistent with other CEC-permitted projects located on active agricultural lands within a landscape also dominated by agricultural lands.¹³⁵ However, in the Carrizo Energy Solar Farm proceeding, the Applicant had to undertake a habitat evaluation to determine the appropriate mitigation ratio.¹³⁶

Finally, the Applicant's proposed mitigation does not encompass impacts to kit fox habitat along the proposed transmission line route alignments.¹³⁷

Data Requests:

201. Please clarify the Project's impacts to San Joaquin kit fox habitat, both within the Project site and along each proposed transmission line route, and specify whether the proposed habitat compensation is intended to mitigate impacts to habitat in both areas.
202. Please clarify how surveyors concluded potential kit fox dens were not active as opposed to not occupied (when inspected).
203. Please identify the other species that could have created (or used) the "potential" kit fox dens that were detected.
204. Please state how the Applicant's proposed 1.1:1 mitigation for impacts to San Joaquin kit fox was derived.
205. Please explain how the Applicant's proposed 1.1:1 mitigation ratio is consistent with other CEC-permitted projects located on active agricultural lands within a landscape also dominated by agricultural lands.

¹³⁴ AFC, p. 5.6-23.

¹³⁵ AFC, p. 5.6-23.

¹³⁶ See e.g. Carrizo Energy Solar Licensing Case, 07-AFC-08, Application for Certification, p. 5.6-22 (applying San Luis Obispo County Guidelines).

¹³⁷ AFC, p. 3-1.

Dated: August 24, 2009

Respectfully submitted,

_____/s/_____
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Attorneys for California Unions for Reliable Energy

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification for the
San Joaquin Solar 1 and 2 Hybrid Power
Plant Project

Docket No. 08-AFC-12

DECLARATION OF SERVICE

I, Bonnie Heeley, declare that on August 24, 2009, I served and filed copies of the attached **CALIFORNIA UNIONS FOR RELIABLE ENERGY DATA REQUESTS, SET FOUR**. 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/sjsolar/SJSOLAR_POS.PDF. The document has been sent (1) electronically, and (2) via US Mail by depositing in the US Mail at South San Francisco, CA, with first-class postage thereon full prepaid and addressed as provided on the attached Proof of Service list to those addresses NOT marked "email preferred." It was sent for filing to the Energy Commission by sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address shown on the attached Proof of Service list.

I declare under penalty of perjury that the foregoing is true and correct. Executed at South San Francisco, California, on August 24, 2009.

_____/s/_____
Bonnie Heeley

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STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:)	
)	
Application for Certification for the)	
San Joaquin Solar 1 and 2 Hybrid Power Plant)	Docket No. 08-AFC-12
)	
<u>San Joaquin Solar 1 and 2 LLC</u>)	

**OBJECTIONS TO DATA REQUESTS
OF
CALIFORNIA UNIONS FOR RELIABLE ENERGY,
SET 4**

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STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:)	
)	
Application for Certification for the)	
San Joaquin Solar 1 and 2 Hybrid Power Plant)	Docket No. 08-AFC-12
)	
<u>San Joaquin Solar 1 and 2 LLC</u>)	

**OBJECTIONS TO DATA REQUESTS
OF
CALIFORNIA UNIONS FOR RELIABLE ENERGY,
SET 4**

On August 24, 2009, San Joaquin Solar 1 LLC and San Joaquin Solar 2 LLC, collectively referred to as San Joaquin Solar or “Applicant”, received California Unions for Reliable Energy (“CURE”) *Data Requests, Set 4*. Set 4 is one of five sets of Data Requests tendered by CURE. CURE has tendered to date 278 Data Requests, which including subparts totaling more than 300 distinct requests. CURE has tendered approximately twice the number of requests submitted by Staff.

In addition to the specific grounds set forth below in reference to specific questions, Applicant objects to CURE's data requests on the grounds that they are calculated to harass, burden, and oppress Applicant and delay Applicant's Application for Certification (“AFC”). Should CURE file any motion in reference to any outstanding request to CURE, the California Energy Commission (“Commission”) should relieve the Applicant from responding to the data requests or severely limit the responses required by the Applicant. Justifications for this objection are set forth below.

1) CURE's goal is labor organizing under the National Labor Relations Act and not legitimate CEQA or other objectives within the Commission's jurisdiction.

CURE engages in a pattern and practice of Commission intervention to promote labor organizing objectives of CURE's member unions rather than for legitimate objectives under CEQA or Commission regulations. The Applicant submits that a full investigation of CURE's activities will demonstrate that where projects that are the subject of applications for certification are covered by CURE construction labor agreements, CURE does not and will not take any action within Commission jurisdiction to negatively impact the review or processing of the covered projects. CURE only takes negative action such as the service of burdensome and oppressive data requests like the ones at issue here when applicants cannot or do not enter construction labor agreements in what CURE considers to be a sufficient time period before or shortly after filing the AFC. This practice calls into question the legitimacy of CURE's intervention and justifies severely curtailing and restricting CURE's rights in proceedings like this one where but for failed organizing objectives, there would be no or little CURE activity. Failure to curtail and severely restrict CURE merely emboldens the organization and motivates it to become more entrenched in resistance to the AFC and the Project covered by the AFC.

2) CURE's labor organizing is illegal and, despite the Applicant's efforts to meet and resolve the labor issues with CURE, CURE is using the Commission to coerce the Applicant to engage in illegal activity.

a. *CURE is a labor organization.* CURE is comprised of officials from the California State Building & Construction Trades Council ("Council") and a small number of local mechanical building and construction trades unions in California representing workers in the construction industry. CURE's president, Robert Balgenorth, is also the

president of the Council. CURE's attorney who negotiates labor agreements with Commission applicants is the legal counsel in this matter before the Commission, Adams Broadwell Joseph & Cardozo. Consistent with CURE's pattern and practice of labor organizing through the Commission, after Applicant filed its AFC in this matter, CURE and its legal counsel initiated efforts to seek construction labor agreements for the Project. Finalizing construction labor agreements as demanded by CURE appears to be the only way Applicant will cause CURE to cease or limit its data requests and other activity in this proceeding.

b. *The Applicant is prohibited from entering construction labor agreements sought by CURE in return for CURE's cooperation before the Commission.* The Commission should sustain the Applicant's objection in view of the fact that the Applicant does not have legal standing to satisfy CURE's organizational goals to avoid further adverse action in the permitting proceeding. Applicant does not have legal standing to enter the construction labor agreements demanded by CURE under the National Labor Relations Board decision in *Glens Falls Building and Construction Trades Council*, 350 NLRB No. 42 (July 31, 2007) (*Indeck II*). The *Indeck II* case concluded that several construction industry unions violated the NLRA by coercing a project owner to sign a project labor agreement for construction similar to what CURE has demanded of the Applicant in this case. The construction labor agreement at issue in *Indeck II* was rendered void and unenforceable as an illegal agreement. Illegal construction labor agreements could expose owners who sign them to liability under federal labor law and other jurisprudence. Therefore, entering into the labor agreements that CURE demands, in order to settle any issues and/or eliminate CURE's intervention

activity in this proceeding, could subject Applicant to legal exposure under federal labor law and possibly other jurisprudence.

c. *The Applicant made an effort to appease CURE and relieve the Commission and the Applicant from CURE's activities.* The Commission should sustain the Applicant's objection in view of the fact that Applicant has attempted to meet and resolve any issues with CURE in good faith, including the representation that the Applicant will retain union contractors who may lawfully execute agreements with CURE for labor. Representatives from Applicant met with CURE's legal counsel in July. At that time, Applicant stated that it intended to use Union labor on the Project, but that the Applicant did not have legal standing to enter into labor agreements for construction under the NLRB's decision in *Indeck II*. CURE demanded that Applicant secure union contractors immediately. Applicant explained that it cannot secure contractors prior to certification and financing of the Project. Nonetheless, CURE has continued to interfere in the AFC process. Under these circumstances, Applicant is highly prejudiced by CURE's actions in this proceeding whereas there is little harm to CURE if its actions in this matter are restricted to more reasonable participation

d. Notwithstanding the fact that CURE's data requests are not intended to serve any legitimate purpose under CEQA or the Commission rules, the Applicant has acted, at considerable expense, to provide requested data that is reasonably available to the Applicant and reasonably necessary for the Commission to reach a decision on the Application.

Section 1716 of the Commission's regulations (Cal. Code Regs., tit. 20 § 1716) contains the basic framework for information exchanges between parties in licensing proceedings:

“A party may request from an Applicant ... information which is reasonably available to the Applicant which is relevant to the application proceedings or reasonably necessary to make any decision on the ...application.” (Cal. Code of Regs., tit. 20 § 1716(b).) The Applicant may then answer or object to the request. The Applicant hereby objects to those requests that do not meet this standard.

In addition to the general objections set forth above, the Applicant objects to those specific data requests that request information that is not reasonably available to San Joaquin Solar. The Applicant also objects to those data requests that are not relevant to the proceeding and reasonably necessary to make any decision on the Application. Finally, the Applicant objects to those data requests that ask the Applicant to prepare or revise analyses based on specifications, assumptions or speculations provided by CURE. The Applicant believes that the analyses it has prepared are sufficient for its Application. CURE is free to disagree and it may, if it so desires, prepare its own calculations or estimates regarding any relevant issue. However, CURE should not confuse the discovery phase with the evidentiary phase of this proceeding. As noted in a recent ruling by the Committee in the Carlsbad Energy Center proceeding, "The provision of 'information' by the Applicant or any other party includes data and other objective information available to it. The answering party is not, however, required to perform research or analysis on behalf of the requesting party."¹ This is particularly true where the requested research or analysis is intended to harass or burden the Applicant and serves no legitimate purpose under CEQA or the Commission rules. While the Committee also recognized that the line between discoverable data and undiscoverable analysis and research is dependent on the particulars of a request and cannot be drawn with precision, San Joaquin Solar submits that

¹ Committee Ruling On Intervenor Center For Biological Diversity's Petition To Compel Data Responses, Application For Certification For The Carlsbad Energy Center, Docket No, 07-Afc-6, December 26, 2008.

CURE's request for new or revised analyses have crossed far beyond the line of discoverable data.

Except as noted below, the Applicant will respond to CURE's data requests Set 4 on or before September 23, 2009. There are, however, specific questions in Set 4 to which the Applicant objects. Pursuant to Title 20, California Code of Regulations, Section 1716(f), Applicant hereby objects to CURE's Data Requests 100, 102, 104, 100 (2)², 104 (2), 110, 125, 132, 142, 143, 146, 147, 165, 178, and 189 through 191.

The Applicant's specific objections are set forth below.

SPECIFIC OBJECTIONS

Data Request 100

Please provide documentation supporting the AFC's statement on page 5.6-1 that the Project site is recently planted with wheat and pistachios, including cotton, safflower and garlic.

Objection:

The referenced AFC statement was based on oral communications with the property owners. The Applicant has requested "documentation" from the owner's of the Project site and will provide it, if it is reasonably available. However, to the extent that the "documentation" is not available, the Applicant objects to this request on the grounds that the "documentation" is not reasonably available to the Applicant. The Applicant also objects on the grounds that the information is not reasonably necessary for the Commission to make a decision on the Application.

² CURE has inadvertently duplicated the numbering of data requests 100 through 104. We have marked the duplicate numbers as (2)

Data Request 102

Please provide documentation reflecting the last date of planting of each crop type at the Project site. The response should provide the year and month.

Objection:

The Applicant does not have such documentation of the "last date" of planting of "each crop type". The Applicant objects to the question on the grounds that the information is not reasonably available to the Applicant and that the information is not reasonably relevant to any decision the Commission must make on this Application. We are not aware of any Commission decision that has discussed, much less made findings, concerning the last date of planting of each crop type on a proposed project site.

Data Request 104

Please clarify what the AFC means by a "majority" of the transmission line has been comprised of orchards and row crops, by stating how many acres of the proposed southern and northern transmission line alignments are in active agricultural production, and provide documentation to support your answer. Please provide the zoning of the proposed transmission line alignments for both the southern and northern route alignments. Your response should include acreages subject to each type of zone.

Objection:

A majority means more than 50%. The Applicant objects to calculating the specific number of acres along the transmission alignments, the specific acreages subject to each type of zoning along the alignments, or providing specific documentation on the grounds that: (1) The request is vague because CURE does not define what it means by "active agricultural production" or the specific time period for this calculation, (2) the specific information is not reasonably available

to the Applicant and would require the Applicant to perform research and analysis for CURE, and (3) the requested calculations and analyses are not reasonably relevant to a decision that the Commission must make on this Application.

Data Request 100 (2)

Please clarify when the site was last irrigated and planted.

Objection:

The Applicant has requested this clarification from the property owner. If the information is reasonably available to the Applicant, it will be provided. To the extent that this clarification is not provided by the property owner, the Applicant objects to the question on the grounds that the information is not reasonably available to the Applicant and not reasonably relevant to a decision that the Commission must make on this Application.

Data Request 104 (2)

Please provide the LESA score for the 640 acres that will be withdrawn from agricultural use as a result of the Project and the analysis that supports the score obtained.

Objection:

The Applicant has not calculated the "LESA" score. The Applicant objects to the question on the grounds that the information is not reasonably available to the Applicant and would require the Applicant to conduct analyses for CURE. The Applicant also objects to the question on the grounds that the information is not reasonably relevant to any decision the Commission must make on this Application.

Data Request 110

Please provide documentation to support the statement that the Project will not substantially diminish the agricultural productivity of the region. Your response should include dollar amounts lost due to cessation of agricultural production on the Project site.

Objection:

The Applicant objects to the question on the grounds that the requested "documentation" is not reasonably available to the Applicant. In addition, the request is vague because CURE does not specify the form of "documentation" that would satisfy its request, nor does CURE explain the manner of analysis necessary to calculate the "dollar amounts lost" due to cessation of agricultural production. Finally, even if the request was not fatally vague and even if the documentation was available, such information is not necessary for the Commission to find that the Project will not substantially diminish agricultural productivity of the region.

Data Request 125

Please provide the number of hours in which HTF leaks would be abated following detection.

Objection:

The Applicant has no idea what this question means. The Applicant objects to the question on the grounds that it is vague.

Data Request 132

Please state the number of gallons of HTF that would be necessary to generate 53.4 MW.

Objection:

The Applicant objects to this question on the grounds that it is vague. HTF does not generate electricity. Any calculation of the number of gallons that would be used in a facility that generates 53.4 MW, depends upon whether the referenced megawatts are nominal, name plate or

intended to represent a specific period of time. CURE does not explain what specific information it seeks or why it is reasonably necessary to any decision the Commission must make on this Application.

Data Request 142

Please provide a revised Sensitive Species Locations map that accurately depicts historic burrowing owl occurrences within the Project vicinity.

Objection:

The Applicant does not agree with the premise of the question that the map does not accurately depict historic burrowing owl occurrences. The preparation of a map that depicts CURE's view of what may be "accurate" is not information that is reasonably available to the Applicant. If CURE has a different view, it may prepare the map itself. Therefore, the Applicant objects to the question on the grounds that it is vague and that the information is not reasonably available to the Applicant.

Data Request 143

If the Applicant intends to apply for a Section 404 permit, please describe the Project component that would require such permit.

Objection:

Once the Applicant has determined whether to apply for a Section 404 permit, it will identify in the permit the project component that requires the permit. At such time as the Application is made, the Applicant will provide a copy of the Application to the Commission and the parties to this proceeding. Until such time as that determination is made, further information is not reasonably available to the Applicant.

Data Request 146

Please list the species that will be subject to Section 7 consultation between USACE and USFWS.

Objection:

This information will be included in any permit application. The information is not available at this time.

Data Request 147

Please provide any correspondence or other documentation among the Applicant, federal action agencies, and state and federal wildlife agencies regarding Section 7 consultation for the Project.

Objection:

The Applicant objects to this question on the grounds that the information regarding "Section 7" is outside the scope of this proceeding. If CURE seeks any correspondence, it may file a public records act request with the relevant Federal agency. In addition, while the determination by a Federal agency on a Section 7 permit may be relevant to the Commission's decision on this application, mere correspondence is not reasonably necessary to a decision by the Commission on the application. Finally, the Applicant objects on the grounds that the term "other documentation" is vague.

Data Request 165

Please provide a discussion of the Project's impacts on migratory birds traveling through the Pacific Flyway.

Objection:

The Applicant objects to this question on the grounds that it is vague and is not necessary to a decision that the Commission must make on the Application. The Pacific Flyway extends from Alaska to Patagonia. The Applicant disagrees with the premise of CURE's question that the project will have an impact on migratory birds through the Pacific Flyway. If CURE wishes to discuss fictional impacts of the Project, it should do so at its own time and expense.

Data Request 178, 178a, 178b, 178c

Please specify the biological resources that will be monitored and the contents of the associated compliance reports. In your response please include:

- a. The frequency and duration of monitoring and reporting.*
- b. Monitoring methods.*
- c. Success criteria and triggers for additional mitigation if success criteria are not met.*

Objection:

A discussion of compliance and monitoring programs to ensure the effectiveness of impact avoidance and mitigation measures incorporated into the project is set forth in Section 5.64 of the AFC. The specific details requested by CURE are either not reasonably available at this time or are not reasonably necessary for a decision by the Commission on the Application.

Notwithstanding these objections, the Applicant may provide an additional response to CURE's request at a later date.

Data Request 189

Please characterize the Applicant's referenced disturbance within the Valley Saltbrush Scrub habitat present in the Project study area by discussing the features that make it disturbed (e.g.,

roads, recent agricultural activity, off-road vehicle use) and quantifying the level(s) of disturbance.

Objection:

The applicant objects to the question on the grounds that (1) it is vague (CURE does not explain what it means by "quantifying the level of disturbance," (2) such calculations are not reasonably available to the Applicant, and (3) this level of specificity is not necessary for the Commission to make a decision on this Application.

Data Request 190

Please provide a more thorough description of the vegetation present along Zapato Chino Creek within the Applicant's Project study area and justify the inclusion of bank vegetation in the Non-Vegetated Channel community.

Objection:

The Applicant objects to question 190 on the grounds that the request requires a level of specificity that is not reasonably necessary for the Commission to make a decision on this Application. This "more thorough description" is not reasonably available to the Applicant without significant additional fieldwork and would serve no purpose other than to harass and burden the Applicant. In addition, the question is vague because it does not explain how much "more thorough" the discussion would have to be to satisfy CURE.

Data Request 191, 191a, 191b, 191d, 191e, 191f³

Please characterize the vegetation along the creek bank in the Applicant's Project study area such that its ecological values can be inferred. In particular, please provide:

a. The height range of tamarisk trees.

b. The height range of cottonwood trees.

d. The relative abundance of tamarisk trees to cottonwood trees.

e. The density and distribution of trees along the creek banks.

f. The approximate minimum, maximum, and mean distance trees extend from the bank.

Objection:

The Applicant objects to question 191 and its various subparts on the grounds that the request requires a level of specificity that is not reasonably necessary for the Commission to make a decision on this Application. This degree of "characterization" is not reasonably available to the Applicant without significant additional fieldwork and would serve no purpose other than to harass and burden the Applicant. If CURE believes that the height of a tamarisk tree is relevant to the Commission's decision on this Application, it may measure the tree itself.

Dated: September 14, 2009

Respectfully submitted,

ELLISON, SCHNEIDER & HARRIS L.L.P.

By  _____

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³ CURE did not provide data request 191c.

STATE OF CALIFORNIA

Energy Resources Conservation
and Development Commission

Application for Certification for the)	
San Joaquin Solar 1 and 2 Hybrid Power Plant)	Docket No. 08-AFC-12
)	
<u>San Joaquin Solar 1 and 2 LLC</u>)	

PROOF OF SERVICE

I, Karen A. Mitchell, declare that on September 14, 2009, I served the attached
OBJECTIONS TO DATA REQUESTS OF CALIFORNIA UNIONS FOR RELIABLE ENERGY,
SET 4 via electronic and U.S. mail to all parties on the attached service list.

I declare under the penalty of perjury that the foregoing is true and correct.



Karen A. Mitchell

SERVICE LIST
08-AFC-12

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**SAN JOAQUIN SOLAR 1 & 2 HYBRID
PROJECT
12-AFC-08**

**Supplemental Information
In Response To Cure Data Request Set #4**

September 23, 2009



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URS Project No.27658033

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 100: Please provide documentation supporting the AFC's statement on page 5.6-1 that the Project site is recently planted with wheat and pistachios, including cotton, safflower and garlic.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 101: Please explain the AFC's statement on page 5.6-5 that a "majority of the Project site is actively cultivated at this time" by describing the number and location of acres actively cultivated at this time.

Response: The property has been tilled in 2009 and is planted seasonally. The number of acres actively planted varies depending on the season. Currently pistachio trees are planted and cultivated on over 150 acres of the project site. It is appropriate to consider that the entire site is planted periodically, and seasonal plantings occur on portions of the site.

Data Request 102: Please provide documentation reflecting the last date of planting of each crop type at the Project site. The response should provide the year and month.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 103: Please provide documentation supporting the AFC's statement that the majority of the proposed transmission line alignment is comprised of orchards and row crops.

Response: Majority means more than 50%. As shown in Figure DR-103 less than one mile of the approximate 6 mile transmission line route is not comprised of orchards and row crops.

Data Request 104: Please clarify what the AFC means by a "majority" of the transmission line has been comprised of orchards and row crops, by stating how many acres of the proposed southern and northern transmission line alignments are in active agricultural production, and provide documentation to support your answer. Please provide the zoning of the proposed transmission line alignments for both the southern and northern route alignments. Your response should include acreages subject to each type of zone.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

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Data Request 100(2): Please clarify when the site was last irrigated and planted.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 101(2): Please explain whether the transmission line routes are on prime farmland, farmland of statewide importance, unique farmland, or farmland of local importance.

Response: As shown on Figure DR-101(2), the transmission line route is on a service road adjacent to approximately 5 miles of Prime Farmland and less than one mile of Farmland of local importance. However, it is not anticipated that agriculture would be impacted within the transmission route easement area, since cultivation may still take place. The transmission pole locations are most likely to be along the existing dirt road and will not occur on areas that are actively cultivated.

Data Request 103(2): Please provide an analysis of the Project's impacts on agriculture.

Response: Please see AFC section 5.9.1.3.2 Agricultural Williamson Act Lands for a discussion of the cancellation process and fees and mitigation for removal of Williamson Act Lands from agricultural use. The project will remove 640 acres of non-prime farmland from productive capacity, of which approximately 469 acres are currently under a Williamson Act contract.

Data Request 104(2): Please provide the LESA score for the 640 acres that will be withdrawn from agricultural use as a result of the Project and the analysis that supports the score obtained.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 105: Please discuss the project's consistency with LORS, including the Fresno County Planning Code's requirement that the proposed use will have no adverse effect on abutting property or the permitted use thereof.

Response: Please see AFC Section 5.9.5.3.6 Conditional Use Permit (CUP) Process. The proposed development will not have any adverse impacts on property abutting the project site. The project is self contained and will not prevent the continuous use of adjacent properties for their existing uses, namely agriculture and the Coalinga State Hospital.

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 106: Please discuss the impacts on agriculture from each of the proposed transmission line routes.

Response: As stated in the Supplemental Information in Response to CEC Data Request, docketed on February 4, 2009, the southern transmission route is the preferred route. There are no anticipated impacts to agriculture caused by the transmission line route. The transmission line route is on a service road adjacent to approximately 5 miles of Prime Farmland and less than one mile of Farmland of local importance. However, it is not anticipated that agriculture would be impacted within the transmission route easement area, since cultivation may still take place. The transmission pole locations are most likely to be along the existing dirt road and will not occur on areas that are actively cultivated.

Data Request 107: Please provide the AFC's referenced list of new projects planned within the six miles from the proposed site.

Response: Please see AFC Section 5.18 for a discussion of cumulative impacts and for the list of discretionary permit applications and reasonably foreseeable projects considered in conjunction with the project. In addition Please see attachment 107A for a list of permit applications provided by the City of Coalinga.

Data Request 108: Please provide a revised discussion of cumulative impacts on agriculture in light of the wastewater treatment project FEIR's conclusion that the wastewater treatment site was in active agricultural production and any other past, present and reasonably foreseeable projects identified by the Applicant.

Response: The combined effect of the Project and the Coalinga Waste Water Treatment facility to agriculture would include the removal of 960 acres of agricultural land from agricultural production to be designated for other uses. The Project proposes to mitigate for the loss of agricultural lands as part of the Williamson Act Cancellation process and thereby is committed to a fair share of mitigation costs for loss of agricultural lands.

Data Request 109: Please explain how withdrawing 640 acres of agricultural land for renewable energy production is an inherent form of mitigation for the loss of agricultural land.

Response: The use of former agricultural land for renewable energy production creates a recognized public benefit compared with other potential uses of such agricultural land. While not mitigation of the lost acreage of agricultural land per se, this public benefit merits consideration by the Commission in balancing the benefits of the project with its potential adverse impacts as required by CEQA.

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 110: Please provide documentation to support the statement that the Project will not substantially diminish the agricultural productivity of the region. Your response should include dollar amounts lost due to cessation of agricultural production on the Project site.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 111: Please explain whether the Project proposes any mitigation for significant impacts to agriculture, such as an irrigated agricultural conservation easement, as required for the wastewater treatment plant, or the payment of a fee to an agricultural land trust for the purchase of a conservation easement in Fresno County, as required for the Panoche Energy Project.

Response: Please see AFC section 5.9.1.3.2 Agricultural Williamson Act Lands for a discussion of the cancellation process and fees and mitigation for removal of Williamson Act Lands from agricultural use. The project will remove 640 acres of non-prime farmland from productive capacity, of which approximately 469 acres are currently under a Williamson Act contract.

Data Request 112: Please explain the AFC's distinction on page 5.14-10 between a "major" HTF flow line and other HTF flow lines.

Response: Most HTF process lines are considered major flow lines. Examples of "non-major" or "other" HTF lines include drain lines, sample ports, pressure safety valve connector lines, etc.

Data Request 113: Please describe the number and location of all "major" HTF flow lines associated with the Project.

Response: The HTF lines are located mainly in the power block and along each row of the solar field. The HTF lines in the power block can be as large as 24 inches in diameter, they flow through the pumps, steam drums and expansion vessel, and they are located within a containment area. Each solar field has a hot and cold header, and the headers are connected by 90 loops, which run down one row of mirrors and return down a second row. The loops are made of 70mm tubing (66 mm internal diameter). Additionally, there will be two HTF lines connecting the power block and the biomass boiler.

Data Request 114: Please specify how many isolation valves will be installed.

Response: Each HTF loop in the solar field will contain three isolation valves; each power block will have approximately twelve isolation valves. The total isolation valve count for the entire plant is approximately 600. The exact valve count is not available until detailed design is completed.

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Data Request 115: Please clarify whether isolation valves will be installed on non-major HTF flow lines throughout the solar field.

Response: Isolation valves will not be installed on “non-major” lines since these lines consist of drain lines, sample ports, pressure safety valve connector lines, etc., as stated in response number 112.

Data Request 116: If the Project will employ isolation valves on non-major HTF flow lines, please describe how many isolation valves will be installed.

Response: Please see response to number 115.

Data Request 117: Please quantify the maximum quantity of HTF that could potentially leak from the system between two isolation valves. Please provide documentation to support your answer.

Response: The maximum quantity of HTF that could potentially leak from the system between two isolation valves on a loop in the solar field is less than 300 gallons as stated in response to CURE data requests set #3, response number 48. Using a tubing wall thickness of 2 mm the maximum amount of HTF contained between two isolation valves in each solar loop is 275 gallons (66mm inner diameter of 1000 ft of tubing equals 36.8 cubic feet, or 275 gallons).

The maximum quantity of HTF that could potentially leak from the system between two isolation valves not located on the solar field loops varies depending on the line size and distance between two isolation valves. Most of the HTF lines not located in the solar field will be within containment areas which means a leak of HTF will not impact soil or become a “spill”. HTF lines in the power block and biomass areas will have isolation valves installed according to code and good engineering practices.

Data Request 118: Please explain the basis for the Applicant's estimate made during the August 6, 2009 data request workshop that the maximum spill of HTF that could occur from an expansion valve is 250 gallons, or provide a revised estimate regarding the maximum spill that could occur from an expansion valve. Please provide documentation to support your answer.

Response: The 250 gallons stated as the maximum spill during the August 6, 2009 workshop was an estimated value. A revised estimate of less than 300 gallons was presented in response to CURE data requests set #3, response number 48. This value has been further refined as presented in response number 117, above, to be approximately 275 gallons.

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Data Request 119: Please provide the volume of HTF fluid that can be contained in an expansion vessel.

Response: As stated in the response to CURE data requests set #3, response number 49, the HTF expansion tank volume is 59,000 gallons. Operational liquid level in the vessel will vary slightly diurnally but the volume of HTF typically in the expansion vessel will be roughly 30,000 gallons.

Data Request 120: Please provide the volume of HTF fluid that can be contained in the secondary containment pits to be located under each expansion vessel that the AFC states will be of "sufficient size."

Response: The secondary containment will hold 65,000 gallons.

Data Request 121: Please provide a discussion of potential fire and explosion risks due to the flammability of Therminol VP-1, the heat transfer fluid used in the solar arrays for the Project.

Response: Information regarding Therminol VP-1 was included in the Response to Cure Set #3, including a discussion on fire safety considerations. The suggested national fire protection association (NFPA) rating is 1, which means the flammability hazard is "slight". Equipment design and employee training will include all potential safety concerns, including the HTF flammability. With proper safety device installation and personnel safety training, the potential fire and explosion risks due to the flammability of the HFT are limited. The SEGS plants have been operating successfully for over twenty years and SJS will use similar methods and procedures as developed at these facilities to ensure fire safety.

Data Request 122: Please clarify if spills of HTF will trigger hazardous waste reporting requirements or CERCLA spill notification and any necessary facility response to the notification, such as containment, diking, or temporary cover.

Response: A release of Therminol VP-1 would not require hazardous waste reporting requirements. Contaminated soil containing Therminol VP-1 that is considered a hazardous waste would be accumulated onsite for less than 90 days, and then removed for disposal according to applicable regulations. The US Department of Transportation Reportable Quantity (RQ) of biphenyl is reported to be 100 lbs. The average concentration of biphenyl in Therminol VP-1 is 26.5%. Therefore a release of more than 377 pounds of Therminol VP-1 would require CERCLA notification. The project would comply with applicable regulations regarding containment, reporting, and disposal of any onsite release.

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Data Request 123: Please explain the basis for the AFC's estimate on page 5.14-10 that the amount of contaminated soil from HTF spills should not exceed 20 cubic yards in a 3-month period.

Response: This estimate is based on 25 years of operational experience at the SEGS facilities.

Data Request 124: Please provide a revised project layout diagram showing the location of the Project's proposed 2 acre parcel for temporary storage of HTF contaminated soil.

Response: A figure presenting this information was included in the Workshop Action Item response, docketed on August 21, 2009.

Data Request 125: Please provide the number of hours in which HTF leaks would be abated following detection.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 126: Please described how HTF contaminated soil will be transported to the proposed 2-acre parcel for temporary storage.

Response: As stated in Response to CURE data set #3, response number 95, contaminated soil will be transported to the hazardous waste accumulation area via a front end loader.

Data Request 127: Please explain how the proposed 2-acre parcel for temporary storage of HTF contaminated soil will be constructed, including whether the storage area will be lined.

Response: The temporary storage structure is a concrete slab with concrete walls on 3 sides with water proof joints.

Data Request 128: Please explain whether the 2-acre parcel for temporary storage of HTF contaminated soil will be constructed to meet any necessary requirements for storage of hazardous waste.

Response: The 2-acre parcel for temporary storage would be constructed to meet the requirements of accumulation of hazardous waste. Signage, labeling and security would meet the applicable hazardous waste requirements of California Code of Regulations, Title 22.

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Data Request 129: Please state the length of time that contaminated soil will remain in the 2-acre parcel and how it would be treated.

Response: Contaminated soil that is considered a hazardous waste would be accumulated onsite for less than 90 days. Hazardous waste would be removed from the facility by a licensed hazardous waste hauler and treated and disposed of at a licensed hazardous waste landfill in accordance with applicable regulations.

Data Request 130: Please explain how many trucks will be required to haul the HTF contaminated soil and whether these trucks are included in the AFC's analysis of truck trips during Project operation.

Response: Approximately one truck per quarter will be required to remove the expected amount of HTF contaminated soil. The AFC's traffic and transportation analysis included these truck trips.

Data Request 131: Please explain whether the Project includes groundwater monitoring for HTF compounds, including biphenyl and diphenyl oxide.

Response: The project will include a groundwater monitoring program during operations. The exact constituents to be monitored have not yet been determined.

Data Request 132: Please state the number of gallons of HTF that would be necessary to generate 53.4 MW.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 133: Please explain what measures will be taken to segregate stormwater that may contain HTF.

Response: Good housekeeping and spill prevention and monitoring will minimize the potential for HTF to mix with stormwater. In the power block stormwater will be contained in an oil water separator. In the solar fields, prompt clean up and appropriate BMPs will keep the HTF segregated from stormwater.

Data Request 134: Please clarify whether focused surveys were conducted within the Project site to identify the presence of burrows.

Response: An initial habitat assessment for burrowing owl was conducted on site per Phase I of the burrowing owl survey protocol. Phase II of the survey protocol was not implemented on the Project site as URS and CDFG biologists deemed the site unsuitable due to recent disking and actively maintained agriculture in April 2008.

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 135: Please provide the Phase II and III burrowing owl survey results. Your response should include the date and time of visits including weather and visibility conditions; survey methods including transect spacing and burrow monitoring; and a description of the area(s) surveyed.

Response: According to the burrowing owl survey protocol, Phase II and Phase III surveys are not required due to the lack of suitable habitat on the Project site (see DR-134). Phase II of the protocol states, "A survey for burrows and owls should be conducted by walking through suitable habitat over the entire project site...." Phase II surveys were conducted within suitable habitat along the southern transmission line; however, no burrowing owls or burrowing owl sign were detected. No Phase III surveys were required based on the same survey protocol which states, "If the project site contains burrows that could be used by burrowing owls, then survey efforts should be directed towards determining owl presence on the site."

Data Request 135a: For any and all Phase II and III burrowing owl surveys conducted, please provide a map of burrow concentrations.

Response: Phase II and Phase III surveys were not required.

Data Request 135b: For any and all Phase II and III burrowing owl surveys conducted, please provide a discussion of any burrowing owls or burrowing owl sign detected.

Response: Phase II and Phase III surveys were not required.

Data Request 136: Please provide the anticipated schedule for the burrowing owl winter survey and provision of the Phase IV report required of the protocol.

Response: No burrowing owl or burrowing owl sign were detected; therefore, no winter surveys or burrowing owl survey report that are a part of Phase IV are required.

Data Request 137: Please provide the rationale behind the conclusion that smaller raptors (including burrowing owl) will still be able to use the site after Project grading and construction.

Response: Burrowing owl (and other raptor species) are known to perch on fences and other elevated areas to forage and to begin hunting forays as well as look out for potential predators. Please note; however, that burrowing owl are not present on the Project site, and burrowing owls have not been detected in the vicinity for several years. Regardless, the proposed offsite mitigation will benefit burrowing owl and other raptors.

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 138: Please discuss the measures that will be implemented to avoid direct impacts to burrowing owls.

Response: Burrowing owls and burrowing owl sign were not detected on site or along the proposed transmission line alignment; however, clearance surveys will still be conducted prior to construction activities.

Data Request 139: Please discuss the measures that will be implemented to offset impacts to burrowing owl habitat if owls are detected once protocol surveys have been completed.

Response: Burrowing owls and burrowing owl sign were not detected on the project site or along the proposed transmission line alignment or waterline; however, clearance surveys will be conducted prior to construction activities. If owls are detected, standard BMP and protocol requirements will be followed.

Data Request 140: Please provide documentation that supports the statement in the AFC that no burrowing owls were detected during the 2005 and 2006 HCP planning process.

Response: The survey results of the 2005 and 2006 HCP planning process were obtained from the Coalinga HCP database and survey results from CDFG.

Data Request 141: Please identify the methods that were used to determine whether owls were using the burrows that were detected within the Project study area, including any visual burrow monitoring that occurred. The response should include information on the length of time spent observing burrows to minimize potential for false absence (in the event that an owl was flushed from its burrow or was foraging when the burrow was scoped).

Response: No potential burrowing owl burrows were detected.

Data Request 142: Please provide a revised Sensitive Species Locations map that accurately depicts historic burrowing owl occurrences within the Project vicinity.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 143: If the Applicant intends to apply for a Section 404 permit, please describe the Project component that would require such permit.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 144: Please describe the status of the Applicant's application to the USACE and provide a copy of any application that has been filed with USACE.

Response: No federally jurisdictional features will be impacted by Project-related activities; therefore, no application will be filed with USACE.

Data Request 145: Please describe the status of consultations between the USACE and USFWS.

Response: No federally jurisdictional features will be impacted by Project-related activities; therefore, no application will be filed with USACE.

Data Request 146: Please list the species that will be subject to Section 7 consultation between USACE and USFWS.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 147: Please provide any correspondence or other documentation among the Applicant, federal action agencies, and state and federal wildlife agencies regarding Section 7 consultation for the Project.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 148: Please state whether the Applicant intends to apply for an Incidental Take Permit under Section 10 of the ESA.

Response: The Applicant is meeting with the City of Coalinga and plans to participate in the HCP that they are currently preparing.

Data Request 149: If the Applicant intends to apply for an Incidental Take Permit, please provide the status of Applicant's Habitat Conservation Plan.

Response: The Applicant is meeting with the City of Coalinga and plans to participate in the HCP that they are currently preparing.

**San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 150: Please clarify whether all vegetation removal (including trees) will occur during the non-breeding season.

Response: No native vegetation removal is needed on the project site. The only potential native vegetation disturbance is along the transmission line route and will be removed during the non-breeding season.

Data Request 151: Since most birds construct new nests for each breeding attempt, please explain how surveys during the non-breeding season will ensure that birds are not impacted during the breeding season.

Response: The surveys during the non-breeding season are to confirm that no active nests are present prior to clearing the vegetation. Once the vegetation is surveyed and no active nests are found, the vegetation can be cleared safely without the possibility of taking nesting birds.

Data Request 152: If vegetation and tree-clearing occurs during the non-breeding season, please discuss the Project's potential impacts on migratory birds in the subsequent breeding season.

Response: As stated by CURE in request number 151, most migratory birds construct new nests for each breeding attempt. In the subsequent breeding season (after vegetation is potentially removed during the non-breeding season for construction) these nests would be built offsite where vegetation is present, away from construction activities. Therefore, there will be no impacts to nesting migratory birds in the subsequent breeding season.

Data Request 153: If any vegetation removal will occur during the breeding season, please discuss the following:

- a) How the Applicant intends to comply with the Migratory Bird Treaty Act which provides protection to most nesting bird species.
- b) The vegetation types that will be removed.
- c) The approximate number of trees that will be removed, by species, and the heights of the trees that will be removed.

Response: All vegetation removal will occur during the non-breeding season.

Data Request 154: Please provide the results of the 2009 rare plant surveys.

Response: The results of the 2009 rare plant surveys will be provided to the CEC, CDFG and USFWS in early October 2009 and will be available on the Docket web site.

San Joaquin Solar 1 & 2 Hybrid Project
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Data Request 155: Please clarify the portions of the Project study area that were (or will be) surveyed for rare plants.

Response: This information will be provided in the rare plant survey report.

Data Request 156: Please provide any ecological evidence that helps rule out the possibility that the plant species that were detected, but that were not identified to the species level, were not special-status species.

Response: This information will be provided in the rare plant survey report that will be available on the Docket web site.

Data Request 157: Please clarify whether the Applicant considered potential Project impacts to pale yellow layia (*Layia heterotricha*).

Response: No impacts are anticipated as this species was not detected during the 2008 or 2009 rare plant surveys. The results of the 2009 rare plant surveys will be provided to the CEC, CDFG and USFWS soon and will be available on the Docket web site.

Data Request 158: Please clarify whether the Applicant considered potential Project impacts to the Miles' milk-vetch *Astragalus didymocarpus* var. *milesianus*).

Response: No impacts are anticipated as this species was not detected during the 2008 or 2009 rare plant surveys. The results of the 2009 rare plant surveys will be provided to the CEC, CDFG and USFWS soon and will be available on the Docket web site.

Data Request 159: Please provide a map that shows the relationship among the Pleasant Valley Preserve, the southern transmission line route, and the location of the BNLL that was detected.

Response: Please see Figure 3 from the Biological Resources Technical Report (attached) and Figure DR-49 from the docketed response to the California Energy Commission (CEC) Data Request 49.

Data Request 160: Since the Applicant's surveys have already established presence of the BNLL along the southern transmission line route, please clarify why the results of 2009 surveys will be relied on to dictate the need for monitoring and avoidance of native vegetation.

Response: The 2009 survey results came up negative for BNLL along the remainder of the transmission line alignment. Pre-construction clearance surveys and monitoring will be implemented along the southern transmission line route.

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Data Request 161: Please qualify the statement that no BNLL were observed on the SJS 1&2 Project site by discussing the focused survey effort that was dedicated to the site (including number of hours spent surveying the site).

Response: As discussed in the AFC and Biological Resources Technical Report, during the April 2008 site visit with CDFG, BNLL surveys were deemed unnecessary on the Project site because it was recently tilled and partially under active orchard operations.

Data Request 162: Please provide the results of the 2009 BNLL surveys conducted for the Project.

Response: The results of the 2009 BNLL surveys will be provided to the CEC, CDFG and USFWS soon and will be available on the Docket web site.

Data Request 163: Please provide the Applicant's analysis of the Project's impacts on BNLL, including a discussion of the following:

- a) the habitat associated with the BNLL that was detected,
- b) the amount of potential BNLL habitat that may be impacted by the Project, and
- c) the significance of Project impacts on the BNLL.

Response: Please refer to Section 3.4 of the Biological Resources Technical Report, attached.

Data Request 164: Please indicate whether the Applicant intends to implement a raven control plan to minimize increased raven predation on the BNLL (and other sensitive wildlife species) resulting from the Project.

Response: A raven plan is not necessary as there are no sensitive species on site which ravens can prey upon.

Data Request 165: Please provide a discussion of the Project's impacts on migratory birds traveling through the Pacific Flyway.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 166: Please state whether the Applicant's consultant has conducted any waterfowl surveys within the Project study area during the times of year when waterfowl are most abundant in the central valley (i.e., migration and winter).

Response: Waterfowl surveys are not necessary as there is no permanent standing water or other suitable habitat on site.

San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12

Data Request 167: Please quantify the AFC's estimate of 10 to 430 birds (killed) by providing the unit of measurement (e.g., per mile) associated with the estimate.

Response: The AFC and the Biological Resources Technical Report state, "Based on previous studies (e.g., McCrary et al 1986, Koops 1987), a conservative estimate of between 10 and 430 birds (all bird species) **per year** could be killed from collisions with the proposed transmission line associated with the Project, or with buildings or other structures greater than 90 feet high."

Data Request 168: Please clarify whether bird flight diverters will be installed on transmission lines associated with the Project.

Response: Bird diverters are identified as a mitigation measure in the Biological Resources Technical Report, attached.

Data Request 169: Please clarify whether Project transmission line poles will encourage or discourage perching and nesting of predatory bird species.

Response: Many predatory bird species are known to perch on fences and other elevated areas to forage and to begin hunting forays as well as look out for potential predators (Sibley 2001). The transmission line poles are anticipated to encourage perching by raptors; however, nesting on transmission line poles is uncommon for many species of raptor detected in the Project vicinity. Red-tailed hawk is the only raptor species detected in the area that may utilize the transmission line poles for nesting substrate. Barn owl and long-eared owl may use the transmission line poles if abandoned raven or hawk nests exist but it is unlikely (Sibley 2001).

Data Request 170: Please identify the habitats that may support special-status species that will be spanned by transmission poles.

Response: Section 5.6.1.2.3 of the AFC states, "Sensitive habitats are those that support sensitive plant or animal species, or unique vegetation communities considered rare within the region. No sensitive habitats are present within the Project study area."

**San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12**

Data Request 171: Please cite the protocol used for the small mammal trapping study.

Response: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

Data Request 172: Please provide the objectives and justification for the small mammal trapping efforts.

Response: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

Data Request 173: Please provide justification for why only the western portions of the transmission line routes were sampled.

Response: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

Data Request 174: Please describe and quantify the habitat variables associated with each trap site.

Response: Please refer to the small mammal trapping report that was provided as an appendix to the biological resource technical report.

Data Request 175: Please clarify whether the black-tailed jackrabbit is a species of special concern impacted by the project, as indicated in the AFC.

Response: The species detected in the Project vicinity (*Lepus californicus*) is not the subspecies of special concern (*Lepus californicus bennetti*) which is found near the coast of southern California.

Data Request 176: Please provide information on the Applicant's proposed efforts to restore habitat, such that their likely effectiveness can be evaluated.

Response: The Applicant is planning to participate in the City of Coalinga HCP that is currently under development.

San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12

Data Request 177: Because the AFC states that the Project site is not near a perennial waterbody and that glint and glare impacts are anticipated to be similar to a body of water to pilots in aircraft flying over the site, please provide a discussion of the Project's glint and glare impacts on birds that may require stopover sites during migration.

Response: Observations of migratory birds suggest that because they encounter a variety of unfamiliar habitats with unpredictable suitability during their migrations, migratory birds will assess alternative habitats at a potential stopover site before staying for a length of time (Moore et al. 2005). Therefore, if a bird were to perceive the Project site as a body of water, because there is no riparian vegetation or other suitable habitat near the Project site, the bird would move on to the next potential site. It is also unlikely that birds would use the Project site as a stopover site because it is not near a perennial water body or a known migratory bird stopover site. They would be more likely to use the riparian habitats associated with the California aqueduct or Los Gatos Creek.

References:

Moore, F.R., M.S. Woodrey, J.J. Buler, S.Woltmann, and T.R. Simons. 2005. Understanding the Stopover of Migratory Birds: A Scale Dependent Approach. USDA Forest Service Gen. Tech. Rep. PSW-GTR-191. 2005.

Sibley, D.A. 2001. The Sibley Guide to Bird Life and Behavior. Chanticleer Press, Inc. New York, NY.

Data Request 178: Please specify the biological resources that will be monitored and the contents of the associated compliance reports. In your response please include:

- a) The frequency and duration of monitoring and reporting.
- b) Monitoring methods.
- c) Success criteria and triggers for additional mitigation if success criteria are not met.

Response: Construction monitoring will occur for any species that is detected within the Project area during pre-construction surveys. Other monitoring programs may be identified during the City of Coalinga HCP process that the Applicant is planning to participate in. Details will be provided as available.

Also please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 179: Please provide a discussion of all proposed off-site habitat mitigation and habitat improvement or compensation, and an identification of contacts for compensation habitat and management.

Response: The Applicant is planning to participate in the City of Coalinga HCP that is currently under development.

San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12

Data Request 180: Please discuss how the mortality hazards associated with HTF contamination and other discharges held in the evaporation pond will be minimized for waterfowl and shorebirds that may use it for resting, foraging, and nesting.

Response: Please see the Docketed response to CEC Data Request #44.

Data Request 181: Please clarify whether the Applicant's consultant conducted protocol surveys for the Swainson's hawk.

Response: There is no protocol for Swainson's hawk; however, one was detected along the southern transmission route during the 2009 surveys.

Data Request 182: If protocol surveys for Swainson's hawk were conducted, please provide the methods that were used to conduct the surveys.

Response: There is no survey protocol for Swainson's hawk. No focused surveys were conducted or necessary as one was detected along the southern transmission route during the 2009 surveys.

Data Request 183: If protocol surveys for Swainson's hawk were not conducted, please provide the anticipated schedule for conducting the surveys.

Response: There is no survey protocol for Swainson's hawk. No focused surveys will be conducted or are necessary as one was detected along the southern transmission route during the 2009 surveys.

Data Request 184: Please clarify why Swainson's hawk nest locations were not included on the "Sensitive Species Locations" map provided in the AFC (i.e., Figure 5.6-3).

Response: There were no Swainson's hawk nests detected during the 2008 surveys and none were identified as such in the CNDDDB maps utilized when preparing the AFC. However, the Applicant recently discovered that two nest sites were described in the CNDDDB report.

Data Request 185: Please provide a revised "Sensitive Species Locations" map that depicts at least the two active Swainson's hawk nest locations documented by DFG within 10 miles of the Project site.

Response: The two potentially active Swainson's hawk nest locations that are identified in the most recent CNDDDB report were detected in 2005 and are located north of Huron near the California Aqueduct. These locations are northeast of the Project site and not anticipated to be impacted by the SJS 1&2 Project. Please see the CNDDDB for these locations.

**San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12**

Data Request 186: Please provide information on any correspondence between the Applicant and the CDFG related to the Swainson's hawk, including any needed studies and the presence of more recent nest records (that have yet to be entered into the CNDDDB).

Response: We will provide the requested correspondence as it occurs.

Data Request 187: Please quantify the amount of potential Swainson's hawk foraging habitat that will be impacted by the Project.

Response: Please refer to Section 5.6 of the AFC. Mitigation Measure BIO-2 states, "Impacts to large raptor species (golden eagle, red tailed hawk, barn owl, great-horned owl) are anticipated to be significant due to the permanent loss of 640 acres of raptor foraging habitat. A total of 1.3 acres of temporary loss of raptor foraging habitat would be less than significant because the habitat will be returned to its original land use that currently supports foraging for raptors." Swainson's hawk is included in the classification of "large raptor species".

Data Request 188: Please specify any measures that will be implemented to mitigate potential impacts to Swainson's hawk nest sites and foraging habitat.

Response: Please see Section 5.6.4.1.1.2 of the AFC.

Data Request 189: Please characterize the Applicant's referenced disturbance within the Valley Saltbrush Scrub habitat present in the Project study area by discussing the features that make it disturbed (e.g., roads, recent agricultural activity, off-road vehicle use) and quantifying the level(s) of disturbance.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 190: Please provide a more thorough description of the vegetation present along Zapato Chino Creek within the Applicant's Project study area and justify the inclusion of bank vegetation in the Non-Vegetated Channel community.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12

Data Request 191: Please characterize the vegetation along the creek bank in the Applicant's Project study area such that its ecological values can be inferred. In particular, please provide:

- a) The height range of tamarisk trees.
- b) The height range of cottonwood trees.
- c) The relative abundance of tamarisk trees to cottonwood trees.
- d) The density and distribution of trees along the creek banks.
- e) The approximate minimum, maximum, and mean distance trees extend from the bank.

Response: Please see Objections To Data Requests Of California Unions For Reliable Energy, Set 4, dated September 14, 2009.

Data Request 192: Please provide the minimum mapping unit used by the Applicant to map vegetation communities within the Project study area.

Response: The minimum mapping unit used to map vegetation communities was 1/10 of an acre.

Data Request 193: Please clarify the vegetation community present (baseline) at the following locations within the Project site:

Lat 36.136411°, Lon -120.221974°
Lat 36.135362°, Lon -120.222403°
Lat 36.135439°, Lon -120.220004°
Lat 36.135534°, Lon -120.224342°
Lat 36.136587°, Lon -120.226192°
Lat 36.132468°, Lon -120.221586°
Lat 36.123411°, Lon -120.229823°
Lat 36.124231°, Lon -120.227991°
Lat 36.125118°, Lon -120.227346°
Lat 36.125115°, Lon -120.228099°

Response: All of the locations fall within the Project site, which is identified as agricultural use.

Data Request 194: Please describe the methods used by the Applicant to characterize the vegetation and habitat for the southern transmission line alignment given "general" plant surveys had not yet been performed when the AFC was submitted.

Response: The results of the 2009 rare plant surveys will be provided to the CEC, CDFG and USFWS soon and will be available on the Docket web site.

San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12

Data Request 195: Please provide the results of focused trapping efforts for the San Joaquin antelope squirrel or provide the schedule for their completion.

Response: Trapping is not necessary to detect this species. Additionally, surveys for San Joaquin antelope squirrel were conducted concurrent with BNLL surveys, as described in the AFC and the Biological Resources Technical Report.

Data Request 196: Please provide a discussion of potential Project impacts to the San Joaquin antelope squirrel, including the amount of suitable habitat that may be impacted.

Response: No impacts are anticipated to habitat as the species was not detected.

Data Request 197: Please discuss any measures that will be implemented to minimize and mitigate impacts to the San Joaquin antelope squirrel, including whether compensation will be provided for impacts to the species' habitat.

Response: Mitigation for impacts to potential kit fox habitat will also provide mitigation for potential impacts to San Joaquin antelope squirrel habitat.

Data Request 198: Please clarify the portion(s) of the Project study area covered by the Applicant's jurisdictional waters delineation.

Response: Please see the Biological Resources Technical Report, attached. Figures 4A-4C provide the results of the delineation.

Data Request 199: If the Applicant's jurisdictional waters delineation does not encompass the entirety of the Project study area, please provide wetland delineations for all areas to be impacted by the Project.

Response: All jurisdictional areas within the project area have been delineated.

Data Request 200: Please provide a copy of all correspondence with the U.S. Army Corps of Engineers regarding potential wetlands within the Project study area.

Response: No impacts to jurisdictional waters are anticipated, therefore there is no need to correspond with the USACE.

San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12

Data Request 201: Please clarify the Project's impacts to San Joaquin kit fox habitat, both within the Project site and along each proposed transmission line route, and specify whether the proposed habitat compensation is intended to mitigate impacts to habitat in both areas.

Response: Kit fox have been recorded within the vicinity up to 1999. None have been recorded since then based on the most current data available from CNDDDB and recent CDFG surveys. Impacts to kit fox habitat will be addressed in the City of Coalinga HCP in which the Applicant is planning to participate.

Data Request 202: Please clarify how surveyors concluded potential kit fox dens were not active as opposed to not occupied (when inspected).

Response: One potential kit fox den was detected during the 2008 surveys north of Jayne Avenue in the northern transmission route survey area (the northern route option has since been eliminated). It was determined that this den was most likely a badger den because a badger body was found within 100 feet of the den. This den is not within the Project study area (northern transmission route was eliminated), and no other potential kit fox dens or sign were detected during the 2008 and 2009 surveys.

Data Request 203: Please identify the other species that could have created (or used) the "potential" kit fox dens that were detected.

Response: No potential kit fox dens were detected within the Project study area (see response to number 202, above).

Data Request 204: Please state how the Applicant's proposed 1.1:1 mitigation for impacts to San Joaquin kit fox was derived.

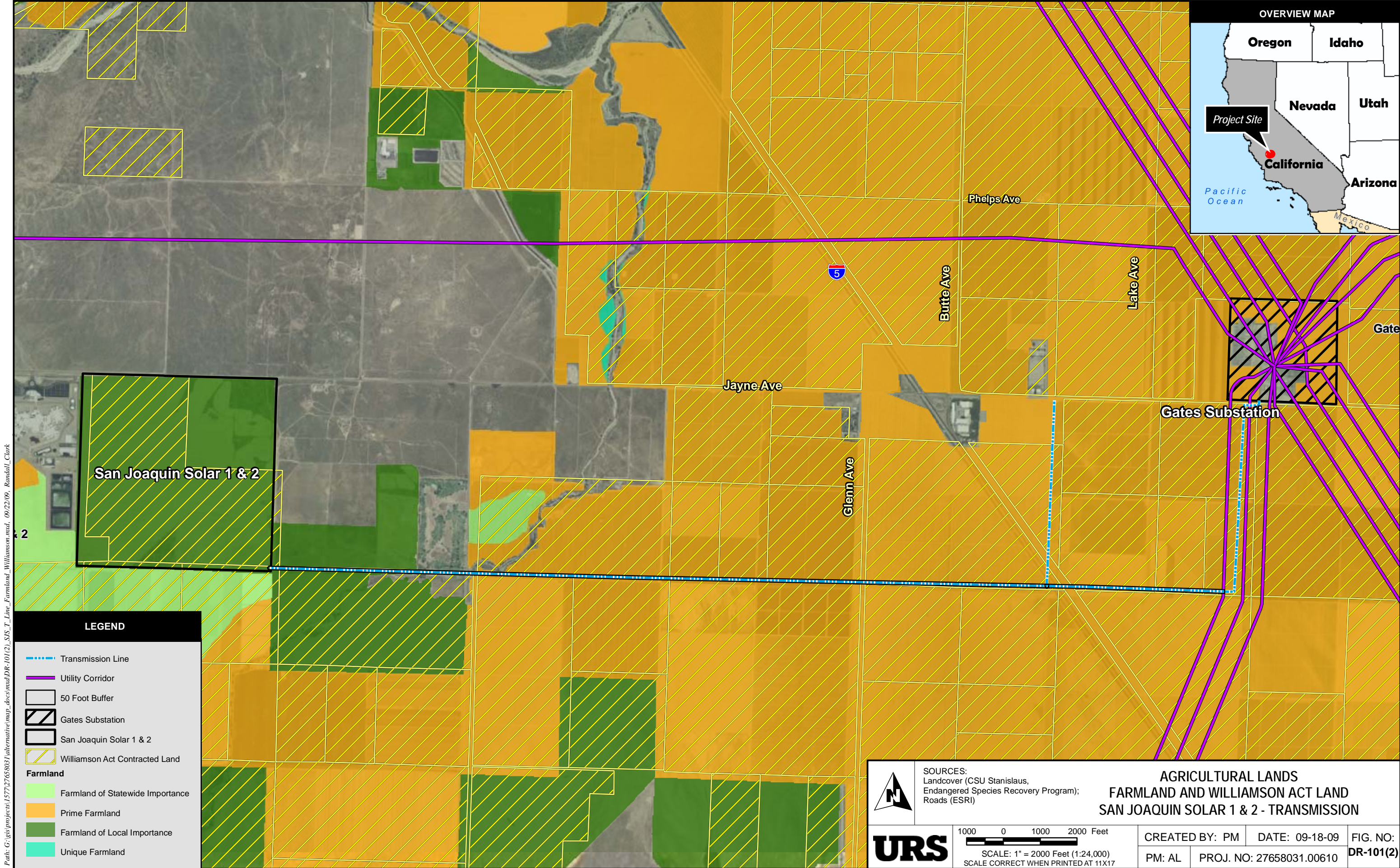
Response: This ratio was based on past projects that occurred on agricultural lands that required the 1.1:1 ratio, as discussed in the AFC and Biological Resources Technical Report.

Data Request 205: Please explain how the Applicant's proposed 1.1:1 mitigation ratio is consistent with other CEC-permitted projects located on active agricultural lands within a landscape also dominated by agricultural lands.

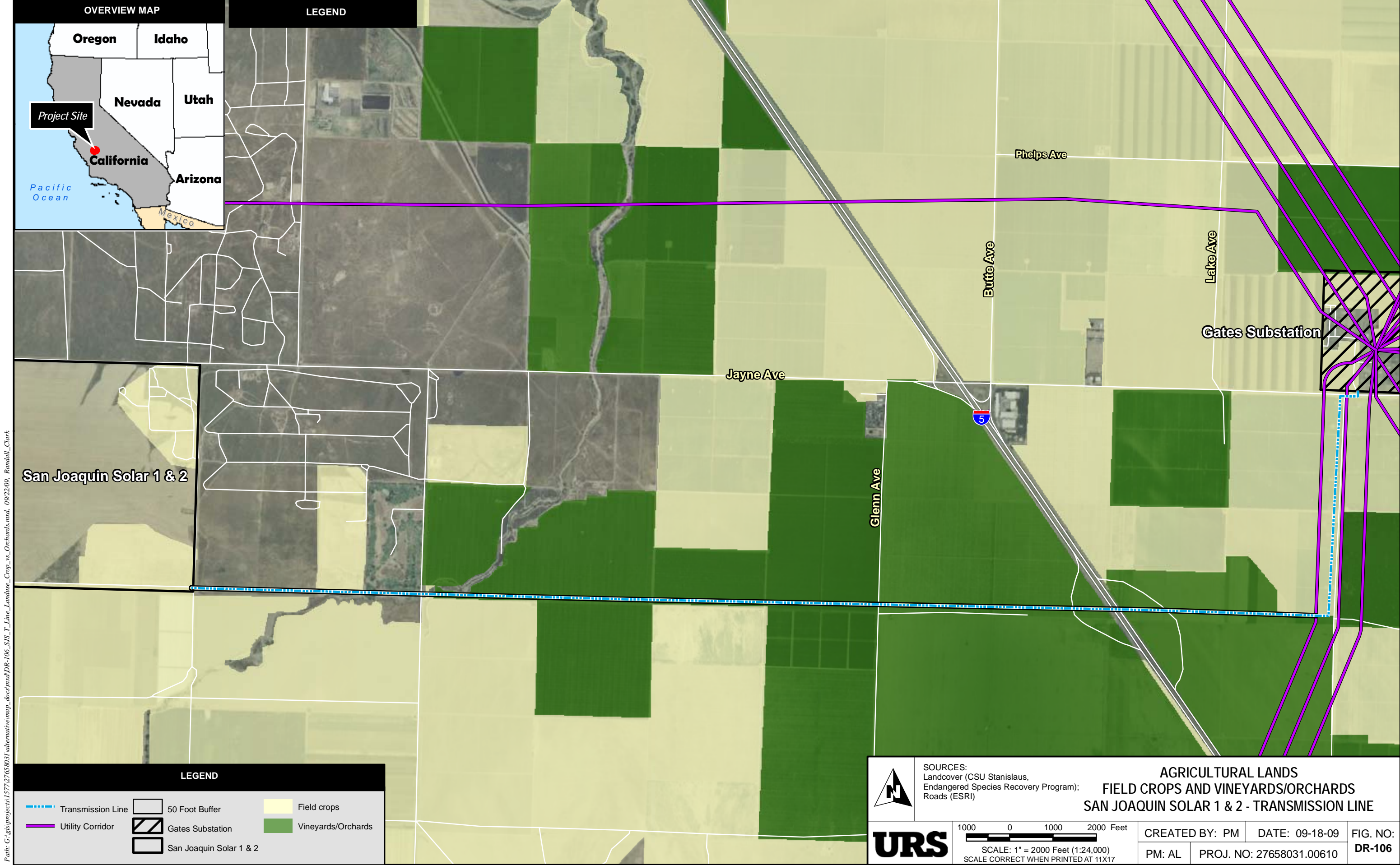
Response: This ratio was based on past projects that occurred on agricultural lands that required the 1.1:1 ratio, as discussed in the AFC and Biological Resources Technical Report.

**San Joaquin Solar 1 & 2 Hybrid Project
Supplemental Information
In Response to CURE Data Request Set #4
08-AFC-12**

ATTACHMENTS



Path: G:\gis\projects\15772765803\alternative\map_docs\mod\DR-101(2)_SIS_T_Line_Farmland_Williamson.mxd, 09/22/09, Randall_Clark



City of Coalinga

Building Permits System

New Permits Issued

Report Date Range : 01/01/2007 to 04/30/2009

Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0611-001	Addition to home Additions	5/15/2008	76,000.48	0.00	R-1	80.00	072-113-04	258 E. Birch St.	Jesus & Annie Juarez
434	0611-006	New Addition and Remodel	1/8/2007	125,496.00	0.00	R/1/PD	81.00	070-112-09 S	190 PORTOLA CT	Jeffery Allen & Michelle Jolie
102	0611-016	2619 s.f. SFH New	2/1/2007	250,411.90	0.00	R-1	5451		935 Merlot Way	Clyde Miles Const
102	0611-018	S.F.R. New Residential -	2/1/2007	179,741.10	0.00	R-1	5451		864 Petite Sirah Lane	Clyde Miles Const.
102	0611-019	S.F.R. New Residential -	2/1/2007	230,408.90	0.00	R-1			874 Petite Sirah Lane	Clyde Miles Const.
102	0611-020	S.F.R. New Residential -	2/1/2007	237,990.50	0.00	R-1			955 Merlot Way	Clyde Miles Const.
102	0611-021	S.F.R New Residential -	2/1/2007	312,908.50	0.00	R-1			945 Merlot Way	Clyde Miles Const.
102	0611-022	S.F.R New Residential -	2/1/2007	250,411.90	0.00	R-1			925 Merlot Way	Clyde Miles Const.
102	0611-023	S.F.R. New Residential -	2/1/2007	204,368.50	0.00	R-1	5451		865 Petite Sirah Lane	Clyde Miles Const.
102	0611-024	S.F.R New Residential -	7/6/2007	279,127.50	0.00	R-1			855 Petite Sirah Lane	Clyde Miles Const.
434	0611-034	Shower remodel, Carpet,	3/27/2008	3,000.00	0.00		80.00	072-085-14	250 CALIFORNIA ST	Israel P & Mercedes M
437	0611-035	Addition to existing sign	4/26/2007	3,000.00	0.00			072-210-21 S	155 S. 5th St.	Reed Martin
434	0612-014	Build a Storage Building	2/7/2007	1,350.00	0.00		81.00	071-155-08 S	396 HOOVER ST	Efrain C & Rosa E.
328	0612-015	Build a new 14,820sf	1/17/2008	889,200.00	0.00	C-M		072-200-01 S	265 W. Forest	Interra Development
434	0701-002	Install a new electric panal	1/2/2007	1,500.00	0.00		81.00	071-156-07 S	384 COOLIDGE ST	Miguel A Diaz
322	0701-004	Interior Remodel New Non-	1/9/2007	40,000.00	0.00			071-085-02S	600 E. Elm Ave.	Anwar and Fatima Javed
434	0701-006	New Roof Additions and	1/12/2007	8,000.00	0.00		80.00	072-136-08	155 2nd St	Magaly Gonzales
102	0701-007	S. F. Home New Residential -	1/17/2007	185,234.80	0.00	R-1			308 San Ramon Court	Terry Otis Construction, Inc.
434	0701-008	Shade type Car Port in	1/22/2007	2,564.57	0.00			072-191-10 S	664 N. Monterey	John & Dee Greffith
434	0701-009	Re hab House after letter to do	1/22/2007		0.00		80.00	072-124-04	261 Durian Ave.	C Warren & Natalie Ayers
328	0701-011	Re Roof Units 45 to 48 New	1/23/2007	8,300.00	0.00			071-020-53 S	552 E. Glenn	TARA GLENN
328	0701-012	Re Roof Units 53 to 56 New	1/23/2007	6,050.00	0.00			071-020-53 S	554 E Glenn	TARA GLENN
434	0701-013	Install new A/C unit Additions	1/23/2007	8,000.00	0.00			071-145-04 S	360 Roosevelt St.	Lisa Annette DeLeon
102	0701-014	1843 sf. SFR New Residential	4/4/2007	164,862.50	0.00	R-1			344 San Ramon Court	OTIS CONSTRUCTION
102	0701-015	1843 s.f. - SFR New	1/23/2007	164,862.50	0.00	R-1			273 San Ramon Court	OTIS CONSTRUCTION
102	0701-017	1557 s. f. - S.F.H. New	1/31/2007	142,914.60	0.00	R-1			155 Adobe Court	Terry Otis Construction, Inc.
434	0701-018	Re plumb btthroom, Install	1/24/2007	7,000.00	0.00			072-136-11	373 1/2 E. Forest	Jose C Macias
434	0701-019	Remove old roof sheet roof	1/25/2007	12,000.00	0.00		81.00	071-151-16 S	111 COOLIDGE ST	William A & Debra A Morris
O/S Demo C	0701-020	Demo Service Station Out of	1/26/2007		0.00			072-133-10	285 E Elm Ave.	Howard C Amron
O/S C	0701-021	Install a 100 amp panal for	1/29/2007	2,000.00	0.00			070-120-08ST	116 Gale Ave.	AT&T TURNUPSEED
ELECTRIC										
434	0702-002	Rebuild a fire dammaged home	2/5/2007	20,000.00	0.00		79.00	071-281-10 S	1448 SPRINGBROOK ST	Hector M Espinoza
327	0702-003	Build a new Commerical	8/4/2008	231,488.10	0.00	C-M		072-200-03 S	183 E. Polk St.	Interra Vision Development
O/S C	0702-004	Soil Boring 3 to 15 ft. deep for	2/7/2007		0.00			071-117-03 S	10 Washington ST.	TETRA TECH

Report Run Date: Thursday, April 23, 2009

Report Run By: seanb

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City of Coalinga

Building Permits System

New Permits Issued

Report Date Range : 01/01/2007 to 04/30/2009

Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
102	0702-006	1912 s.f. Single Family Home	2/7/2007	174,983.20	0.00	R-1			953 Chianti Circle	The Hofmann Company
102	0702-007	2831 s.f. Single Family Home	2/7/2007	250,258.60	0.00	R-1			943 Chianti Circle	The Hofmann Company
102	0702-008	3075 s.f. Single Family Home	2/7/2007	271,822.80	0.00	R-1			933 Chianti Circle	The Hoffmann Company
102	0702-009	2447 s.f. Single Family Home	2/7/2007	218,386.60	0.00	R-1			923 Chianti Circle	The Hofmann Company
102	0702-010	3075 s.f. Single Family Home	2/7/2007	271,822.80	0.00	R-1			913 Chianti Circle	The Hofmann Company
102	0702-011	1550 s.f. Single Family Home	2/7/2007	141,093.50	0.00	R-1			903 Chianti Circle	The Hofmann Compnay
102	0702-012	1912 s.f. Single Family Home	2/7/2007	174,983.20	0.00	R-1			893 Chianti Circle	The Hofmann Compnay
102	0702-013	3075 s.f. Single Family Home	2/7/2007	271,822.80	0.00	R-1			883 Chianti Circle	The Hofmann Company
102	0702-014	2831 s.f. Single Family Home	2/7/2007	250,258.60	0.00	R-1			873 Chianti Circle	The Hofmann Company
102	0702-015	3075 s.f. Single Family Home	2/7/2007	271,822.80	0.00	R-1	5451		863 Chianti Circle	The Hofmann Company
102	0702-016	1550 s.f. Single Family Home	2/7/2007	141,093.50	0.00	R-1	5451		853 Chianti Circle	The Hofmann Compnay
102	0702-017	3075 s.f. Single Family Home	2/7/2007	271,822.80	0.00	R-1	5451		843 Chianti Circle	The Hofmann Company
102	0702-020	1320 sf. S.F.R. New	2/14/2007	119,766.00	0.00	R-1			101 Trotter Street	Oakfield, LLC
102	0702-021	1617 sf. S.F.R. New	2/14/2007	145,972.20	0.00	R-1			107 Trotter	Oakfield, LLC
102	0702-022	1320 SF. S.F.R. New	2/14/2007	119,766.00	0.00	R-1			150 Palamino Street	Oakfield, LLC
102	0702-023	1320 sf. S.F.R. New	2/14/2007	119,766.00	0.00	R-1			138 Arabian Street	Oakfield, LLC
102	0702-024	1802 sf. S.F.R. New	2/14/2007	161,327.20	0.00	R-1			113 Trotter Street	Oakfield, LLC
434	0702-026	Reroof a SFH Additions and	2/14/2007	3,600.00	0.00			072-068-07	117 Walnut Ave.	Alex Smith
O/S C	0702-027	Install hand wash, Mop, Dish	2/14/2007	3,000.00	0.00			083-123-01	608 E. Polk	Jose G Duarte
434	0702-029	Elect. Panal change out 125	2/16/2007	1,700.00	0.00		80.00	071-044-19 S	1404 NEVADA ST	David K Maynard
434	0702-030	Build a Patio Cover onto his	2/20/2007	3,500.00	0.00		81.00	083-332-06 S	155 CHENEY LN	Sotero & Linda Quintanilla
434	0702-031	Install new windows, Replumb	2/22/2007	25,800.00	0.00		80.00	072-074-08	207 MONROE ST	Sulejmam Tokmo
434	0702-032	Install a solar power System	2/22/2007	25,000.00	0.00		81.00	070-111-29 S	308 SAN SIMEON LN	Kurt L & Mary T Shults
102	0702-033	2639 sf SFR New Residential	2/23/2007	224,340.80	0.00	R-1			272 San Ramon Court	OTIS CONSTRUCTION
434	0702-035	Demo Additions and	2/28/2007	0.00	0.00		81.00	071-200-18 S	500 HAYES ST	Mark Kalemoss
434	0702-036	Remodel Fire Damage, Rewire	3/1/2007	55,000.00	0.00		81.00	071-200-18 S	500 HAYES ST	Mark Kalemoss
434	0703-003	Install new Windows, Plaster	3/7/2007	15,000.00	0.00			083-131-14	165 E Houston	Donald Thiesen
434	0703-004	Install 4 ABS sewer line	3/9/2007	400.00	0.00		81.00	071-212-03 S	436 ROOSEVELT ST	Joy Winthrop
434	0703-006	Install New Roof Additions	3/12/2007	10,000.00	0.00			083-131-14	165 E Houston	Donald Thiesen
434	0703-007	Install a new Roof, Over new	3/13/2007	10,000.00	0.00		80.00	072-052-16 S	385 WASHINGTON ST	Marcial Lopez
434	0703-008	Install a new patio 12' x 23'	3/13/2007	2,500.00	0.00		81.00	071-151-19 S	240 HAYES ST	Paul W & Ala Mae
O/S C	0703-009	Install a power panel for cable	3/14/2007	3,000.00	0.00				366 Juniper Ridge Boulevard	Comcast Cable
O/S C	0703-010	Install a power panel for cable	3/14/2007	3,000.00	0.00				812 Chardonnay Lane	Comcast Cable

Report Run Date: Thursday, April 23, 2009

Report Run By: seanb

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City of Coalinga

Building Permits System

New Permits Issued

Report Date Range : 01/01/2007 to 04/30/2009

Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0703-011	Building Addition Additions	3/16/2007	41,417.00	0.00		81.00	071-155-10 S	383 COOLIDGE ST	Robert Montoya Jr.
102	0703-012	2200 sf SFR New Residential	4/4/2007	204,521.30	0.00	R-1			3006 Carmele Court	OTIS CONSTRUCTION
434	0703-013	Build a new Patio Cover	3/26/2007	9,000.00	0.00		0.00	083-344-09 S	1821 ROCKVIEW WAY	Jesus Rios
102	0703-014	2101 sf. S.F.R. New	3/30/2007	145,972.20	0.00	R-1	81		161 Pinto Street	OAKFIELD, LLC
102	0703-015	2286 sf. S.F.R. New	3/30/2007	161,327.20	0.00	R-1			144 Arabian Street	OAKFIELD, LLC
102	0703-016	S.F.R. New Residential -	3/30/2007	119,766.00	0.00	R-1	5246		131 Arabian Street	OAKFIELD, LLC
102	0703-017	2101 sf. S.F.R. New	3/30/2007	145,972.20	0.00	R-1	5246		102 Sacramento Street	OAKFIELD, LLC
434	0703-018	Change out Panal on a house	3/28/2007	3,000.00	0.00			072-153-10	305 E. Polk	Sergio & Margarita D Parra
O/S C	0703-019	Interior Remodel of the	4/6/2007	5,000.00	0.00			083-080-77 S	193 W. Polk	Donlon H & Agnes H
434	0703-020	New in ground Pool Additions	3/30/2007	25,600.00	0.00			000-000-00	2011 Hacienda	Wanda Johnson
434	0704-001	Car Port of 432sf. Additions	4/4/2007	8,000.00	0.00		80.00	072-040-08 S	414 MADISON ST	Elmer D & Shirley M Wright
437	0704-002	Garage/ Shop Expansion	4/11/2007	20,000.00	0.00	R-H	80.00	072-243-08 S	273 HILL VIEW LN	Tito & Linda Balling
434	0704-003	Install A new Roof Additions	4/9/2007	9,190.00	0.00		80.00	072-135-10	385 E ELM AVE	Wilma Maxine Gentry
434	0704-004	Add a new Patio Cover 440	4/9/2007	9,000.00	0.00		81.00	071-154-07 S	284 COOLIDGE ST	Gary S Deike
434	0704-005	Change Out A/C Unit	4/9/2007	4,000.00	0.00		80.00	083-232-13 S	450 W SACRAMENTO ST	Miguel A & Maria F Torres
434	0704-007	Re-roof Additions and	4/13/2007	5,000.00	0.00		80.00	071-061-06 S	445 COLLEGE AVE	David & Debra Holland
434	0704-009	Install a new A/C System	4/16/2007	6,245.00	0.00		80.00	083-270-01 S	575 S MONTEREY AVE	Jane A Harper
434	0704-010	Replumb, Rewire, New panal,	6/14/2007	18,000.00	0.00		80.00	071-105-02 S	445 COLLEGE AVE	Bill Hanson
434	0704-011	Re Roof Additions and	5/17/2007	6,800.00	0.00	R-1	80.00	072-074-12	250 JACKSON ST	Mark Kalemoss
102	0704-012	2101 sf. S.F.R. New	4/19/2007	145,972.20	0.00	R-1	5246		149 Palamino	OAKFIELD, LLC
102	0704-013	S.F.R. New Residential -	4/30/2007	119,766.00	0.00	R-1	81		150 Pinto St.	OAKFIELD, LLC
102	0704-014	S.F.R. New Residential -	4/30/2007	119,766.00	0.00	R-1	81		750 Mustang Way	OAKFIELD, LLC
438	0704-015	New Car port of 384 SF	4/19/2007	10,000.00	0.00		81.00	072-155-24	170 E HAWTHORNE ST	Bruce Andrew & Karla Kay
434	0704-016	Re-Roof Additions and	4/19/2007	8,900.00	0.00		80.00	071-064-02 S	435 HARVARD AVE	Rick Spradling
434	0704-018	Temp power Additions and	4/30/2007	0.00	0.00				943 Chianti Circle	The Hofmann Company
434	0704-019	Temp Power Additions and	4/30/2007	0.00	0.00	R-1			893 Chianti Circle	The Hofmann Company
434	0704-020	Temp Power Additions and	4/30/2007	0.00	0.00		5451		853 Chianti Circle	The Hofmann Company
438	0704-021	New Patio cover 336 sf.	4/23/2007	8,900.00	0.00	R-3	81.00	072-155-10	185 IVY AVE	Valentina V Lee
434	0704-022	Replace Elect Panal, AC Unit	4/24/2007	20,000.00	0.00		80.00	071-105-02 S	445 COLLEGE AVE	Ben Hanson
434	0704-024	Re- Roof Permit Additions	4/30/2007	9,000.00	0.00		80.00	071-051-12 S	444 STANFORD AVE	Ramiro & Maria M Benitez
434	0704-025	Re-plumb sewer line Additions	4/30/2007	3,000.00	0.00		80.00	072-085-09	130 TYLER ST	Maria Hernandez
434	0705-003	Additions and Alterations -	5/4/2007	8,400.00	0.00		81.00	071-161-02 S	1134 E ELM AVE	Frank J & Susan K
434	0705-004	Re-Roof Additions and	5/4/2007	6,190.00	0.00		80.00	071-044-24 S	302 DARTMOUTH AVE	Walter W & Darleen Ann

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City of Coalinga

Building Permits System

New Permits Issued

Report Date Range : 01/01/2007 to 04/30/2009

Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor	
	434	0705-005	Re-Roof Additions and	5/10/2007	9,000.00	0.00		80.00	083-182-04 S	212 S COALINGA ST	Chris M Bjarnson
	328	0705-006	740 sq. ft. warehouse,	5/7/2007	20,000.00	0.00		81.00	072-161-18	249 S 4TH ST	Mark Lindsey
	437	0705-007	Owner installed addition of a	5/7/2007	6,000.00	0.00		81.00	083-142-17	311 E SACRAMENTO ST	Roberto Sarabia
O/S Demo C	0705-008	Electrical for Lift Station	5/8/2007		0.00					1308 E Polk	City of Coalinga
	434	0705-009	264 SF. , Convert a Garage	5/8/2007	15,000.00	0.00	R-1	80.00	000-000-00	217 S COALINGA ST	Stephen S & Heidi A Garza
	434	0705-011	Re-roof Additions and	5/10/2007	10,000.00	0.00		80.00	072-071-03 S	365 MADISON ST	William W & Mari E Lair
	434	0705-012	Install a patio cover at the front	5/9/2007	9,000.00	0.00		81.00	083-303-05 S	335 WALNUT AVE	Robert D & Deanna E
	434	0705-013	Pool Re-Plaster and Remodel	5/15/2007	15,000.00	0.00		80.00	071-044-24 S	302 DARTMOUTH AVE	Tim Billingsley
102	0705-014	2286 sf. S.F.R. New	6/5/2007	161,327.20	0.00	R-1				155 Pinto	OAKFIELD, LLC
	434	0705-016	Re-Roof Additions and	5/14/2007	9,000.00	0.00		80.00	072-194-03 S	425 ADAMS ST	Constance Burns
	434	0705-017	Install a Hot Tub unit, and	5/14/2007	6,000.00	0.00				316 Janay Ct.	Wendell Powell
	434	0705-018	New Roof Additions and	5/14/2007	8,000.00	0.00		80.00	072-194-03 S	1405 NEVADA ST	Brad Mitchel
	434	0705-019	Temp Power Panel for sales	5/15/2007	2,000.00	0.00				137 Adobe Court - Temp	Otis Construction
	434	0705-020	Re-Roof Additions and	5/15/2007	7,000.00	0.00		80.00	083-181-13 S	217 S JOAQUIN ST	James M & Lorene E Dihel
	434	0705-021	Gas Line Replacement	5/16/2007	0.00	0.00		80.00	072-085-09	130 TYLER ST	Maria Hernandez
	434	0705-024	Install a new A/C unit	5/18/2007	8,000.00	0.00		80.00	072-072-11 S	376 JACKSON ST	Alfredo A & Juanita T Urbina
	434	0705-025	Restore Fire Damage portion	11/19/2007	30,000.00	0.00		81.00	083-134-10	264 E HOUSTON ST	Paul L & Patsy Jo
	434	0705-027	Install New HVAC Additions	5/22/2007	5,500.00	0.00		80.00	072-072-11 S	376 JACKSON ST	Alfredo A & Juanita T Urbina
	434	0705-028	Panel change out Additions	5/23/2007	2,500.00	0.00		81.00	071-211-10 S	547 ROOSEVELT ST	Laurie L Baker
	438	0705-029	two car garage 400 SF.	6/5/2007	20,000.00	0.00		81.00	071-154-04 S	248 COOLIDGE ST	Wanda Sue Trippel
	434	0705-030	New Roof Additions and	5/25/2007	8,000.00	0.00		80.00	083-181-04 S	409 CINDY LN	Kathleen D Perez
	434	0705-031	Re-roof Additions and	5/30/2007	7,000.00	0.00		81.00	071-253-01 S	596 KIMBERLY PL	Gary H & Maureen Mahoney
	434	0705-032	Re-Roof and reframe front	5/30/2007	12,000.00	0.00		80.00	071-044-02 S	385 CAMBRIDGE AVE	Shane D & Katie A Minor
	434	0706-001	Re-roof Additions and	6/1/2007	1,000.00	0.00		80.00	071-073-07 S	204 YALE AVE	Samuel M & Gloria Bravo -
	434	0706-002	Replace 1/2 the roof of the	6/4/2007	5,000.00	0.00			072-061-02 S	385 W ADAMS ST	Shirley A Wolfe
102	0706-003	New Single Family Home,	8/2/2007	309,228.67	0.00			81.00	071-164-06 S	850 FOLSOM ST	Richard G & Shelly R
	434	0706-004	Install A new sewer line	6/5/2007	1,000.00	0.00		80.00	071-105-03 S	435 COLLEGE AVE	Donna J Pressey
327	0706-006	Install a new Mexican	6/7/2007	60,480.00	0.00				72-131-22	133 E Elm Ave	Tecubaya Mexican Icecream
	434	0706-007	Replace Main Electric Panel	6/6/2007	1,200.00	0.00		81.00	083-133-01	204 E PLEASANT ST	Aurelio Aiorato
	434	0706-008	Roof Replacement Additions	6/13/2007	10,000.00	0.00		80.00	071-041-33 S	445 CAMBRIDGE AVE	William C & Daisy L Johnson
	434	0706-009	Re-Roof Additions and	6/6/2007	5,000.00	0.00				524 - 530 E. Polk	Dennis Drelick
	434	0706-010	Install a New Roof Additions	6/6/2007	5,000.00	0.00		80.00	071-101-01 S	629 COLLEGE AVE	Wyant & Robin Leach
	434	0706-011	Temp Power Additions and	6/11/2007	100.00	0.00				868 Cabernet Way	The Hofmann Company

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City of Coalinga

Building Permits System

New Permits Issued

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0706-014	Install a new swimming pool	6/8/2007	45,000.00	0.00			070-082-11S	560 Buena Vista	Jennifer Wong
434	0706-015	Fix Gas Leak Additions and	6/8/2007	800.00	0.00		81.00	071-142-02 S	124 HARRISON ST	OXFORD PLUMBING
434	0706-017	Install new roof over exesting	6/26/2007	3,250.00	0.00		81.00	083-102-05	238 E POLK ST	Raymond E & Rosie N Smith
434	0706-020	REPLACE WATER PIPE	6/18/2007	1,000.00	0.00		80.00	072-132-13	186 N 5TH ST	Zhi Kuang Yu
434	0706-022	Install a new swimming pool	6/25/2007	45,000.00	0.00		80.00	071-106-05 S	384 COLLEGE AVE	Martin O & Cynthia M
434	0706-023	Replace 100 Amp Power	6/26/2007	800.00	0.00		81.00	083-134-19	261 E SACRAMENTO ST	Cindy Slater
O/S C	0706-024	Replacement of Stairways Out	8/20/2007	75,000.00	0.00		0.00	083-240-46 S	654 LUCILLE AVE	Roy A & Luz A Spragg
434	0706-026	Install a new roof on the	6/26/2007	700.00	0.00		81.00	083-103-18	203 E PLEASANT ST	Daniel W & Mercedes G
434	0706-027	Install a new roof on home.	7/2/2007	20,000.00	0.00		81.00	083-103-17	211 E PLEASANT ST	Ken Smith
438	0706-028	Build a new Garage 1024 SF.	9/14/2007	37,795.84	0.00	R-1	80.00	072-074-06	235 MONROE ST	Keiton Wong
438	0706-029	Install a Car Port of 240 SF.	6/29/2007	6,000.00	0.00	R-1	81.00	083-131-14	165 E HOUSTON ST	Louis Haros
434	0707-001	Install A new Sewer line	7/6/2007	800.00	0.00		81.00	083-134-19	261 E SACRAMENTO ST	Keith L & Barbara A
O/S C	0707-003	Foundation for a dust	7/18/2007	7,329.29	0.00	M-3	55.11	083-280-26 S	500 W ENTERPRISE AVE	SEQUOIA PACKING
434	0707-004	Re-Roof Additions and	7/3/2007	10,000.00	0.00		80.00	071-041-33 S	455 CAMBRIDGE AVE	Gary A & Frances C Price
434	0707-005	Electrical Panel Change Out	7/5/2007	500.00	0.00		80.00	072-194-08 S	434 JEFFERSON ST	Zaragoza A Rodriguez Jr.
434	0707-007	Relocate Gas Meter and run	7/6/2007	200.00	0.00		81.00	071-161-12 S	1134 MAPLE RD	Bruce A & Karla K Brumana
434	0707-010	Bathroom Addition Additions	7/10/2007	0.00	0.00		80.00	071-043-07 S	1405 NEVADA ST	Astrid Ebury
102	0707-011	2285 s.f. S.F.R. New	7/11/2007	204,368.50	1.00	R-1	5451		774 PETITE SIRAH LANE	CLYDE MILES
102	0707-012	1967 s. f. S.F.R. New	7/11/2007	179,741.10	1.00	R-1	5451		754 PETITE SIRAH LANE	CLYDE MILES
102	0707-013	3157 sf S.F.R New	7/11/2007	360,207.59	1.00	R-1	5451		724 PETITE SIRAH LANE	CLYDE MILES
434	0707-014	Re-Roof Additions and	7/11/2007	6,200.00	0.00		80.00	071-102-07 S	616 COLLEGE AVE	David & Valerie Popejoy
434	0707-015	Install a new inground	7/11/2007	35,851.00	0.00		79.00	083-344-17 S	1820 DEERFIELD CT	Margaret Ann Flores
434	0707-016	Complete Re-Roof Additions	7/11/2007	6,200.00	0.00		80.00	072-085-03	153 JACKSON ST	Douglas & Patricia M Harvey
434	0707-017	Re-Roof over existing Roof	7/19/2007	1,000.00	0.00		81.00	071-151-10 S	183 COOLIDGE ST	Ruben & Elida Ayala
434	0707-018	Re-Roof Additions and	7/16/2007	6,200.00	0.00		80.00	071-052-12 S	414 HARVARD AVE	Greg Price
434	0707-019	Re-Roof Additions and	7/16/2007	6,200.00	0.00		81.00	071-163-25 S	227 LOCUST AVE	Gregory A Price
434	0707-020	Construction of New Pool	7/17/2007	40,400.00	0.00		81.00	070-111-06 S	291 CASA BUENA LN	Brian & Penny Williams
434	0707-022	Addition to Garage Additions	7/18/2007	2,500.00	0.00		80.00	072-040-34 S	505 MADISON ST	Kevin W & Shawna L Hicks
434	0707-023	New duct work and central air	7/18/2007	8,000.00	0.00		80.00	072-194-08 S	434 JEFFERSON ST	Zaragoza A Rodriguez Jr.
101	0707-025	Temp Power Pole New	7/19/2007	500.00	0.00				754 Petite Sirah Ln	Clyde Miles Construction
434	0707-026	Replacement Of Windows-	8/3/2007	2,000.00	0.00		80.00	072-072-06	345 FRESNO ST	Roberto Rojas Santoya
434	0707-027	Tear off and re-roof Additions	7/23/2007	5,490.00	0.00		80.00	072-191-10 S	664 N MONTEREY AVE	Jon B & Delaine L Griffith
434	0707-028	Patio Cover Additions and	7/24/2007	2,000.00	0.00		81.00	071-141-15 S	123 HARRISON ST	Carlos Villegas

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City of Coalinga

Building Permits System

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
102	0707-029	3157 sf. S.F.R New	7/24/2007	279,127.50	0.00	R-1	5451		844 Petite Sirah Lane	CLYDE MILES
434	0707-033	Replacement of Condenser	7/30/2007	1,000.00	0.00		80.00	072-084-16	298 W POLK ST	Franklin Portillo
434	0708-002	Change Electric Panel	8/6/2007	1,600.00	0.00		80.00	071-053-11 S	310 STANFORD AVE	Lawrence Maurice & Lois A
437	0708-003	Electrical Panel Change out	8/8/2007	500.00	0.00		80.00	072-193-03 S	425 WASHINGTON ST	Timothy K & Suzanne D
434	0708-004	Replace Windows in	8/9/2007	4,000.00	0.00		80.00	072-071-10 S	358 MONROE ST	Bradly A & Stephanie G
434	0708-006	Re- Roof Additions and	8/15/2007	6,700.00	0.00		81.00	072-162-03	224 E HAWTHORNE ST	Hubert Audie & Bessie
434	0708-007	Replace Water & Gas Lines	8/14/2007	500.00	0.00		80.00	071-083-29 S	284 LINCOLN ST	Robert W & Claudia A
434	0708-008	Re-Roof, re-plumb house and	8/15/2007	20,000.00	0.00		81.00	083-134-08	250 E HOUSTON ST	Jennifer L & Michael E
434	0708-013	Tear Sheet and Re-Roof	8/14/2007	8,600.00	0.00		80.00	072-072-13	305 MONROE ST	Roy N & Jan E DeShazo
434	0708-014	Patio Cover Additions and	8/15/2007	2,000.00	0.00		80.00	083-182-05 S	216 S COALINGA ST	Debbie Elizabeth Adams
102	0708-015	2101 sf. S.F.R. New	8/21/2007	145,972.20	0.00	R-1	5246		138 Pinto St	OAKFIELD, LLC
102	0708-016	S.F.R. New Residential -	8/21/2007	119,766.00	0.00	R-1	5246		119 Arabian St	OAKFIELD, LLC
102	0708-017	S.F.R. New Residential -	8/21/2007	119,766.00	0.00	R-1	5246		143 Palomino St.	OAKFIELD, LLC
434	0708-018	Replace water and gas lines	8/15/2007	500.00	0.00		81.00	071-155-10 S	383 COOLIDGE ST	Robert Montoya Jr.
434	0708-020	Remodel Fire Damaged	8/21/2007	25,000.00	0.00		81.00	083-133-15	264 E HOUSTON ST	Paul L & Patsy Jo
434	0708-022	Installation of Transfer Switch	8/17/2007	1,700.00	0.00		80.00	071-053-05 S	305 CORNELL AVE	Hans J Zwang
434	0708-023	Install New Gas Line	8/22/2007	600.00	0.00		80.00	083-192-18 S	107 S MONTEREY AVE	Laurie L Baker
434	0708-024	Hot Mop Car Port & Re-roof	8/24/2007	2,000.00	0.00		80.00	083-181-23 S	407 W POLK ST	Nancy Simpson
434	0708-027	Replace (2) windows at	8/17/2007	1,000.00	0.00		81.00	083-141-14	458 E PLEASANT ST	Marcelino V & Martha G
434	0708-030	Install of New A/C Unit on	8/24/2007	4,200.00	0.00		79.00	083-303-05 S	335 BUCKEYE SPRINGS	Robert Denberg
434	0708-032	Replacement of Windows and	8/28/2007	2,000.00	0.00		80.00	083-181-07 S	202 CINDY LN	Bruce & Allena Parkins
434	0708-033	Tear off and resheet new roof	9/4/2007	6,390.00	0.00		80.00	083-270-17 S	555 PACIFIC ST	Joy A Redding
434	0708-034	Tear down and re-roof	8/29/2007	8,900.00	0.00		80.00	072-241-06 S	670 MONROE ST	John L Berkey III
434	0708-035	New windows, exterior	9/10/2007	20,000.00	0.00		80.00	083-181-04 S	409 CINDY LN	Kathleen D Perez
101	0708-036	Build a new Patio cover in the	9/14/2007	15,000.00	0.00			070-085-01 S	461 Buena Vista Dr	Ike & Elizabeth Williamson
102	0709-001	2286 sf. S.F.R. New	9/13/2007	187,360.56	0.00	R-1	5246		125 Arabian Street	OAKFIELD, LLC
434	0709-002	Re- Roof and Replacement of	9/7/2007	14,000.00	0.00		81.00	072-154-14	265 S 5TH ST	Eric Mireles
434	0709-004	Re-Roof Additions and	9/7/2007	6,000.00	0.00		80.00	071-062-11 S	620 COLLEGE AVE	Edward J & Elizabeth A
434	0709-005	Install new solar panel unit	9/13/2007	40,000.00	0.00				560 Buena Vista	Jennifer Wong
434	0709-006	Install windows, Siding,	9/13/2007	15,000.00	0.00		80.00	071-083-08 S	247 GRANT ST	Terry Brumana - Cell Phone
434	0709-007	Tear off and re-roof Additions	9/12/2007	5,190.00	0.00		81.00	071-163-03 S	212 WALNUT AVE	M Scott & Aurelia M
434	0709-008	New Pool and Retaining wall	9/11/2007	32,500.00	0.00			070-082-12 S	561 Malibu Dr	Jose G & Lorena A Salazar
434	0709-010	Tear off and re-roof Additions	9/17/2007	8,190.00	0.00		80.00	083-182-05 S	216 S COALINGA ST	Debbie Elizabeth Adams

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City of Coalinga

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434	0709-011	Tear off and Re-Roof	9/18/2007	10,660.00	0.00		80.00	072-081-01 S	250 N COALINGA ST	Donald O & Marjorie D
434	0709-012	Electrical Replacement	9/24/2007	6,000.00	0.00		80.00	072-193-11 S	414 ADAMS ST	Patrick & Bobbie Griffin
434	0709-013	Insall Fiberglass Pool and spa	9/20/2007	40,000.00	0.00				570 Mustang Way	Mike Wilson
O/S C	0709-014	Install a ballasted roof mount	9/25/2007	0.00	0.00				155 W Durian	City of Coalinga
O/S C	0709-015	Commerical Garbage	9/27/2007	6,000.00	0.00		80.00	072-131-05	191 E ELM AVE	Ramon Lemus
434	0709-016	Tear off and re-roof Additions	10/2/2007	9,000.00	0.00		81.00	083-134-21	245 E SACRAMENTO ST	Kenneth D & Bernice Weeks
434	0709-017	Install an Out Door Kitchen,	9/28/2007	1,500.00	0.00		80.00	071-054-24 S	305 STANFORD AVE	Darren Blevins
434	0710-001	Tear off and Re-Roof	10/1/2007	6,000.00	0.00		80.00	083-181-08 S	202 CINDY LN	Bruce & Allena Parkins
434	0710-002	Tear Off and Re-Roof	10/1/2007	6,000.00	0.00		80.00	083-181-08 S	204 CINDY LN	Freddie R & Ardith C
434	0710-003	Tear Off Re-Roof Additions	10/1/2007	6,000.00	0.00		80.00	083-181-01 S	405 CINDY LN	Jose & Maria Fernandez
O/S C	0710-004	Installation of new sign Out of	12/4/2007	7,000.00	0.00		81.00	083-123-02	638 E POLK ST	Kalwinder S Bajwa
434	0710-005	Tear off and re-roof Additions	10/2/2007	7,000.00	0.00		81.00	071-211-05 S	483 ROOSEVELT ST	Danvish Nemani
O/S C	0710-007	Install New Sign Out of Scope	10/24/2007	3,000.00	0.00		80.00	083-080-79 S	149 W POLK ST	Donlon H & Agnes H
434	0710-008	Re-Roof over exsisting,	10/5/2007	2,000.00	0.00		80.00	072-066-06	235 JEFFERSON ST	Roberto A & Bertha A Solorio
434	0710-009	Tear off and re-roof Additions	10/8/2007	7,000.00	0.00		80.00	083-181-03 S	407 CINDY LN	Junior K & Anita B Vinson
434	0710-011	Re-Roof (Overlay) Additions	10/8/2007	1,200.00	0.00		81.00	071-153-06 S	272 HOOVER ST	Joyce M & Michael A Voss
434	0710-012	Replace siding & Insulation	10/9/2007	8,000.00	0.00	R-1		072-135-02	338 E DURIAN AVE	Mauro O & Juanita M Veliz
434	0710-013	Kitchen Remodel Additions	10/15/2007	35,000.00	0.00		80.00	072-071-10 S	358 MONROE ST	Bradly A & Stephanie G
434	0710-015	Tear off and re-roof Additions	11/1/2007	5,900.00	0.00	R-1	80.00	072-065-02 S	285 ADAMS ST	Manuel & Dolores M
434	0710-016	Tear off & Re-roof Additions	10/17/2007	6,200.00	0.00		80.00	083-181-06 S	200 CINDY LN	Preston & Misty Martin
434	0710-017	Fire Damage Repair-	10/31/2007	40,000.00	0.00	R-1	80.00	072-081-26	334 TYLER ST	Mike Kutnerian
434	0710-018	Install New Swimming Pool	10/23/2007	58,420.00	0.00		81.00	071-211-16 S	524 N GARFIELD ST	Harold R & Maria D Allison
319	0710-019	Re-Roof New Non-	10/22/2007	10,000.00	0.00		80.00	071-101-20 S	610 WASHINGTON ST	Avenal Church of the
434	0710-021	Re-Roof over exisiting	10/23/2007	1,500.00	0.00		80.00	083-232-05 S	435 W HOUSTON ST	Jay Mahfood
434	0710-022	New Solar Panel Unit	11/16/2007	49,557.00	0.00		79.00	083-303-05 S	335 BUCKEYE SPRINGS	Robert Denberg Cell: 362-
434	0710-023	Tear Off & Re-roof Additions	10/29/2007	1,500.00	0.00		80.00	072-054-10	715 SUNSET ST	Victor & Carmen R Balderaz
434	0710-025	Tear off and Re-roof	10/29/2007	5,000.00	0.00		80.00	071-101-19 S	602 WASHINGTON ST	Alejandro Lemus
327	0710-026	Excavation of Soils for DTSC,	1/8/2008	0.00	0.00			072-200-03S	183 E POLK ST	Interra Vision Development
434	0710-027	Add a GFIC Outlet for Spa	10/29/2007	500.00	0.00		80.00	071-041-25 S	425 CAMBRIDGE AVE	Paul & Connie Green
102	0711-001	2639 sf SFR New Residential	11/27/2007	251,085.58	0.00	R-1	5339		219 Adobe Court	OTIS CONSTRUCTION
102	0711-002	2000 sf. SFR New Residential	11/27/2007	215,475.64	0.00	R-1	5339		1990 Via Robles Dr	OTIS CONSTRUCTION
102	0711-003	2639 sf SFR New Residential	11/27/2007	251,085.58	0.00	R-1	5339		1970 Via Robles Dr.	OTIS CONSTRUCTION
434	0711-004	Tear Off- Re-roof Additions	11/7/2007	1,500.00	0.00		81.00	083-125-13	713 E VALLEY ST	Keith Oakley

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City of Coalinga

Building Permits System

New Permits Issued

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0711-005	Run electrical to shed & add	11/7/2007	600.00	0.00		80.00	072-083-15	272 TYLER ST	Malcolm L & Kimberly M
434	0711-006	Tear Off Re-Roof, Windows	11/7/2007	10,000.00	0.00		80.00	072-114-12	257 E DURIAN AVE	Jose Arredondo 381-8220
434	0711-007	Install a new A/C system	11/8/2007	5,200.00	0.00		80.00	072-114-12	257 E DURIAN AVE	Jose Arredondo
434	0711-008	Construction of a new patio	11/20/2007	6,905.60	0.00		81.00	070-093-13 S	478 SAN MADELE AVE	Jim L & Susan Marie
434	0711-009	Demo repair interior	11/8/2007	25,000.00	0.00		81.00	071-200-12 S	505 PINE ST	Sharon L Rodrigues
434	0711-010	New Windows, Roof,	11/20/2007	100,000.00	0.00		80.00	071-122-13	196 FILLMORE ST	Judith M Palk
434	0711-012	Addition- Joining Garage to	11/9/2007	28,029.88	0.00		80.00	072-083-02	273 JACKSON ST	Clemmie H & Nelda A
434	0711-013	Add framing to inside of walls,	11/13/2007	25,000.00	0.00		81.00	083-121-05	582 E POLK ST	Ignacio B & Mayela M
434	0711-014	Tear Off and Re-Roof	11/13/2007	8,200.00	0.00		80.00	083-251-23 S	550 W HOUSTON ST	Dennis L & Johnett K Watt
437	0711-015	Install Commercial Hood	11/14/2007	1,000.00	0.00		80.00	072-105-24	156 W DURIAN AVE	Order Eagles Fraternal
102	0711-016	2639 sf SFR New Residential	12/27/2007	251,085.58	0.00	R-1	5339		1971 Hacienda Dr.	OTIS CONSTRUCTION
102	0711-017	2000 sf. SFR New Residential	12/27/2007	215,475.64	0.00	R-1	5339		2051 Hacienda Dr.	OTIS CONSTRUCTION
102	0711-020	2200 sf SFR New Residential	12/27/2007	238,600.83	0.00	R-1	5339		3007 Carmele Ct.	OTIS CONSTRUCTION
102	0711-021	1843 sf. SFR New Residential	1/2/2008	191,185.39	0.00	R-1	5339		2086 Carmele Ct.	OTIS CONSTRUCTION
434	0711-022	Tear Off Re-Roof Additions	11/19/2007	7,400.00	0.00		80.00	083-181-11 S	216 CINDY LN	Jackie A & Vona A Darnell
102	0711-023	2285 s.f. S.F.R. New	11/27/2007	237,017.45	0.00	R-1	5451		765 Petite Sirah Lane	CLYDE MILES
102	0711-024	3157 sf. S.F.R New	11/27/2007	321,925.17	0.00	R-1	5451		824 Petite Sirah Lane	CLYDE MILES
102	0711-025	3157 sf S.F.R w/ Bonus	11/27/2007	360,207.59	0.00	R-1	5451		784 Petite Sirah Lane	CLYDE MILES
102	0711-026	2619 sf. S.F.R New	11/27/2007	287,781.05	0.00	R-1	5451		958 Cabernet Way	CLYDE MILES
434	0711-027	Installation of new heating and	11/20/2007	4,900.00	0.00		80.00	083-181-11 S	216 CINDY LN	Jackie A & Vona A Darnell
434	0711-028	Install new A/C Duel Pack	11/21/2007	5,783.00	0.00		80.00	072-113-05	264 E BIRCH AVE	Norberto Reyes
434	0711-029	Roofing Permit Additions and	11/21/2007	5,000.00	0.00		80.00	083-183-06 S	213 S PRINCETON AVE	David K & A Lorraine Neely
434	0711-030	Instal new electrical panel	11/21/2007	600.00	0.00				229 1/2 Buchanan	Larry Gentry
102	0711-033	2101 sf. S.F.R. New	12/5/2007	169,959.46	0.00	R-1			141 Appaloosa Ct.	OAKFIELD, LLC
102	0711-034	2286 sf. S.F.R. New	12/5/2007	187,360.56	0.00	R-1			120 Appaloosa Ct.	OAKFIELD, LLC
102	0711-035	2200 sf SFR New Residential	12/27/2007	238,600.83	0.00	R-1	5339		3026 Carmele Court	OTIS CONSTRUCTION
102	0711-036	2200 sf SFR New Residential	12/27/2007	238,600.83	0.00	R-1	5339		3027 Carmele Court	OTIS CONSTRUCTION
434	0712-001	Install Water Heater Additions	12/3/2007	500.00	0.00		80.00	072-194-04 S	435 ADAMS ST	Kahla Sullivan
101	0712-003	Temp Power Pole New	1/8/2008	500.00	0.00				948 Cabernet Way	Clyde Miles Construction
434	0712-006	Tear off - Re-roof Additions	12/12/2007	7,000.00	0.00		80.00	083-183-09 S	225 S COALINGA ST	Marybelle Smith
434	0712-007	Tear off Re-Roof Additions	1/28/2008	8,000.00	0.00	R-1	81.00	083-152-08 S	698 E PLEASANT ST	Steven C & Anne M Jorgens
434	0712-008	Tear off and re-roof Additions	1/28/2008	8,000.00	0.00	R-1	81.00	083-151-21	585 TACHE WAY	Steven C & Anne M Jorgens
434	0712-009	Tear off and re-roof Additions	12/14/2007	4,900.00	0.00		80.00	072-194-04 S	435 ADAMS ST	Kahla Sullivan

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City of Coalinga

Building Permits System

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
102	0712-010	2286 sf. S.F.R. New	12/27/2007	187,360.56	0.00	R-1	5246		156 Palamino Street	OAKFIELD, LLC
102	0712-011	2286 sf. S.F.R. New	12/27/2007	187,360.56	0.00	R-1	5246		149 Pinto Street	OAKFIELD, LLC
102	0712-012	S.F.R. New Residential -	12/27/2007	139,661.40	0.00	R-1	5246		156 Pinto Street	OAKFIELD, LLC
102	0712-013	2101 sf. S.F.R. New	12/27/2007	169,959.46	0.00	R-1	5246		144 Pinto Street	OAKFIELD, LLC
102	0712-014	2619 sf. S.F.R. New	12/21/2007	265,112.59	0.00	R-1	5451	083-393-14S	845 Petite Sirah Lane	CLYDE MILES
102	0712-015	2285 s.f. S.F.R. New	12/21/2007	237,017.45	0.00	R-1	5451	083-383-06	735 Petite Sirah Lane	CLYDE MILES
102	0712-016	2285 s.f. S.F.R. New	12/21/2007	237,017.45	0.00	R-1	5451	083-394-05S	804 Petite Sirah Lane	CLYDE MILES
102	0712-017	2285 s.f. S.F.R. New	12/21/2007	237,017.45	0.00	R-1	5451	083-384-02S	744 Petite Sirah Lane	CLYDE MILES
102	0712-018	3157 sf. S.F.R. New	12/21/2007	321,925.17	0.00	R-1	5451	083-384-03S	734 Petite Sirah Lane	CLYDE MILES
102	0712-019	2285 s.f. S.F.R. New	12/21/2007	237,017.45	0.00	R-1	5451	083-384-07S	938 Cabernet Way	CLYDE MILES
102	0712-020	2200 sf SFR New Residential	1/2/2008	238,600.83	0.00	R-1	5339		3046 Carmele Court	OTIS CONSTRUCTION
102	0712-021	2639 sf SFR New Residential	1/2/2008	251,085.58	0.00	R-1	5339		362 Cabrillo Drive	OTIS CONSTRUCTION
102	0712-022	2000 sf. SFR New Residential	1/2/2008	215,475.64	0.00	R-1	5339		344 Cabrillo Drive	OTIS CONSTRUCTION
434	0712-024	Tear off and re-roof Additions	12/28/2007	5,000.00	0.00		81.00	083-142-15 S	315 E SACRAMENTO ST	Gustavo M & Martina M
434	0712-025	Replace Earthquake Gas	2/1/2008	8,900.00	0.00	R-3	80.00	083-080-48 S	500 PACIFIC ST	WEST HILLS HOUSING
434	0801-001	New Air Conditioning/Heating	1/2/2008	4,900.00	0.00	C-4	81.00	083-121-05	582 E POLK ST	Nacho Bernal
102	0801-002	Tem Power Pole New	1/8/2008	500.00	0.00				814 Petite Sirah Lane	Clyde Miles Construction
434	0801-003	Panel Change out Additions	1/4/2008	0.00	0.00		80.00	072-071-10 S	358 MONROE ST	Bradly A & Stephanie G
437	0801-004	Install Ceiling Fans Additions	1/7/2008	200.00	0.00			072-131-20	276 COALINGA PLZ	Richard Hill
434	0801-005	Tear Off Re-Roof Additions	1/8/2008	7,900.00	0.00		80.00	071-043-06 S	1407 NEVADA ST	Aurelio E & Maria G
434	0801-006	Replace 40 ft of sewer line	1/8/2008	500.00	0.00		80.00	072-095-12	590 N 4TH ST	Keith & Christine Montoya
434	0801-007	Replacing 8 windows	1/9/2008	11,239.00	0.00		80.00	071-041-05 S	444 DARTMOUTH AVE	Michael C & Katherine M
434	0801-008	Gas Line Replacement	1/10/2008	0.00	0.00		81.00	083-126-12 S	749 E PLEASANT ST	Christine Marie Carson
434	0801-010	Inceasing the height of the	1/10/2008	0.00	0.00		80.00	071-112-02 S	315 COLLEGE AVE	Mark Sheppard
434	0801-011	Bath room remodel Additions	1/11/2008	16,000.00	0.00		81.00	071-144-08 S	283 HOOVER ST	Joshua Daniel Cleveland
434	0801-012	Install New Service Panel	1/11/2008	1,486.00	0.00		80.00	072-194-04 S	435 ADAMS ST	Kahla Sullivan
102	0801-013	Install New Patio Cover (319	2/22/2008	5,295.40	0.00	R-1	81.00	070-092-36 S	464 JANAY CT	Frank & Laurena Grimmer
434	0801-014	Stucco House Additions and	1/18/2008	2,500.00	0.00	R-1	80.00	072-071-10 S	358 MONROE ST	Bradly A & Stephanie G
434	0801-015	Replace Water Heater	1/22/2008	500.00	0.00	R-1		071-161-31 S	1100 Maple Street	ASSEMBLY OF GOD
434	0801-016	Re-Plumb Residence, and	1/24/2008	2,000.00	0.00	R-1	80.00	071-043-06 S	1407 NEVADA ST	Aurelio E & Maria G
434	0801-017	Overlay Re-Roof Additions	1/23/2008	1,000.00	0.00	R-1	80.00	072-066-20	215 JEFFERSON ST	Platino, LLC
434	0801-018	Replace 80 feet of Sewer Line	1/24/2008	0.00	0.00	R-1	80.00	071-083-03 S	277 LINCOLN ST	Keith & Christine Montoya
434	0801-019	Install 320AMP Panel	1/28/2008	500.00	0.00	R-1	81.00	071-144-08 S	283 HOOVER ST	Joshua Daniel Cleveland

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0801-020	Replace 8 feet of Sewer line	1/29/2008	0.00	0.00	R-1	80.00	071-122-01	195 PIERCE ST	Ellen Ruth Fleming
434	0801-021	Overlay Roof Additions and	2/1/2008	3,400.00	0.00	R-1	81.00	083-152-01 S	311 S HACHMAN ST	Timothy E Clark
434	0802-001	Replace water and gas lines	2/1/2008	0.00	0.00	R-1	80.00	071-083-03 S	277 LINCOLN ST	Keith & Christine Montoya
434	0802-004	Replace ~40 feet of sewerline	2/4/2008	0.00	0.00	R-1	80.00	071-064-01 S	455 HARVARD AVE	Randy A & Rhonda Eileen
434	0802-006	Tear Off Re-Roof Additions	2/6/2008	8,300.00	0.00	R-1	80.00	083-181-23 S	409 W POLK ST	Nancy Simpson
434	0802-007	Tear Off & Re-roof Additions	2/6/2008	6,000.00	0.00	R-1	80.00	072-054-16	740 CALIFORNIA ST	Sharon B Elwell
434	0802-010	Kitchen, Siding, Windows,	2/8/2008	15,000.00	0.00	R-1	81.00	071-155-10 S	383 COOLIDGE ST	Robert Montoya Jr.
434	0802-011	Sewer line replacement on site	2/8/2008	0.00	0.00		80.00	071-104-02 S	445 UNIVERSITY AVE	Jesus & Maria Lomeli
434	0802-012	Overlay- Re-roof Additions	2/11/2008	2,500.00	0.00	R-1	80.00	071-082-15 S	205 LINCOLN ST	Charles E & Alice L Epps
434	0802-013	Residential Addition- Bed,	3/25/2008	21,445.68	0.00	R-1	80.00	071-063-10 S	988 N PRINCETON AVE	Stephen & Ronda M Griswold
434	0802-014	Install New HVAC Additions	2/14/2008	0.00	0.00	R-1	81.00	071-211-10 S	547 ROOSEVELT ST	Laurie L Baker
434	0802-015	Install New HVAC Additions	2/13/2008	0.00	0.00	R-1	80.00	071-111-02 S	315 UNIVERSITY AVE	Rosario Frame
434	0802-016	Install New "Budget"	2/15/2008	0.00	0.00	C-M	81.00	083-111-08	304 E POLK ST	Jagroop S & Rupinder K Gill
434	0802-017	Gas Line Replacement	2/14/2008	0.00	0.00	R-1	81.00	083-125-02	706 E POLK ST	Laurie L Baker
437	0802-018	Install Illuminated Sign	2/14/2008	0.00	0.00	C-4	80.00	072-131-20	276 COALINGA PLAZA	Richard Hill
434	0802-019	Re-roof Additions and	2/15/2008	5,300.00	0.00	R-1	80.00	071-065-06 S	424 UNIVERSITY AVE	Lowell E & Maxine J Baker
437	0802-020	Construction of Carport/Patio	11/13/2008	37,350.00	0.00		81.00	072-127-15	198 W FOREST AVE	Herb Watanabe
O/S C	0802-021	Install Accessible ramp in	2/19/2008		0.00		80.00	083-080-60 S	25 W POLK ST	Sears Holding Management
434	0802-022	Replace 40ft of sewer line	2/21/2008	0.00	0.00	R-1	80.00	071-041-34 S	445 CAMBRIDGE AVE	William C & Daisy L Johnson
434	0802-023	Replace Sewer Line Additions	2/21/2008	0.00	0.00	R-1	80.00	071-043-06 S	1407 NEVADA ST	Aurelio E & Maria G
434	0802-024	Re-Roof Additions and	2/22/2008	10,000.00	0.00	R-1	80.00	072-193-11 S	414 JEFFERSON ST	Rick D & Joanne E Pulley
434	0802-025	Tear off and re-roof Additions	2/25/2008	6,290.00	0.00	R-1	81.00	071-251-02 S	577 PATRICIA LN	Edmund Y Wong
434	0802-026	Replace 14 feet of Sewer into	2/26/2008	0.00	0.00	R-1	80.00	071-052-02 S	445 STANFORD AVE	Barry D & Angela R Eldridge
434	0802-027	Install new Bathtub and	2/26/2008	0.00	0.00		80.00	083-251-23 S	550 W HOUSTON ST	Dennis L & Johnnet K Watt
434	0802-028	Replace the gas line and test	2/26/2008	0.00	0.00		80.00	083-231-12 S	440 W HOUSTON ST	Barbara A Eade
434	0803-001	Repair Sewer Line Additions	3/4/2008	0.00	0.00	R-1			485 S 5TH ST	MORENOS PLUMBING
434	0803-002	New HVAC w/ Ducting	3/7/2008	5,100.00	0.00	R-1	80.00	071-082-14 S	211 LINCOLN ST	Arthur T & Bonnie Jean
434	0803-003	New HVAC w/ ducting	3/7/2008	4,900.00	0.00	R-1	81.00	072-052-09 S	372 ROOSEVELT ST	Kenneth & Nina Oxborrow
434	0803-005	Re-roof Additions and	3/5/2008	8,200.00	0.00		80.00	071-073-09 S	228 YALE AVE	Hartog Marjorie Ruth Den
434	0803-006	Re-roof Additions and	3/5/2008	3,400.00	0.00		81.00	083-303-01 S	235 COOLIDGE ST	John W & Carol L Hancock
434	0803-007	Re-roof Additions and	3/5/2008	3,800.00	0.00		81.00	071-153-12 S	259 COOLIDGE ST	Raul H & Isabel M Ortiz
434	0803-008	Replacment of existing A/C	3/7/2008	4,900.00	0.00		80.00	072-242-07 S	695 MONROE ST	John J & Jeannie M Love
434	0803-009	Tear Off and Re-Roof	3/25/2008	9,654.00	0.00		80.00	071-105-03 S	435 COLLEGE AVE	Donna J Pressey

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City of Coalinga

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0803-010	Tear off Re-roof Additions	3/11/2008	3,000.00	0.00	R-1	81.00	072-152-06	246 S 5TH ST	Ken W Smith
434	0803-011	Tear off & re-roof Additions	3/11/2008	4,200.00	0.00	R-1	81.00	083-152-16 S	636 E PLEASANT ST	Judith M Horn Greer
434	0803-012	Tear Off and Re-Roof	3/11/2008	4,290.00	0.00	R-1	81.00	083-142-19 S	305 E SACRAMENTO ST	Ted R & Lois E Frame
434	0803-013	Overlay Roof Additions and	3/13/2008	9,000.00	0.00	R-3		083-116-10	505 E VALLEY	BJL PROPERTIES III LLC
434	0803-014	Over lay Roofing Additions	3/14/2008	3,000.00	0.00		81.00	083-152-20 S	451 S HACHMAN ST	Dorothy M O'Brien
434	0803-015	Tear off re roof Additions and	3/17/2008	5,500.00	0.00	R-1	80.00	071-072-06 S	332 UNIVERSITY AVE	Gary A & Katherine M
434	0803-016	Remodel House (Updating	3/18/2008	0.00	0.00	R-1		072-085-14	250 CALIFORNIA ST &	Israel P & Mercedes M
434	0803-017	Construct 300 s/f Patio Cover	3/24/2008	4,980.00	0.00	R-1	80.00	071-082-13 S	217 LINCOLN ST	Keven E & Catina A Ruth
434	0803-018	Replace Gas and Sewer Lines	3/18/2008	0.00	0.00	R-1	80.00	071-082-14 S	211 LINCOLN ST	Arthur T & Bonnie Jean
434	0803-019	Install Electrical for Sign	3/18/2008	0.00	0.00	R-3	6.00	072-161-19	252 N GLENN AVE	NEW LIFE TABERNACLE
434	0803-021	Tear Off and Re-Roof	3/20/2008	6,620.00	0.00	R-1	81.00	083-270-18 S	595 PATRICIA LN	Shelly R Kern & Richard
434	0803-023	Install New Swimming Pool	3/26/2008	25,226.00	0.00	R-1	79.00	083-303-25 S	1674 POPPY MEADOW	Delia Barriga
434	0803-024	Tear off and Re-roof	3/24/2008	7,000.00	0.00	R-1	80.00	071-054-17 S	312 HARVARD AVE	Joseph & Monica Santino
434	0803-025	Rehabilitation- Self Help	3/25/2008	12,000.00	0.00	R-1	80.00	072-084-06	235 TYLER ST	Jose & Irene Diaz
434	0803-026	New Swimming Pool	4/2/2008	24,460.00	0.00	R-1			945 MERLOT WAY	Steve Gutierrez
434	0803-027	New Swimming Pool	4/2/2008	24,667.00	0.00	R-1			935 MERLOT WAY	Jorge Sandaval
434	0803-028	Replace hot/cold line under	3/25/2008	0.00	0.00	R-1	80.00	072-095-12	590 N 4TH ST	Keith & Christine Montoya
102	0803-029	1843 sf. SFR New Residential	3/31/2008	191,185.39	1.00	R-1	5339		254 Cabrillio Drive	OTIS CONSTRUCTION
434	0803-030	Repair (2) Appartments (Fire	12/26/2008	403,340.00	0.00	R-3		083-183-01S	315 W. POLK ST	Rhoda Linch
434	0803-031	Overlay- Roof Additions and	3/27/2008	3,000.00	0.00	R-1	80.00	072-124-05	245 W DURIAN AVE	Warren C & Natalie G Ayers
102	0803-032	1843 sf. SFR New Residential	4/8/2008	191,185.39	1.00	R-1	5339		190 Adobe Court	OTIS CONSTRUCTION
434	0803-033	Re-roof Additions and	3/31/2008	2,000.00	0.00		81.00	083-114-17	423 E VALLEY ST	Ben Hansen
434	0804-001	Tear off - Re-roof Additions	4/1/2008	6,000.00	0.00	R-1	80.00	072-061-06 S	376 JEFFERSON ST	De Anna J Lander
434	0804-002	Replace (80) feet of Water line	4/2/2008	0.00	0.00	R-1	81.00	071-154-05 S	260 COOLIDGE ST	Christine F Morrow
437	0804-003	electrical, plumbing, and	4/3/2008	0.00	0.00		81.00	071-020-14 S	190 TRUMAN ST	Tom Fawler
434	0804-004	Re-Roof (Tear Off) Additions	5/30/2008	6,300.00	0.00	R-1	80.00	071-105-04 S	425 COLLEGE AVE	Ruben O Veliz
434	0804-005	Repair 2500 s/f of alluminum	4/3/2008	3,200.00	0.00	C-M		072-020-11	530 N FORREST	Randall G & Barbara J
434	0804-006	Tear off- Re-Roof Additions	4/8/2008	6,290.00	0.00	R-1	6.00	072-163-20	328 N GLENN AVE	Arthur G & Lydia R
434	0804-007	Roof Overlay Additions and	4/8/2008	5,100.00	0.00	R-1	81.00	071-163-24 S	231 LOCUST AVE	Anthony F & Betty J Levens
434	0804-009	HVAC Change Out - No	4/10/2008	0.00	0.00	R-1	80.00	072-071-07	308 MONROE ST	Darin & Manjula Freeland
434	0804-010	Re-route elctrical + sub panel	4/11/2008	0.00	0.00	R-3		083-183-01 S	319 W POLK ST	Rita Scrivner
434	0804-011	Tear off and Re-roof	4/14/2008	8,375.00	0.00	R-1	80.00	072-040-50 S	508 N MONTEREY AVE	Edward J & Sarah E
434	0804-012	Tear Off & Re-roof Additions	4/15/2008	3,800.00	0.00	R-1	80.00	072-194-11 S	404 JEFFERSON ST	Jerry & Deanna Lander

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City of Coalinga

Building Permits System

New Permits Issued

Report Date Range : 01/01/2007 to 04/30/2009

Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0804-014	Tear off and Re-roof	4/21/2008	7,800.00	0.00	R-1	80.00	071-114-11 S	240 WASHINGTON ST	Billie Ramsey
434	0804-015	Replace 60 Feet of Water	4/22/2008	0.00	0.00		80.00	071-051-14 S	425 CORNELL AVE	Allen J & Ellen F Clare
O/S C	0804-017	Install new per the approved	4/24/2008	900,000.00	0.00				25034 W. Palmer Ave.	City of Coalinga
434	0804-018	Tear off and Re-roof	4/28/2008	4,100.00	0.00	R-1	81.00	071-155-11 S	375 COOLIDGE ST	Harry & Lori Burtovoy
434	0804-019	HVAC Rooftop Replacement	4/29/2008	4,200.00	0.00	R-1	81.00	071-146-01 S	312 HARRISON ST	Wilburn F Click
434	0804-020	HVAC Rooftop Replacement	4/29/2008	3,200.00	0.00	R-1	80.00	083-350-31 S	340 SUNSET ST	Rita Scrivner
434	0804-021	Replace 20 feet of gas line	4/29/2008	0.00	0.00	R-1		083-102-05	246 E POLK STREET	Raymond E & Rosie N Smith
437	0804-022	(2) HVAC Rooftop	4/29/2008	8,000.00	0.00	C-4		070-060-79 S	1645 E Elm Ave	Keys Energy
434	0805-002	New Gas Line (~80 Feet)	5/1/2008	0.00	0.00	R-1		071-122-07	514 VAN NESS ST	Angel V & Martha E Cruz
434	0805-003	Install a new patio cover 104	5/1/2008	10,000.00	0.00			72-221-1S	409 E Forrest Court	Jose Salazar
434	0805-004	Replacement of Gas Line +	5/23/2008	0.00	0.00	R-1	80.00	071-066-05 S	384 YALE AVE	Robert L & Norma J Jorden
434	0805-005	Tear Off Re-rof Additions and	5/5/2008	6,500.00	0.00	R-1	80.00	083-251-15 S	515 S MONTEREY AVE	John C & Eleanor L Palmer
434	0805-007	Install a new sewer line in back	5/6/2008	0.00	0.00		80.00	083-182-05 S	216 S COALINGA ST	Debbie Elizabeth Adams
O/S Demo C	0805-008	Destroy a 12" well 122 feet	5/8/2008	0.00	0.00			072-200-015	183 E Polk	Intera Development Partners
O/S R	0805-010	Demo- Fill in Swimming Pool	5/6/2008		0.00	R-1	80.00	071-064-01 S	455 HARVARD AVE	Randy A & Rhonda Eileen
O/S C	0805-011	Remove Old Poll Light and	5/6/2008		0.00				400 Garfield	Coalinga Huron Parks District
434	0805-012	Tear Off and Re-roof	5/6/2008	4,500.00	0.00	R-1	80.00	072-124-08	255 N 6TH ST	Jose Omar & Erin Elaine
434	0805-014	Replace 10ft of sewerline	5/7/2008	0.00	0.00	R-1	80.00	071-041-04 S	454 DARTMOUTH AVE	Robert L & Dene Staley
O/S Demo C	0805-017	Abandon, Destroy and	5/13/2008		0.00				135 E SACRAMENTO	City of Coalinga
434	0805-018	Replace 22 sheets of rotted	5/14/2008	13,000.00	0.00	R-1	81.00	071-154-10 S	571 E POLK ST	Aline G White
434	0805-019	Replace Hot and Cold Water	5/14/2008	0.00	0.00	R-1	81.00	083-125-07	730 E POLK ST	Domingo & Gloria Zamora
434	0805-020	Complete Water Damage	5/15/2008	5,055.58	0.00	R-1	80.00	071-063-12 S	1074 N PRINCETON AVE	Shelly R Kern-Bradley
434	0805-021	New Gas Line (80') Feet (1")	5/15/2008	0.00	0.00	R-1	80.00	072-113-07	286 E BIRCH AVE	Maria Carmen Navarro
437	0805-022	Replace (2) new HVAC	5/21/2008	20,000.00	0.00	C-P	80.00	072-111-18	410 N 5TH ST	COUNTY BANK
434	0805-023	Tub Replacement Additions	5/19/2008	2,000.00	0.00	R-1	80.00	083-252-06 S	515 S PRINCETON AVE	Albert Eugene Martin
434	0805-024	Tear off & Re-roof Additions	5/19/2008	5,800.00	0.00	R-1	80.00	083-240-20 S	855 S COALINGA ST	Lowell E & Maxine J Baker
434	0805-026	Replace 80 feet of Sewerline	5/19/2008	0.00	0.00	R-1	80.00	072-065-03	271 ADAMS ST	Jose Salmeron
437	0805-028	Covert Existing Restroom into	5/21/2008	5,000.00	0.00				160 E BIRCH AVE	Pleasant Valley Christian
437	0805-029	Replace a 15 gal. Water	5/27/2008		0.00				115 W Durian	City of Coalinga
434	0805-030	Roof Overlay Additions and	5/27/2008	3,500.00	0.00	R-1	81.00	083-151-13 S	436 S HACHMAN ST	Martin & Imogene Hobbs Jr.
434	0805-031	HVAC 1- Roof Top GAS	5/27/2008	11,500.00	0.00	R-1	80.00	083-251-17 S	510 S PRINCETON AVE	Michael & Sandra Dee
O/S C	0805-033	Install (9) Signs for Walgreens	7/23/2008	0.00	0.00				265 W FOREST	Interra Development
437	0805-035	Replacing Water Heater and	5/28/2008	0.00	0.00				269 & 277 Coalinga Plaza	City of Coalinga

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City of Coalinga

Building Permits System

New Permits Issued

Report Date Range : 01/01/2007 to 04/30/2009

Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0805-037	Replace 80 feet of water and	5/30/2008	0.00	0.00	R-1	81.00	072-151-02	219 W GLENN AVE	Rhoda Hendrix
434	0805-039	Overlay Re-Roof Additions	5/30/2008	2,000.00	0.00	R-1	80.00	072-068-08	105 JEFFERSON ST	Alex Smith
434	0805-040	Tear off and Re-roof	5/30/2008	6,000.00	0.00	R-1	80.00	072-068-07	117 JEFFERSON ST	Alex Smith
434	0805-041	Tear off and Re-roof	5/30/2008	6,000.00	0.00	R-1	81.00	071-145-10 S	373 HARRISON ST	Ronald Anthony & Sharon
O/S C	0806-001	Install (1) Internally Illuminated	8/27/2008	0.00	0.00				183-195 E Polk Street	Interra Development
434	0806-003	Replace the gas line Additions	6/5/2008	0.00	0.00		80.00	071-106-02 S	385 UNIVERSITY AVE	Martin & Ana Maria Caldera
434	0806-004	Tear Off and Re-Roof	6/19/2008	5,000.00	0.00			083-233-03 S	325 S COALINGA ST	Teresa L Rummel
434	0806-005	Tear off and Re-roof	6/19/2008	5,000.00	0.00			083-233-04 S	335 S COALINGA ST	John F & Catherine H Tullis
434	0806-006	Tear Off & Re-Roof Additions	6/9/2008	5,900.00	0.00	R-1	80.00	083-240-35 S	522 W DOVEWOOD CT	Glenn W Muggelberg
434	0806-008	New HVAC Cut-In (Ducting)	6/10/2008	0.00	0.00	R-1	80.00	071-063-10 S	988 N PRINCETON AVE	Stephen & Ronda M Griswold
434	0806-009	Tear off and re-roof Additions	6/11/2008	5,900.00	0.00	R-1	80.00	083-240-28 S	545 W DOVEWOOD CT	Clifford & K Parli
434	0806-010	Tear off roof and install new	6/11/2008	10,000.00	0.00	R-1	81.00	071-145-08 S	395 HARRISON ST	Eugene & Ophelia C Franks
437	0806-011	Replumb north wing of City	6/12/2008	0.00	0.00				155 W. DURIAN	City of Coalinga
434	0806-012	Fire Damage Repair (New	6/19/2008	15,000.00	0.00	R-1			911 CHIANTI CIRCLE	The Hofmann Co.
434	0806-013	Tear off, sheet and re-roof	6/16/2008	7,100.00	0.00	R-1	80.00	072-076-10	325 SUNSET ST	Evert Albert & Martha Lee
434	0806-014	Tear off, sheet and re-roof	6/16/2008	5,100.00	0.00	R-1	80.00	071-082-01 S	289 LINCOLN ST	Zhi Kuang SA
434	0806-015	Replace Gas Line Additions	6/17/2008	0.00	0.00	R-1	80.00	071-044-07 S	335 CAMBRIDGE AVE	Ann E Woodson
434	0806-016	Replace Wondows at	6/17/2008	1,000.00	0.00	R-1	81.00	071-145-10 S	373 HARRISON ST	Ronald Anthony & Sharon
434	0806-017	A/C Rooftop Replacement	6/18/2008	0.00	0.00	R-1	80.00	083-251-12 S	455 S MONTEREY AVE	Richard J Jordan
105	0806-018	Construction of 2252 s/f cover	8/5/2008	83,121.32	0.00	C-M			500 ENTERPRISE	Sequoia Packing
434	0806-019	Install new 100 AMP Panel	6/19/2008	0.00	0.00	R-1	80.00	071-063-15 S	1088 N PRINCETON AVE	Monica Sanchez
434	0806-020	Construct 592 s/f Carport and	6/24/2008	21,850.72	0.00		80.00	072-124-08	255 N 6TH ST	Jose Omar & Erin Elaine
434	0806-022	Tear off and Re-roof & Repair	6/24/2008	4,000.00	0.00	R-1	81.00	072-161-16	205 E HAWTHORNE ST	Ken Smith
102	0806-024	A new single family home with	7/29/2008	326,518.23	0.00	R-1			3047 Carmele Ct.	Terry B Otis
102	0806-025	A new single family home with	7/29/2008	326,518.23	0.00	R-1			236 Cabrillo Drive	Terry B Otis
434	0806-026	Tear Off and Re-Roof	6/25/2008	5,100.00	0.00	R-1	80.00	072-040-45 S	601 N PRINCETON AVE	Charles J & Vicky G Carson
437	0806-027	Install New Roof Additions	6/25/2008	8,000.00	0.00	C-4	80.00	072-132-13	186 N 5TH ST	Zhi Kuang Yu
434	0806-028	Tear off and re-roof Additions	6/25/2008	7,000.00	0.00	R-1	80.00	083-181-12 S	221 S JOAQUIN ST	James W & Mary Catherine
434	0806-030	Replace water line and	6/27/2008	0.00	0.00	R-1	80.00	071-105-04 S	425 COLLEGE AVE	Ruben O Veliz
434	0806-031	Split System A/C	7/1/2008	5,980.00	0.00	R-1	79.00	083-303-27 S	1700 POPPY MEADOW	Dino G & Carla M Canu
434	0806-032	Roof Top A/C Replacement-	7/1/2008	7,700.00	0.00	R-1	81.00	070-111-04 S	255 CASA BUENA LN	Paul J & Deanna L Estrada
434	0807-001	Tear off and re-roof Additions	7/1/2008	8,000.00	0.00	R-1	80.00	072-085-02	165 JACKSON ST	Walter F & T M Burnett
434	0807-002	Tear off and re-roof Additions	7/1/2008	7,000.00	0.00	R-1	80.00	072-192-10 S	666 N PRINCETON AVE	Leroy & Mary M Burnett

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City of Coalinga

Building Permits System

New Permits Issued

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
O/S C	0807-003	Remove doors, Range Hoods,	7/1/2008	0.00	0.00				834 E. Elm	Navin Patel
434	0807-004	Construct (2) Patio Covers	7/3/2008	2,822.00	0.00	R-1			155 N HACHMAN	BERNAL RAMON &
327	0807-005	Construction of Me "N" Eds	1/15/2009	238,689.40	0.00			072-133-10	285 E ELM AVE [Me & Eds]	Jalaa & Hassan Mahfood
434	0807-006	Re-Roof Additions and	7/8/2008	5,000.00	0.00	R-1	81.00	083-115-12	210 WARTHAN ST	Valentin V Jacobo
434	0807-007	Foundation Repair by Jacking,	10/6/2008	28,350.00	0.00			072-081-15 S	204 N COALINGA ST [Floyd Gene Root
434	0807-008	Replace roof mounted A/C	7/10/2008	5,790.00	0.00	R-1	80.00	071-044-06 S	345 CAMBRIDGE AVE	Hollis V & Leoma V Green
434	0807-009	New A/C Installation	7/10/2008	0.00	0.00	R-1	80.00	072-066-21	205 JEFFERSON ST	Robert R & Joyce Ann Folsom
434	0807-012	Replace 40' for Gas Line	7/14/2008	0.00	0.00	R-1	80.00	072-040-35 S	509 MADISON ST	Ray C & Valerie L Love
434	0807-013	A/C Roof Replacement	7/14/2008	4,900.00	0.00	R-1	80.00	083-240-25 S	860 S COALINGA ST	Steven W & Jamie M Hosman
434	0807-014	A/C Replacement on Roof	7/14/2008	4,900.00	0.00	R-1	80.00	072-133-21	248 E DURIAN AVE	Gustavo V & Georgina
434	0807-015	A/C Roof Change-out	7/14/2008	5,100.00	0.00	R-1	80.00	072-040-50 S	508 N MONTEREY AVE	Edward J & Sarah E
434	0807-017	Tear off and Re-roof	7/16/2008	8,500.00	0.00	R-1	80.00	071-117-01 S	190 MOUNTAIN VIEW PL	HOLEMAN JOSEPH E &
434	0807-018	Tear off and Re-roof	7/22/2008	0.00	0.00	R-1	80.00	072-194-05 S	455 ADAMS ST	Terrel W & Karen Jeffery
437	0807-019	Replacement of A/C Unit	7/22/2008	0.00	0.00	C-4	80.00	072-126-10	205 COALINGA PLZ	KIT SANG LAAN U S A
434	0807-020	Tear off and re-roof Additions	7/22/2008	0.00	0.00		80.00	072-095-09	207 E BIRCH AVE	Robert G Smith
434	0807-022	Install a new roof over the old	7/22/2008	8,000.00	0.00		81.00	071-153-15 S	223 COOLIDGE ST	Cris Robles
434	0807-023	Tear off and re-roof Additions	7/24/2008	0.00	0.00	R-1	81.00	083-115-28	411 E PLEASANT ST	Donald E Payne
434	0807-025	Replace Electrical Panel	7/28/2008	0.00	0.00	R-1	80.00	072-076-05	135 MONROE ST	John W & Pamela J Johns
434	0807-026	Replace electric pannel with	7/29/2008	0.00	0.00		81.00	083-113-02	314 E VALLEY ST	Dorothy Lopez
434	0807-027	Tear off and re-roof Additions	7/30/2008	8,500.00	0.00	R-1	80.00	071-114-02 S	275 COLLEGE AVE	Francis L & Barbara J Prindle
434	0807-028	3 Ton A/C Replacement	7/30/2008	0.00	0.00	R-1	80.00	083-252-06 S	515 S PRINCETON AVE	Albert Eugene Martin
434	0807-029	Run New Elctrical to Patio	7/30/2008	0.00	0.00	R-1			560 BUENA VISTA DR	Jennifer Wong
434	0808-001	Tear off and re-roof Additions	8/4/2008	8,500.00	0.00	R-1	81.00	083-324-04 S	220 WALNUT AVE	Jeffrey T & Jennifer E Millette
434	0808-002	Tear off and re-roof Additions	8/4/2008	8,500.00	0.00	3	80.00	072-081-02 S	425 S PRINCETON AVE	Roger A Jr & Pamela K
434	0808-003	Tear off and re-roof Additions	8/4/2008	8,500.00	0.00	R-1	80.00	083-252-06 S	515 S PRINCETON AVE	Albert Eugene Martin
437	0808-005	Structural Repairs to (6) Units	8/26/2008	50,000.00	0.00	C-5		071-161-30 S	834 E ELM AVE #1-15	Navin Patel
437	0808-006	Repair Walkways per plans	8/12/2008	40,000.00	0.00	C-5	80.00	070-060-84 S	100 CAMBRIDGE AVE	Jack Patel
434	0808-007	Re-route Gas and Water line	8/5/2008	0.00	0.00	R-1	81.00	083-131-14	165 E HOUSTON ST	Donald Thiesen
434	0808-008	Tear off and Re-roof (Reds	8/6/2008	3,320.00	0.00	R-1	80.00	072-081-02 S	359 JACKSON ST	Lee Hawkins
434	0808-009	New Swimming Pool	8/12/2008	36,350.00	0.00	R-1	81.00	071-164-06 S	850 FOLSOM ST	Richard G & Shelly R
434	0808-010	A/C Replacement Additions	8/7/2008	4,900.00	0.00	R-1	80.00	083-252-09 S	425 S PRINCETON AVE	Roger A Jr & Pamela K
434	0808-011	A/C Replacement Additions	8/7/2008	0.00	0.00	R-1	81.00	070-081-24 S	401 MALIBU DR	Bill McDermott
434	0808-012	A/C Replacement Additions	8/7/2008	5,800.00	0.00	R-1	81.00	071-163-10 S	308 WALNUT AVE	Bobbie D & Wanda I

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City of Coalinga

Building Permits System

New Permits Issued

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
329	0808-013	Install a new Skate Park,	8/14/2008	0.00	0.00				650 E. Cambridge Ave.	Coalinga-Huron Parks Distirct
437	0808-015	Ansul System Installation	8/21/2008	2,450.00	0.00		80.00	070-060-05 S	200 CAMBRIDGE AVE	Protective Order Benevolent
434	0808-016	New Patio Cover (371 s/f)	9/5/2008	6,158.60	0.00	R-1	81.00	083-321-24 S	560 HAZELHURST WAY	Roger & Tamara Schindler
434	0808-017	A/C Replacement Additions	8/13/2008	0.00	0.00		80.00	083-181-22 S	409 W POLK ST	Nancy Simpson
434	0808-018	A/V Replacement Additions	8/14/2008	6,200.00	0.00		80.00	072-105-25	311 COALINGA PLZ	Kays Llc McMahan
434	0808-019	A/C Replacement Additions	8/14/2008	5,100.00	0.00	R-1	81.00	070-112-05 S	137 MADRA CT	Chester Russell & Michele S
438	0808-020	Build New 20 x 20 Garage	8/15/2008	14,764.00	0.00	R-1	80.00	071-101-07 S	605 COLLEGE AVE	Richard E & Sally A Gowitt
434	0808-021	Install a new roof Additions	8/19/2008	8,500.00	0.00		80.00	071-041-03 S	464 DARTMOUTH AVE	Ramiro & Colleen Villarreal
434	0808-022	Construct New Patio Cover	8/19/2008	5,942.80	0.00	R-1		083-362-07	138 ARABIAN ST	Linda Moon
329	0808-024	A/C Replacement New Non-	8/20/2008	4,818.00	0.00	R-1	81.00	072-221-18 S	479 E GLENN AVE	Carlos R & Arcelia Loreda
434	0808-025	A/C Replacement Additions	8/20/2008	4,900.00	0.00	R-1	80.00	071-102-07 S	616 COLLEGE AVE	David & Valerie Popejoy
434	0808-027	Re-Roof Additions and	8/22/2008	8,500.00	0.00	R-1	80.00	072-066-19	540 FRESNO ST	Jose L & Maria C Ayala
434	0808-028	Replace A/C w/ HERS Test	8/22/2008	0.00	0.00	R-1	80.00	072-066-19	540 FRESNO ST	Jose L & Maria C Ayala
434	0808-030	Addition to home (191 s/f)	9/18/2008	17,965.46	0.00	R-1	81.00	070-111-07 S	290 CASA BUENA LN	Randal J & Sharon A
434	0808-031	HVAC Replacement	8/27/2008	0.00	0.00	R-1		071-156-09 S	107 N GARFIELD ST	Barry Clarke
434	0808-032	Build a new patio cover	8/28/2008	6,000.00	0.00		81.00	072-221-14 S	423 E GLENN AVE	Manuel & Ignacia R Ramirez
434	0808-034	Re-Roof Additions and	8/29/2008	8,500.00	0.00	R-1			536 N FOURTH STREET	Robert Smith
102	0808-035	2286 sf. S.F.R. New	9/4/2008	187,360.56	0.00	R-1			114 TROTTER STREET	OAKFIELD, LLC
102	0808-036	2101 sf. S.F.R. New	9/4/2008	169,959.46	0.00	R-1			112 SACRAMENTO	OAKFIELD, LLC
102	0808-037	S.F.R. New Residential -	9/4/2008	139,661.40	0.00	R-1	81		122 SACRAMENTO	OAKFIELD, LLC
434	0808-038	Construct 286 s/f Patio Cover	8/29/2008	4,747.60	0.00	R-1		083-365-01	150 PALOMINO	Andrew Otto
434	0809-001	Add a Patio and Jacuzzi room	9/5/2008	29,745.28	0.00		81.00	083-322-04 S	220 MCCOLLUM LN	Cecilio Mora
O/S C	0809-002	Reconstruct the second floor	9/5/2008	50,000.00	0.00			072-154-01	201 S 5TH ST [Laura	Inder S Deswel
434	0809-004	Renovate bathroom,	10/17/2008	21,075.00	0.00			072-081-15 S	204 N COALINGA ST	Floyd Gene Root
434	0809-005	Re-Roof and Drywall	9/11/2008	8,500.00	0.00	R-1	81.00	083-144-04	528 E PLEASANT ST	GUADALUPE GONZALEZ
434	0809-006	A. C. Replacement - HERS	9/11/2008	5,100.00	0.00	R-1	81.00	071-154-03 S	236 COOLIDGE ST	Linda Eaton
437	0809-007	A.C. Replacement Additions	9/11/2008	6,280.00	0.00		80.00	072-053-19 S	201 WASHINGTON ST	Ted R & Lois E Frame
O/S C	0809-008	5 year sprinkler test inspection	9/12/2008	0.00	0.00			072-105-25	311 COALINGA PLZ [fire	Kays Llc McMahan
434	0809-009	Tear off and Re-roof	9/15/2008	8,500.00	0.00	R-1	80.00	071-042-11 S	424 CORNELL AVE	William D Rauhauser II
437	0809-010	Tear off and hot-mop	9/15/2008	8,500.00	0.00		80.00	072-124-12	270 W ELM AVE	Gertrude Helene Kruger
434	0809-011	Repalce 80 feet of sewerline	9/15/2008	0.00	0.00	R-1	80.00	071-112-02 S	315 CORNELL AVE	Howard E & Juanda M
O/S C	0809-012	Replace sewer line 180 feet	9/23/2008	0.00	0.00		81.00	071-161-15 S	834 MAPLE RD	COALINGA REGIONAL
434	0809-014	Tear off and Re-Roof	9/22/2008	8,500.00	0.00	R-1	80.00	083-270-12 S	675 S PRINCETON AVE	Joe F & Lois A Reel

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Building Permits System

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Class	Permit #	Type of Permit	Date Issued	Valuation	# of Units	Zoning	Census	APN	Job Address	Owner Contractor
434	0809-015	Re-Roof Additions and	9/24/2008	8,500.00	0.00	R-3	81.00	071-230-06 S	211 ROOSEVELT ST	Rosalina Hernandez McClain
434	0809-016	Re-Roof Additions and	9/24/2008	8,500.00	0.00	R-3	81.00	071-230-04 S	207 ROOSEVELT ST	Nancy Simpson
434	0809-017	Re-Roof Additions and	9/24/2008	8,500.00	0.00	R-3	81.00	071-230-01 S	201 ROOSEVELT ST	Nancy Simpson
434	0809-018	Re-Roof Additions and	9/24/2008	8,500.00	0.00	R-3	81.00	071-230-05 S	209 ROOSEVELT ST	Jack H & E Idelle Mahrt
434	0809-019	Rebuild a Patio Cover	9/23/2008	2,257.60	0.00		80.00	083-251-07 S	315 S MONTEREY AVE	Janell L Clark
434	0809-020	Replace Gas Line from house	9/25/2008	0.00	0.00	R-1	80.00	072-191-11 S	648 N MONTEREY AVE	Laverne Gambin
434	0809-021	Construct 12 x 16 Shed	9/26/2008	7,086.72	0.00	R-1	81.00	070-111-23 S	273 SAN SIMEON LN	Delmer D & Shari L Scroggins
434	0809-022	Re-Roof (1/2) Additions and	9/26/2008	4,250.00	0.00	R-1	81.00	083-116-06	510 E POLK ST	Phillip R Bragg
437	0809-023	Install New Signage at Fastrip	10/3/2008	4,200.00	0.00		80.00	072-133-08	296 E ELM AVE	JACO Oil Company
434	0809-024	Replace Water Line Additions	9/30/2008	0.00	0.00	R-1	80.00	083-231-02 S	465 W PLEASANT ST	Thomas Edward & Debora S
434	0810-001	Build a Patio Cover Additions	10/6/2008	5,644.00	0.00			083-364-09	835 Mustang Way	RODRIGUEZ AGUSTIN &
434	0810-003	Re-Roof Additions and	10/8/2008	8,500.00	0.00	R-1	80.00	083-182-07 S	217 CINDY LN	Michael Alan & Melody Haigh
434	0810-004	Construct 780 s/f Garage	10/14/2008	18,524.00	0.00	R-1	80.00	072-040-05 S	415 JEFFERSON ST	Edythe Braly
434	0810-005	Re-Roof Overlay Additions	10/14/2008	4,000.00	0.00	R-1	81.00	083-122-23	595 E PLEASANT ST	Ricardo V Murillo
434	0810-006	Re-Roof Additions and	10/17/2008	8,500.00	0.00	R-1	80.00	071-042-13 S	444 CORNELL AVE	Jacob & Linda Davis
434	0810-007	Siding, Insulation, Electric	10/17/2008	0.00	0.00		81.00	071-155-12 S	349 COOLIDGE ST	Harold L & Barbara Wiest
434	0810-008	A/V Replacement Additions	10/21/2008	0.00	0.00	R-1			165 E. GLENN STREET	Donald Tarr
434	0810-009	A/V Replacementr-3	10/21/2008	0.00	0.00	R-1	81.00	071-153-15 S	223 COOLIDGE ST	Chris Robles
327	0810-011	Tenant Improvement 1300sf	2/13/2009	70,000.00	0.00	C-5			183 East Polk	Interra Development
O/S C	0810-012	Install an Electric Panal for	10/23/2008	0.00	0.00				140 E Durian	City of Coalinga
434	0810-014	Replumb water piping	10/24/2008	0.00	0.00		80.00	072-052-02	351 WASHINGTON ST	James Harold Martin
434	0810-015	Replace Water Line Additions	10/27/2008	0.00	0.00	R-1	80.00	071-081-09 S	229 BUCHANAN ST	Anna L Gentry
434	0810-016	Roof Permit Additions and	10/28/2008	8,500.00	0.00		80.00	072-083-11	222 TYLER ST	Joe & Rosalinda Dominguez
437	0810-018	TI- Medical Office (Fire	11/13/2008	80,000.00	0.00				1191 Phelps Ave.	Coalinga Regonal Medical
O/S Demo R	0810-019	Pool Demolition Out of Scope	10/30/2008	0.00	0.00	R-1	80.00	071-122-09	130 FILLMORE ST	Gregg Cooper
434	0810-020	Re-Roof Additions and	10/31/2008	4,250.00	0.00	R-1	81.00	071-153-16 S	258 PINE ST	Paul J & Patricia L Higgs
434	0811-001	Roof Overlay Permit Additions	11/3/2008	4,500.00	0.00	R-1	80.00	072-114-04	252 E CEDAR AVE	Martha E Johncox
434	0811-002	Re-Roof, Replacing Shingles	11/6/2008	4,750.00	0.00	R-1	80.00	072-242-06 S	669 MONROE ST	Clifford D & Michelle D
434	0811-003	Tear off reroof Additions and	11/5/2008	6,000.00	0.00	R-1	80.00	083-191-08 S	208 S JOAQUIN ST	Imogene Sparks
434	0811-004	Reroof Additions and	11/6/2008	5,000.00	0.00				254 1/2 Buchanan	James Hosp
434	0811-005	Replace 40 feet of Sewer Line	11/6/2008	0.00	0.00	R-1	80.00	071-081-08 S	235 BUCHANAN ST	Harry L & Doris Stroup
434	0811-006	Roof Patch Additions and	11/6/2008	2,000.00	0.00	R-1	80.00	071-131-13	150 BUCHANAN ST	Jim A Gillitzer
437	0811-008	Bathroom Addition (1 W,	12/3/2008	50,000.00	0.00	C-P			1191 Phelps Ave	Coalinga Regonal Medical

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434	0811-009	A/C Replacement Additions	11/18/2008	0.00	0.00	R-1	80.00	083-233-04 S	335 S COALINGA ST	John F & Catherine H Tullis
434	0811-010	Electrical Panel Change-out	11/13/2008	0.00	0.00	R-1	81.00	083-113-08	325 E PLEASANT ST	FEDERAL NATIONAL
437	0811-011	Install Ansul Hood Supression	11/19/2008	0.00	0.00		81.00	083-123-02	638 E POLK ST	Kalwinder S Bajwa
434	0811-013	Tear off and re-roof Additions	11/21/2008	9,000.00	0.00	R-1	80.00	072-093-08	181 E BIRCH AVE	Phillip R Bragg
437	0811-014	Moving 6' non load berring	11/20/2008	1,500.00	0.00	C-1	80.00	071-132-20	250 Van Ness	YOUNG BROS
437	0811-015	4 HVAC change outs	11/20/2008	16,600.00	0.00	C-1	81.00	072-152-05	240 Coalinga Plaza	Leslie Roberta Peavy
434	0811-016	Remove P-Trap in sewer line	11/20/2008	0.00	0.00	R-1	80.00	072-063-12	653 FRESNO ST	Hester Roos Alvarez
438	0811-019	Addition of two patio covers	12/1/2008	4,980.00	0.00	R-1	46.02	083-151-18 S	582 TACHE WAY	James Steven Anderson
434	0812-001	Tear off and Re-roof	12/1/2008	5,800.00	0.00	R-1	81.00	072-170-04	150 IVY AVE	Henry D & Della E Gentry
434	0812-002	Tear off and re-roof Additions	12/1/2008	5,900.00	0.00	R-1	80.00	071-054-13 S	304 HARVARD AVE	David T & Brenda L Isaac
434	0812-004	New HVAC Additions and	12/3/2008	0.00	0.00	R-1	80.00	072-040-28 S	542 N PRINCETON AVE	David G & Carroll S Canada
434	0812-005	Hvac Installation Additions	12/3/2008	0.00	0.00	R-1	80.00	071-053-13 S	314 STANFORD AVE	Douglas L & Becky A Stanley
102	0812-006	2101 sf. S.F.R. New	12/5/2008	169,959.46	0.00	R-1	81		730 Mustang Way	OAKFIELD, LLC
102	0812-007	2286 sf. S.F.R. New	12/5/2008	187,360.56	0.00	R-1			125 Appaloosa Ct.	OAKFIELD, LLC
437	0812-008	remodel after fire minor	12/5/2008	2,650.00	0.00	C-4	80.00	072-200-14 S	102 S 5TH ST	Maria A Camberos
434	0812-009	Reroof 1457 sqft Additions	12/11/2008	3,000.00	0.00	R-1	81.00	083-151-19 S	574 E PLEASANT ST	Jose S & Emilia I Mora
O/S C	0812-010	Grading Permit for Auto	12/12/2008	0.00	0.00	C-M		072-125-04	231 W ELM AVE- AUTO	BAKER R C MEMORIAL
434	0812-012	Gas Line and Test Additions	12/15/2008	0.00	0.00	R-1		071-082-25 S	268 BUCHANAN ST	Rodney D Graham
437	0812-013	Replace Domestic Water Line	12/15/2008	0.00	0.00	C-4	80.00	072-131-22	135 E ELM AVE	COALINGA FEED YARD
434	0812-014	Electrical Panel Change out	12/15/2008	0.00	0.00	R-1		071-084-19 S	198 W CHERRY LN	Kennt and Nina Oxborrow
434	0812-015	Replace Sewerline (60 feet)	12/16/2008		0.00	R-1	80.00	071-122-13	196 FILLMORE ST	Judith M Artherton
437	0812-016	Reroof back section 800 sq ft	12/19/2008	3,000.00	0.00	C-5	81.00	083-116-06	510 E POLK ST	Phillip R Bragg
434	0812-017	Panel change out Additions	12/22/2008	0.00	0.00	R-1	80.00	071-073-06 S	1195 CALIFORNIA ST	Timothy R Auhll
434	0812-018	install short line --pressure	12/22/2008	0.00	0.00	C-5	81.00	083-111-08	304 E POLK ST	Jagroop S & Rupinder K Gill
434	0812-019	Tear off and re-roof Additions	12/29/2008	7,000.00	0.00	R-1	80.00	072-040-05 S	415 JEFFERSON ST	Edyth Braly
434	0812-020	Tear off and Re-roof	12/29/2008	3,000.00	0.00	R-1	80.00	072-063-12	653 FRESNO ST	Hester Cartwright
434	0812-021	Change out gas line due to	12/30/2008	0.00	0.00	R-1	81.00	071-154-04 S	248 COOLIDGE ST	Wanda Sue Trippel
437	0901-001	Repair Fire damage Additions	1/5/2009	1,200.00	0.00	R-2	80.00	072-067-04	637 SUNSET ST	ROMAN CATHOLIC
434	0901-002	HVAC Change out Additions	1/5/2009	0.00	0.00	R-1	80.00	071-051-01 S	1350 N JOAQUIN ST	Dustin & Valerie Walker
434	0901-003	Repair Gas Leak Additions	1/6/2009	0.00	0.00	R-1	80.00	072-040-06 S	405 JEFFERSON ST	Raenell Culwell Padilla
434	0901-004	Electrical Panel Change out	1/6/2009	0.00	0.00	R-1	80.00	072-068-16	150 MADISON ST	Candelaria Cisneros
434	0901-005	50 ft of new gas line Additions	1/12/2009	0.00	0.00	R-1	81.00	071-163-09 S	304 WALNUT AVE	Johanna Duval
434	0901-006	Install new 100 AMP	1/21/2009	0.00	0.00	R-1	81.00	071-146-05 S	360 HARRISON ST	Isaac & Mary Ramirez

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434	0901-007	Minor Electrical in kitchen	1/21/2009	0.00	0.00	R-1	80.00	072-064-15 S	373 JEFFERSON ST	Jonathon and Laura Terra
434	0901-008	Remodel Apts 109 and 110	1/23/2009	25,000.00	0.00	R-3	80.00	083-183-01 S	315 W POLK ST	Rita Scrivner
437	0901-009	Repair plumbing in restroom,	2/27/2009	4,000.00	0.00	C-4	80.00	072-126-13	122 W ELM AVE	KIT SANG LAAN U S A
437	0901-010	electrical panel change out add	2/10/2009	4,000.00	0.00	C-5	81.00	083-116-06	510 E POLK ST	Phillip R Bragg
434	0901-011	Remove nonberring demising	1/23/2009	1,500.00	0.00	R-1	80.00	071-066-01 S	397 HARVARD AVE	Verna Hernandez
437	0901-012	Installation of new UL300 Fire	1/28/2009	0.00	0.00	C-1	80.00	071-132-20	260 VAN NESS ST	YOUNG BROS
437	0901-014	Stucco exterior, starp	1/29/2009	17,000.00	0.00	C-P	80.00	070-060-84 S	100 CAMBRIDGE AVE	Jack Patel
434	0902-002	Gas Test Additions and	2/4/2009	0.00	0.00	R-1	81.00	083-124-12 S	661 E PLEASANT ST	David Wright/ Norman Flam
434	0902-003	Demo Pool Additions and	2/5/2009	500.00	0.00	R-1	80.00	071-051-03 S	445 CORNELL AVE	COALINGA FEED YARD
O/S C	0902-004	Insallation of (2) Illuminated	2/9/2009	0.00	0.00				183 E POLK ST	Interra Development
434	0902-005	85 Feet of Gas Pipe with Gas	2/10/2009	0.00	0.00	R-1	80.00	083-232-09 S	410 W SACRAMENTO ST	Marian Husted
434	0902-008	Replace main Gas line 80 ft.	2/12/2009	0.00	0.00	R-1	80.00	072-105-03	159 W CEDAR AVE	Sonja Murphy
FIRE	0902-010	5-Year Sprinkler Certification	2/13/2009	0.00	0.00				750 Van Ness St. / Auditorium	Coalinga Huron School
434	0902-018	reroof 20X20 shop Additions	2/12/2009	1,500.00	0.00	R-1	81.00	071-154-02 S	224 COOLIDGE ST	Cris H & Movita G Robles
434	0902-019	Electrical, Plumbing, HVAC,	2/17/2009	5,000.00	0.00		80.00	072-054-12	148 ADAMS ST	Cal Minor
434	0902-021	Multi structure roofing	2/23/2009	8,200.00	0.00	R-1	80.00	072-068-01	193 JEFFERSON ST	Ralph Gorrill
434	0902-022	Change Out Electrical Panel,	2/24/2009	0.00	0.00	R-1	80.00	071-072-04 S	304 UNIVERSITY AVE	Warren Ayers
O/S C	0902-023	Install New Signs - Non	2/25/2009	1,800.00	0.00		80.00	072-136-18	301 E FOREST AVE	David B & Vickie L Billingsley
434	0902-024	HVAC Change Out Roof-top	2/24/2009	0.00	0.00	R-1	81.00	071-262-03 S	466 KIMBERLY PL	Norman Eugene & Penny
434	0902-025	Replace damaged sewer line ,	2/25/2009	0.00	0.00	R-1	80.00	071-083-18 S	218 LINCOLN ST	Rafael Iniguez
434	0902-027	Replace Sewer Lne Additions	2/26/2009	0.00	0.00	R-1	80.00	072-114-12	257 E DURIAN AVE	Gloria Arrendondo
O/S C	0902-029	Install Fire Detection System	2/27/2009	0.00	0.00			060-042-07	122 W. Elm Ave.	Joseph Cheung
434	0903-001	Shed 9 X 11 Additions and	3/2/2009	1,643.40	0.00	R-1	81.00	083-114-05	498 E POLK ST	Jesus Lopez Diaz
434	0903-002	Tear off and Re-Roof	3/2/2009	4,600.00	0.00	R-1	80.00	072-068-02	183 JEFFERSON ST	Glenn R & Mary L Rowland
437	0903-004	Install 69" X 8' lighted sign	3/4/2009	0.00	0.00	C-4	80.00	072-134-19	250 E ELM AVE	Jerry Oliver
434	0903-005	Tear off reroof, Electrtical	3/5/2009	55,000.00	0.00	R-1	81.00	083-133-22	325 E HOUSTON ST	Dorthy Wallace
434	0903-006	Roof Overlay Additions and	3/10/2009	4,100.00	0.00	R-1	80.00	071-064-10 S	454 YALE AVE	Michael J & Susan A Keenan
434	0903-008	Verify panel after tanper seal	3/11/2009	0.00	0.00	R-1	81.00	071-153-05 S	260 HOOVER ST	Michelle A Cannon
437	0903-009	Rework Electrical, move 6ft.	3/11/2009	5,000.00	0.00	C-4	80.00	072-135-16	301 E ELM AVE	William E & Marcelyn M
434	0903-010	80 Feet of 4in sewer pipe	3/11/2009	0.00	0.00	R-1	81.00	071-155-13 S	347 COOLIDGE ST	Donald Fisher
434	0903-013	Tear off Reroof 20 Sq's	3/16/2009	11,000.00	0.00	R-1	80.00	071-051-15 S	415 CORNELL AVE	Vandous L & Monica D
434	0903-014	Tear off Reroof 20 sq.	3/16/2009	5,100.00	0.00	R-1	80.00	083-240-18 S	835 S COALINGA ST	Lauro & Elizaeth Nodal
437	0903-015	Trench and burry power line	3/17/2009	5,000.00	0.00	C-4	80.00	072-134-19	250 E ELM AVE	Jerry Oliver

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437	0903-018	swap out HVAC on unit 280	3/19/2009	0.00	0.00	R-3	80.00	072-142-01	270 N 2ND ST	Eddie J & Tina Huang
437	0903-019	single sign Electrical with	3/19/2009	0.00	0.00	C-M		083-080-77 S	187 W POLK ST	Donlon H & Agnes H
434	0903-020	Addition to Home 499 sq.ft. 1	3/19/2009	46,935.94	0.00	R-1	81.00	071-143-10 S	271 HARRISON ST	Roberto Castillo
437	0903-021	HVAC Change out Additions	3/25/2009	0.00	0.00	C-4		072-105-25	329 COALINGA PLZ	Kays Llc McMahan
434	0903-022	Electrical panel change out	3/25/2009	0.00	0.00	R-1	81.00	083-125-12	715 E VALLEY ST	Henry Wintergerst
437	0903-023	Antenna Upgrade Additions	4/6/2009	6,000.00	0.00	M-1		083-240-51S	990 W Elm St.	Crown Castle
434	0904-004	Tear off Reroof Additions and	4/7/2009	0.00	0.00	R-1	80.00	071-041-25 S	425 CAMBRIDGE AVE	Paul and Connie Green
434	0904-005	Replace old piping with new	4/9/2009	0.00	0.00	R-1	80.00	083-370-05	525 SUNSET ST	Samantha Morris
434	0904-006	Replace Sewer Lateral remove	4/8/2009	0.00	0.00	R-1	81.00	083-151-13 S	436 S HACHMAN ST	Martin & Imogene Hobbs Jr.
437	0904-008	Change out 4- Dual Pacs	4/14/2009	0.00	0.00	C-4	80.00	072-126-13	122 W ELM AVE	KIT SANG LAAN U S A
434	0904-010	Frame wall at restroom, swap	4/15/2009	0.00	0.00	R-1	81.00	083-124-02 S	624 E VALLEY ST	Hester J Cartwright
434	0904-012	Tear off reroof Additions and	4/16/2009	0.00	0.00	R-1	80.00	071-052-06 S	401 STANFORD AVE	Gregory K Callison
434	0904-013	Replacemanet of Shower,	4/21/2009	0.00	0.00	R-1	80.00	083-251-22 S	404 S PRINCETON AVE	Walter E & Sharon L Blair Jr.
434	0904-014	New panel, water heater	4/21/2009	913.00	0.00	R-1	81.00	071-155-15 S	323 COOLIDGE ST	Jeffery Kunz
Total Number of Permits Listed			608	24,684,429.73						



**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 *SAN JOAQUIN SOLAR UNITS 1 AND 2*
LICENSING PROJECT**

Docket No. 08-AFC-12

**PROOF OF SERVICE
(Revised 8/27/2009)**

APPLICANT

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Tanya A. Gulesserian
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Association of Irrigated Residents
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Declaration of Service

I, Anne Runnalls, declare that on September 23, 2009, I served and filed copies of the attached Response to CURE Data Request Set #4, dated September 23, 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/sjsolar/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;

 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. 08-AFC-12

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.



Anne Runnalls



**State Building & Construction
Trades Council of California**

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built

website



CURE
California Unions
for Reliable Energy



CURE Sets The Record Straight

California Unions for Reliable Energy (CURE) responds to a letter to the California Energy Commission by Assembly member Cox. His disparaging remarks were an attempt to get the Energy Commission to spend money on a task that the legislature declined to have the Commission perform.

CURE'S response to the Energy Commission follows:

August 24, 2004

Chairman William Keese and Commissioners
California Energy Commission
1516 Ninth Street
Sacramento, CA, 95814

Re: California Unions for Reliable Energy

Dear Chairman Keese and Commissioners:

You recently received a letter dated August 5, 2004 from Assembly Member Dave Cox and other Republican Assembly members. The letter contained many accusations about the California Unions for Reliable Energy ("CURE"). These accusations were uninformed and dramatically false.

As the Chair of CURE, I want to share with you an accurate description of CURE and its history of important environmental and economic accomplishments for the people of California.

CURE is a coalition of labor unions whose members construct, maintain and operate power plants. CURE supports responsible development of power plants; development that minimizes environmental impacts and brings the economic benefits of that development to local communities where union members live and work.

CURE has actively participated in 9 of the 56 recent licensing proceedings at the CEC. CURE's participation has, at all times, been directed to issues squarely within the scope of the CEC's responsibilities. The Commission has called CURE's participation "responsible and thoughtful," and CURE has been publicly thanked and praised by the Commission.

Unfortunately, the Cox letter repeated uninformed accusations made by a small group of non-union construction contractors. Regrettably, the signers of the letter did not check the accuracy of the claims they repeated. Instead, they accused CURE of "threatening environmental litigation" that has "compelled developers of power plants to negotiate Project Labor Agreements." They term this "greenmail." The letter asks the Energy Commission to "include this gross abuse of the Energy Commission's 'intervenor' and licensing processes in the 2005 Integrated Energy Policy Report."

No one has ever identified, nor could they identify, any threat made by CURE. Nor has CURE ever abused the CEC's licensing process.

CURE'S RECORD OF ENVIRONMENTAL ACHIEVEMENT

In fact, CURE's participation at the CEC has directly contributed to significant environmental benefits.

CURE has led the fight for dramatic reductions in emissions of NO_x and other air pollutants during construction and operation of power plants, reduced use of fresh water for power plant cooling, and reduced exposure of workers and the public to toxic chemicals, among other environmental improvements. CURE was first to propose many environmental requirements that are now standard on most plants. CURE is justifiably proud of its role in these accomplishments.

For example, when the High Desert and Sutter power plant proceedings began, the applicants proposed NO_x emission rates of 4.0 and 3.5 ppm, respectively. These rates were claimed to be "state-of-the-art." CURE's experts researched the issue and provided evidence that pollution control equipment manufacturers were willing to guarantee much lower emission rates. The applicants opposed CURE's recommendation. The issue was hotly contested. Ultimately, both applicants entered environmental settlement agreements with CURE in which they agreed to emission rates of 2.5 ppm. This rate became a requirement in the CEC licenses and the air district permits.

Subsequently, in the proceeding for the Three Mountain Power project, CURE provided evidence that pollution control equipment manufacturers were willing to guarantee a 2.0 ppm NO_x emission rate. Again, the issue was hotly contested, and again, the developer entered into an environmental settlement agreement with CURE. That agreement provided that the project would be designed and constructed to achieve a 2.0 ppm NO_x emission rate. Based directly on

this agreement, 2.0 ppm is the emission rate now required on all new combined cycle power plants in California.

CURE's environmental settlement agreements have prevented literally thousands of tons of NOx emissions in California every year.

There are similar stories for the emission rates for VOCs, CO, ammonia and toxics and for emissions caused by construction. For toxics, CURE was the first to identify the danger of acrolein emissions (even before the state officially recognized the level of risk), and we advocated that an oxidation catalyst be required to reduce this risk. Although the applicants opposed our proposal, we are pleased that staff now frequently recommends that oxidation catalysts be included as standard equipment.

For emissions caused by construction, CURE was first to identify the significance of exhaust emissions from construction equipment and to advocate that such equipment be required to use oxidizing soot filters to reduce emissions. Again, we are pleased that staff now frequently recommends that these filters be used to mitigate construction emissions.

CURE has also left its mark on the issue of cooling water. In the Sutter power plant case, CURE identified the significant impacts that would result if the project were cooled using groundwater, as proposed by Calpine. CURE advocated that the project use dry air cooling. Calpine claimed that this would be prohibitively expensive. After CURE showed that the additional cost would be relatively modest, Calpine agreed to use 100% air cooling for the project.

Water use was also a major issue in the Three Mountain Power case. To address the developer's economic concerns, CURE and the developer agreed to reduce groundwater use by 80% by using a parallel hybrid wet and dry cooling system.

CURE's participation has been a major factor in achieving these and many other environmental improvements in California power plants. Some of these are reflected in the attached joint statements of CURE and the developers of the [High Desert](#), [Three Mountain Power](#), and [Salton Sea](#) projects. These joint statements are the result of environmental settlement agreements between CURE and the developers of these projects.

The authors of the Cox letter appear unaware of CURE's achievements. Instead, it claims that CURE causes delays. Once again, the facts do not support the accusation. CURE has not participated in the longest proceedings. The Morro Bay, Tesla and El Segundo proceedings all lasted longer than any proceeding in which CURE actively participated. More importantly, participants in a proceeding cannot cause delay; delay is caused by difficult issues that the Commission, quite properly, must sometimes struggle to resolve. Participants can inform the Commission about the issues, but cannot create issues that do not exist.

The Commission itself has recognized the value of CURE's participation in the licensing process. When approving the Elk Hills project, Presiding Commissioner Michal Moore praised and thanked CURE for its participation:

[w]e never would've gotten to some of the places that we did, and the resolution that we did, if it hadn't been for the - the dogged efforts of the Intervenor. And so, in this case, Kate Poole [representative of CURE], I want to thank you. I wasn't always thanking you during the process, but I certainly do now, and tell you that we're at the end, and it's - we came to a good place, and probably couldn't have gotten to that good place without some of the tension and - and rigor that was applied. So, thank you very much.

(CEC Business Meeting Transcript, pp. 24-25 (Dec. 6, 2000).)

The quality of CURE's participation has also been recognized by the CEC, saying that "CURE intervention[s] have been responsible and thoughtful." (Sunrise Cogeneration and Power Project, Docket No. 98-AFC-4, Transcript of Evidentiary Hearing, p. 67 (May 25, 1999).)

Finally, a Commissioner "thank[ed] CURE for the technical help that Phyllis Fox [CURE expert] offered us, and certainly offered me an education that I wasn't going to get any other place." (Elk Hills Power Project, Docket No. 99-AFC-1, Transcript of Evidentiary Hearing, p. 61 (Oct. 26, 2000).)

Although CURE has participated in fewer than 20% of the Commission's siting cases, CURE appreciates the Commission's recognition of its contributions.

PROJECT LABOR AGREEMENTS HAVE BEEN BENEFICIAL TO CALIFORNIA

As part of its evaluation of impacts in a siting case, the Commission routinely considers the project's socioeconomic impacts. Both developers and the CEC often cite the construction payroll as a positive impact of a project. While the Commission has no authority to require a developer or a union to enter into a Project Labor Agreement, the economic benefits of the project are often secured through a Project Labor Agreement between a developer and unions. Similarly, the environmental benefits CURE has obtained have been secured through environmental settlement agreements.

CURE is pleased that almost all of the new power plants built in California have been constructed safely and efficiently with highly skilled union labor working under a Project Labor Agreement. These plants have been built by both public and private developers and include dozens of plants for which CURE was not an active participant in the licensing proceeding.

There are many good reasons why developers choose union labor. Modern power plants are complex industrial facilities. Construction requires highly skilled workers, trained in modern construction methods. California unions have a well deserved reputation for supplying the high quality workforce needed.

At Calpine's Sutter power plant, the union workforce helped Calpine earn a \$2 million bonus from the state for completing construction in time for the Summer of 2001, ahead of its original schedule, even though an environmental appeal by a neighbor was responsible for suspending construction for 4 months.

At the Sunrise plant, the first phase of the project consisting of two 160 MW turbines, was completed in an incredible 6 and one-half months, again in time for operation during the Summer of 2001. This earned bonuses for contractors and employees.

At the High Desert power plant, the union construction workforce helped the plant earn the "Power Plant of the Year" award from Engineering News Record.

Each of these projects was built under a Project Labor Agreement. These agreements are very useful in efficiently organizing the dozens of contractors, many different crafts and large workforces needed to construct power plants. The agreements set common work schedules, common holidays, uniform safety and work rules and methods for quickly resolving disputes. They establish a process to ensure communication and cooperation, commit unions to supplying a skilled workforce and prohibit strikes. They are widely used in the construction industry because of the large economic benefits to developers. They have been upheld by both the United States and California Supreme Courts.

The Commission itself recognized the value of a PLA in its decision on the Pittsburg District Energy Facility (now called Los Medanos). The Commission unanimously found that the PLA for that project

ensures that reliable and skilled workers will construct and operate the project. One of the more beneficial aspects of this agreement is the [unions'] apprenticeship program that trains new workers to learn valuable skills at no cost to taxpayers.

(Commission Decision, 98-AFC-1, p. 272 (August 1999).)

The value of the union workforce supplied under a PLA has been demonstrated very recently. New power plants require sophisticated, advanced welding techniques. The quality of these welds is critical to safe, reliable operation of the plant. At Calpine's Metcalf plant, now being constructed with union labor under a PLA, as of early June, thousands of pipe welds have been performed, 266 welds have been verified with radiographs, and only one has been rejected. This is an exceptional level of quality workmanship.

In contrast, the only major project that was not constructed with union labor, AES's Huntington Beach project, was completed more than one year behind schedule and millions of dollars over budget.

LABOR RELATIONS SHOULD NOT CONCERN THE COMMISSION

Perhaps the heart of the accusations in the Cox letter are unstated: Although non-union contractors are not excluded from bidding for work covered by PLAs, non-union contractors were not awarded work on some of these projects.

Emphatically, this is not a subject that is appropriate for the Commission. The Cox letter, while offering no evidence to support the idea that CURE's participation before the CEC has been anything other than appropriate, appears to invite the Commission into an arena that is wholly

beyond its authority: namely labor relations. CURE, of course, respects the right of the authors of the Cox letter to support non-union contractors and to advocate for non-union contractors. Their letter, however, is out of bounds when it invites the Commission to involve itself in matters of labor relations. The Legislature agreed when it defeated Assembly Member Cox's AB 2497 in its first hearing.

As to the matter of participation in CEC proceedings, CURE, along with any other interests that seek to participate, can petition to intervene and raise issues within the CEC's jurisdiction. To suggest, as the Cox letter does, that unions or union coalitions, such as CURE, should be accorded second class citizenship before the CEC is a suggestion that should not require further discussion.

Furthermore, to suggest that the CEC should consider the economic motives of a participant instead of the merits of the claims raised would lead the CEC into a morass of speculation. Should the CEC consider the economic motives of local governments, local businesses, farmers, residents, or other interests? This would obviously be impossible, and the very idea is ludicrous.

Is the Cox letter suggesting that CURE should be singled out for an examination of its economic motives instead of the merits of its claims? Such a policy would constitute discrimination against unions, which CURE does not believe the Commission would ever entertain.

To the Commission's credit, its process has been open. It does not discriminate against participants based upon some suspected ulterior motive. The Commission has a distinguished history of considering the merits of the issues that are presented to it, and CURE's environmental achievements vindicate the Commission's practice. The Cox letter invites a departure from this and invites the Commission to enter terrain that is beyond its jurisdiction and impossible to perform.

The Commission has always conducted its proceedings consistent with its jurisdiction and has always focused on the merits of the claims presented to it. CURE has no doubt that the Commission will continue to do so in the future. CURE, however, felt obligated to provide these additional comments to clarify the record in light of the Cox letter.

We appreciate your consideration of our views, and the Commission's unflinching commitment to effective participation in its processes. California is better for it.

Sincerely,

Robert L. Balgenorth, Chair
California Unions for Reliable Energy

cc: Robert L. Therkelson, Executive Director



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR

Agricultural Land Conservation Committee Staff Report Agenda Item No. 2 October 13, 2009

SUBJECT: Review and make recommendation to forward to the Board of Supervisors regarding request for **PARTIAL CANCELLATION** of **AGRICULTURAL LAND CONSERVATION CONTRACT NO. 3219 (RLCC NO. 888)**, proposing to remove a 468.88-acre parcel of non-prime agricultural land from Contract restrictions to allow the construction of a solar hybrid plant consisting of two hybrid design solar thermal electric generating plants.

LOCATION: Located 3 miles west of Interstate 5 and W. Jayne Avenue, approximately 6 miles east of the City of Coalinga (SUP. DIST.: 4) (APN: 085-030-57s).

Applicant/Owner: William J. Mouren Farming, Inc.

STAFF CONTACT: Tawanda Mtunga, Planner
(559) 262-4196

Mohammad Khorsand, Senior Planner
(559) 262-4870

RECOMMENDATION:

Staff believes that the required findings can be made, and recommends that the Committee recommend to the Board of Supervisors to approve partial cancellation of Agricultural Land Conservation Contract No. 3219, subject to the following conditions:

1. Payment in full of the cancellation fee.
2. Unless the cancellation fee is paid or a Certificate of Cancellation of Contract is issued within one year from the date of the recording of this certificate, the cancellation fee shall be recomputed as of the date of notice by the landowner to the Board of Supervisors, as required by Government Code Section 51283.4.
3. The landowner shall obtain the necessary land use entitlements. Permitting for the proposed solar hybrid plant is issued through the State of California.

DEVELOPMENT SERVICES DIVISION

BACKGROUND:

The Agricultural Land Conservation Committee reviews requests for cancellation of agricultural land conservation contracts for consistency with the purposes of the Williamson Act, pursuant to Section 51282 of the Government Code. The Committee's action to approve or deny an application for contract cancellation becomes a recommendation to the Board of Supervisors.

The subject property is located 3 miles west of Interstate 5 and W. Jayne Avenue, approximately 6 miles east of the City of Coalinga (See Location Map Exhibit "A", Zoning Map Exhibit "B", and Existing Land Use Map Exhibit "C") (SUP. DIST.: 4) (APN:085-030-57s).

The applicant has filed a request for partial cancellation of Agricultural Land Conservation Contract (ALCC) No. 3219. The proposal seeks to remove 468.88 acres of non-prime agricultural land from Contract restrictions to allow the development of a solar hybrid plant consisting of two hybrid design solar thermal electric generating plants.

FISCAL IMPACT:

There is no net County cost associated with the recommended action. Property taxes would gradually increase on the land to be removed from ALCC No. 3219. The applicant paid the County a fee of \$3,290.00 to process the application, and is aware of the penalty that would be levied by the State Department of Conservation (DOC). This penalty is 12½ percent of the current fair market value of the land being removed from contract, as though it were free of contractual restrictions.

IMPACTS ON JOB CREATION:

Approval of the recommended action should not impact the creation of jobs in Fresno County.

DISCUSSION:

In order to approve a cancellation request, the Board of Supervisors must determine that the action is consistent with the Land Conservation Act of 1965. The law requires that five findings be made. The following is a list of the required findings and staff's analysis regarding each of the findings.

1. *That the cancellation is for land on which Notice of Nonrenewal has been served, pursuant to Section 51245 of the Government Code.*

An executed Notice of Partial Nonrenewal for ALCC No. 3219 was accepted by the County Recorder on April 14, 2009, and was assigned Document No. 2009-0049442. Nonrenewal was initiated on the entire 468.88 acres that comprise APN 085-030-57s.

Based on the fact stated above, staff believes this finding can be made.

2. *That the cancellation is not likely to result in the removal of adjacent lands from agricultural use.*

The subject property is currently not in agricultural use. The applicant has indicated that several of the surrounding parcels are either developed with non-agricultural uses, or are

not in agricultural use. Currently, the adjacent parcels west of the subject property consist of the Coalinga State Hospital, Pleasant Valley State Prison and to the east, a mixture of vacant parcels, rangeland and parcels with tilled soil.

Based on these facts, staff believes the proposed development will not result in removal of adjacent land from agricultural use, and the finding can be made.

3. *That the cancellation is for an alternative use that is consistent with the provisions of the County General Plan.*

The California Energy Commission has the sole authority to certify all sites related to electrical generation facilities. A commission certification is issued in lieu of any state or local agency permit. With respect to the General Plan consistency, the subject property is designated as Agriculture in the Fresno County General Plan. The County General Plan allows for development of certain non-agricultural uses, such as electrical generation facilities in areas designated for Agricultural use.

Based on the facts stated above, staff believes this finding can be made.

4. *That the cancellation will not result in discontinuous patterns of urban development.*

The subject property is located in an agricultural area of the County, and the proposed solar hybrid plant is not considered an urban development. Therefore, staff believes this finding can be made.

5. *That there is no proximate, non-contracted land which is both available and suitable for the use to which it is proposed that the contracted land be put, or that development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land.*

The applicant conducted an analysis of proximate non-contracted land within a seven-mile radius of the subject territory to determine if any non-contracted land was both available and suitable for the proposed alternate use. No non-contracted land that was both suitable and available was found.

Based on the facts mentioned above, staff believes this finding can be made.

ENVIRONMENTAL DETERMINATION:

It has been determined, pursuant to Section 15271 (b) (3) of the State of California Environmental Quality Act (CEQA) Guidelines, that the project is statutorily exempt.

OTHER REVIEWING AGENCIES:

As of January 1, 2001, Government Code Section 51284.1(a) requires notification to be provided by the County to the Director of the State Department of Conservation (the Director) once a cancellation application has been accepted as complete. Under Government Code Section 51284.1(c), the Director's comments are required to be considered by the Board of Supervisors before acting on the proposed cancellation. The proposal was referred to the Director on June 8, 2009, and as of the date staff report was prepared, no comment was

received from the DOC. However, staff will not place this application on the Board of Supervisors agenda until the DOC's comments are received.

CONCLUSION:

Based upon the above analysis, staff recommends approval of partial cancellation of Agricultural Land Conservation Contract No. 3219, subject to the conditions listed under the Recommendation section of this report.

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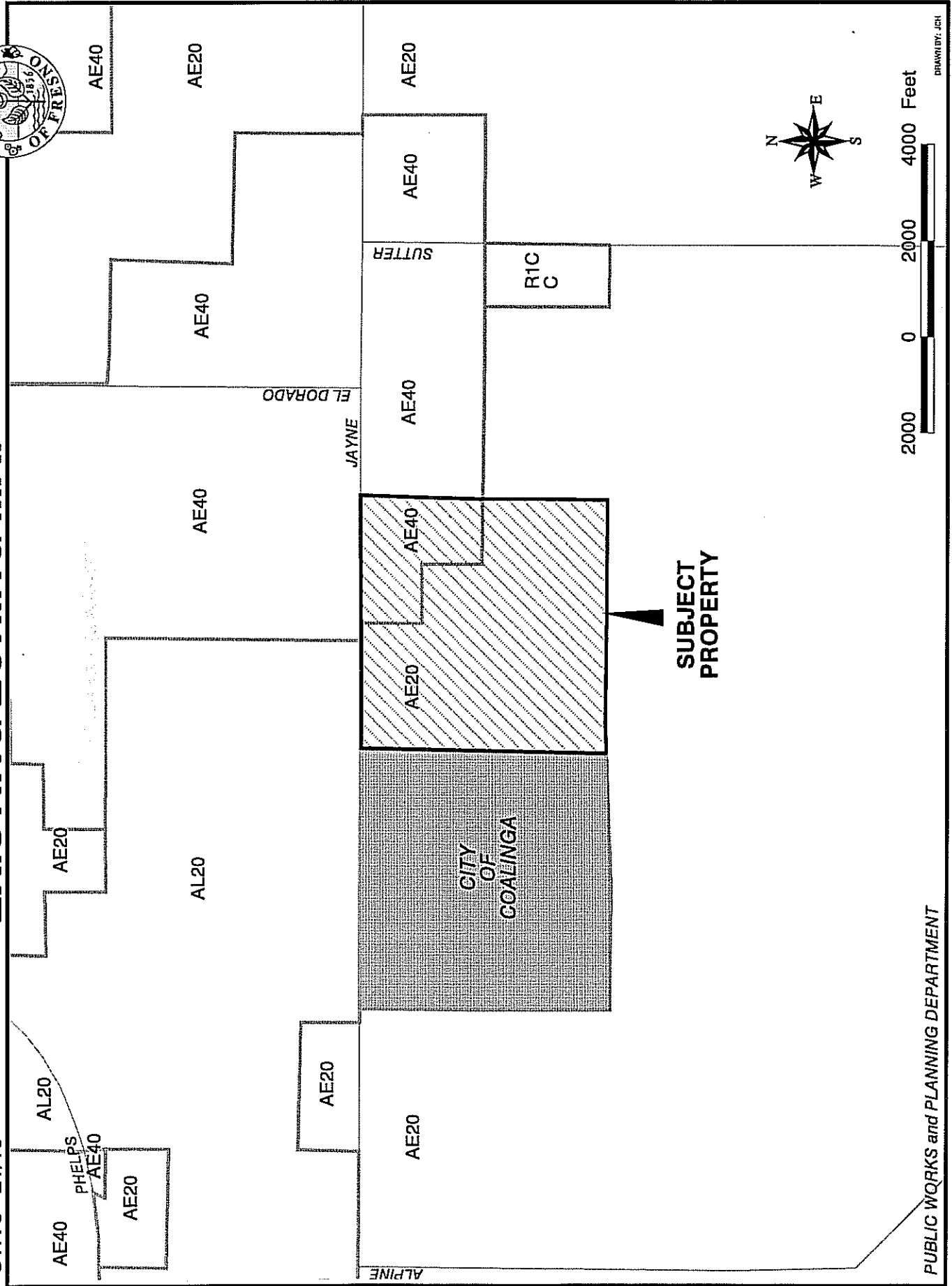
Staff report with Exhibits A-D

[illegible]

Prepared by: County of Fresno Public Works and Planning Department JCH11111

RLCC 888
STR 3 - 21/16

EXISTING ZONING MAP



PUBLIC WORKS and PLANNING DEPARTMENT

EXHIBIT 'B'

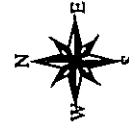
EXISTING LAND USE MAP

RLCC 888



Legend
DRY - DRY FARMING
FC - FIELD CROP
GRZ - GRAZING
SF# - SINGLE FAMILY RESIDENCE

 Subject Property
 Ag Contract Land



1000 0 1000 2000 3000 Feet

