

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5112**DOCKET****09-AFC-5**DATE OCT 21 2009REC'D OCT 21 2009

October 21, 2009

**TO: AGENCY DISTRIBUTION LIST****REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF ABENGOA MOJAVE SOLAR, DISTRIBUTION OF APPLICATION FOR CERTIFICATION SUPPLEMENT (09-AFC-5)**

On August 10, 2009, Mojave Solar LLC submitted an Application for Certification (AFC) to the California Energy Commission to develop the Abengoa Mojave Solar (AMS) project in San Bernardino County, California. On September 23, 2009, the California Energy Commission found the AMS project data inadequate in nine sections including; air quality, biological resources, land use, project overview, public health, soils, transmission system design, visual resources and water resources. On September 24, 2009, Mojave Solar LLC submitted a Data Adequacy Supplement, Volume 4 of the AFC, covering areas earlier determined as incomplete. This Supplement was evaluated by staff and subsequently, at the Energy Commission's October 21, 2009 Business Meeting, the Energy Commission found the AFC complete, beginning Energy Commission staff's analysis of the proposed project.

Project Location and Current Use

The proposed project site is approximately nine miles northwest of the town of Hinkley in unincorporated San Bernardino County, lying approximately halfway between the City of Barstow and Kramer Junction. The site is comprised of private property that was historically used as the Lockhart Ranch complex. Currently there are no ranching or residential activities on the property, except for one active pivot irrigation field of approximately 40 acres. The property is currently zoned Rural Living (RL).

Project Description

The proposed AMS project is a solar electric generating facility with two units on separate solar fields to be located on approximately 1,765 acres. An additional 81 acres shared between the units would be utilized for improvements designed for receiving and discharging offsite drainage.

The project would utilize solar parabolic trough technology to activate a heat transfer fluid, which when heated is used to create steam that is used to drive steam turbine generators. The sun would provide 100 percent of the power supplied to the project through the above system. The project would have a combined nominal electrical output of 250 megawatts (MW) from twin, independently-operable solar fields, each feeding a 125-MW power island. Natural gas from an adjacent pipeline will be used for the project's ancillary purposes, such as the auxiliary boilers. Each power island would also contain a diesel engine-driven firewater pump for fire protection and a diesel engine-driven backup generator for power plant essentials.

The AMS project proposes to connect to Southern California Edison Company's Kramer-Cool Water 230-kV transmission line which is adjacent to the southern border of

the proposed project site. All project-related transmission facilities would be within the project boundaries except the connection to the existing transmission line adjacent to the site.

The AMS project proposes to use wet cooling towers for power plant cooling and owns or has rights to adjudicated water rights to the Harper Valley Groundwater Basin for this purpose. This groundwater is considered brackish and/or not suitable for municipal supply or other potable uses. Water from onsite groundwater wells would be treated and used for the cooling tower makeup, process water makeup, and other industrial uses such as solar collector array washing.

If approved, construction of the generating facility, from site preparation and grading to commercial operation, is expected to take place from the fourth quarter of 2010 to the fourth quarter of 2012 (24 months total). If approved, the applicant anticipates that the project would be on line and in commercial service by the fourth quarter of 2012.

Agency Participation

To ensure that the Energy Commission has the information needed in order to make a decision, the Energy Commission's regulations identify a special role for federal, state, and local agencies (See, Cal. Code Regs., tit. 20, section 1714, 1714.3, 1714.5, 1742, 1743, and 1744). As a result, we request that you conduct a review of the AFC and Supplement and provide us with the following information:

- 1) a discussion of those aspects of the proposed site and related facilities for which your agency would have jurisdiction but for the exclusive jurisdiction of the Energy Commission to certify sites and related facilities;
- 2) a determination of the completeness of the list in the AFC of the laws, regulations, ordinances, or standards which your agency administers or enforces that are applicable to the proposed site and related facilities and would be under your jurisdiction, but for the Energy Commission's exclusive jurisdiction;
- 3) a description of the nature and scope of the requirements which the applicant would need to meet in order to satisfy the substantive requirements of your agency but for the Energy Commission's exclusive jurisdiction, and identification of any analyses that the Energy Commission should perform in order to determine whether these substantive requirements can be met; and
- 4) an analysis of whether there is a reasonable likelihood that the proposal will be able to comply with your agency's applicable substantive requirements.

The scope of your agency's comments on the AFC should encompass *significant* concerns and substantive requirements that would be required for permitting in your jurisdiction but for the Energy Commission's exclusive jurisdiction or certification. (Cal. Code Regs., tit. 20, section 1714.5, subd. (a)(2); emphasis added.) Please let us know

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if you need additional information or need to perform analyses or studies in order to resolve any concerns of your agency. (Cal. Code Regs., tit. 20, section 1714.5.) We request that all agency comments be provided to us by **January 21, 2010**, except for the Mojave Desert Air Quality Management District's Preliminary and Final Determinations of Compliance, which should be provided by **January 21, 2010** and by **April 19, 2010**, respectively. You may be asked to present and explain your conclusions at public and evidentiary hearings on the project. (See Cal. Code Regs., tit. 20, sections 1714.3, 1714.5, 1743, 1744.5, and 1748). Local agencies may seek reimbursement for reasonable costs incurred in responding to these requests. (Cal. Code Regs., tit. 20, section 1715).¹

The Energy Commission will work closely with you to ensure that your concerns and conclusions are described in the Preliminary Staff Assessment and Final Staff Assessment. Over the coming months, the Energy Commission will conduct a number of public workshops, scoping meetings, and hearings on the proposal to determine whether the proposed project should be approved for construction and operation and under what set of conditions. These workshops, scoping meetings, and hearings will provide the public as well as local, state and federal agencies the opportunity to ask questions about, and provide input on, the proposed project. The Energy Commission will issue notices for these workshops, scoping meetings and hearings at least 10 days prior to the meeting. We encourage your agency to participate in these proceedings.

Enclosed is a copy (CD) of the AFC Supplement in electronic format. A copy of the AFC was previously provided to you on August 27, 2009. If you would like to have a hard copy of the AFC sent to you, if you have questions, or if you would like additional information on how to participate in the Energy Commission's review of the project, please contact Craig Hoffman, Project Manager, at (916) 654-4781 or by email at choffman@energy.state.ca.us. The status of the project, copies of notices, electronic version of the AFC, and other relevant documents are also available on the Energy Commission's Internet web site at: <http://www.energy.ca.gov/sitingcases/abengoa>. You can also receive email notification of all project related activities and availability of reports by subscribing to the List Server on the website.

Sincerely,

Original signed by:

Eileen Allen, Manager

Energy Facilities Siting and Compliance Office

Date: 10/19/09

Enclosure

¹ Please note that pursuant to 20 CCR 1715 reimbursement is not available to state and federal agencies.



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 **ABENGOA MOJAVE**
SOLAR POWER PLANT

Docket No. 09-AFC-5

PROOF OF SERVICE
(Established 10/21/09)

APPLICANT

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DECLARATION OF SERVICE

I, April Albright, declare that on October 21, 2009, 2009, I served and filed copies of the attached Library Letter for the AFC Supplement; Request for Agency Participation in the Review of the AFC Supplement; and Notice of Receipt of the AFC Supplement, dated October 21, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/mariposa/index.html>].

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

For service to all other parties:

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, CA, 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:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 09-AFC-5
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

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

Original signed by: _____
April Albright