

Memorandum

Date: November 9, 2009
Telephone: (916) 653-4677

To: Julia Levin, Presiding Member
James Boyd, Associate Member
Hearing Officer, Raoul Renaud

From: California Energy Commission – Joseph Douglas
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512

DOCKET**08-AFC-12**

DATE NOV 09 2009

RECD. NOV 09 2009

Subject: **SAN JOAQUIN SOLAR 1 & 2 HYBRID PROJECT (08-AFC-12) STATUS REPORT 6**

Staff submits the following Status Report for the proposed San Joaquin Solar 1 & 2 Hybrid Project (SJS), pursuant to the Committee Scheduling Order dated May 7, 2009.

Current Issues and Activities for Resolution

Staff continues to work through the discovery and analysis phase of the proposed SJS project Application for Certification (AFC). Staff received a complete set of data responses on July 15, 2009, and a Data Response/Issues Resolution Workshop was held on August 6, 2009, in Sacramento. Based on discussions and questions at the workshop the applicant provided supplemental information in the areas of Air Quality, Land Use, Public Health, Soils/Water, and Waste Management on August 28, 2009. Staff is now reviewing the additional information and preparing its Preliminary Staff Assessment (PSA) and anticipates publication in mid-December 2009.

Agency Actions and Comments

Concerns were raised by The California Department of Toxic Substance Control regarding toxic waste on the site. Further testing and sampling was performed and staff now has the necessary information to complete their PSA sections. The California Department of Fish and Game and the U.S. Fish and Wildlife Service have concerns that the project would impact the habitat and movement activities of the San Joaquin Kit Fox. The applicant is working with these agencies to formulate a mitigation plan including participation in establishing a proposed Habitat Conservation Plan (HCP). It has submitted preliminary survey results that will be incorporated into the biological resources analysis of the PSA. In addition, the Central Valley Regional Water Quality Control Board (RWQCB) requires an Application/Report of Waste Discharge from the applicant in order to prepare the draft Waste Discharge Requirements (WDRs) for the project's proposed evaporation pond that will be considered by staff. Staff is coordinating with the applicant and RWQCB to facilitate the timely delivery of any studies or sampling that may be required. However, staff is working towards a PSA section incorporating the information that is currently available.

Project Manager Transition

Joseph Douglas will be assuming the duties of Compliance Project Manager effective December 1, and Felicia Miller has been assigned as SJS Project Manager. Over the next few weeks, Mr. Douglas will be working with Ms. Miller to ensure a smooth transition. Ms. Miller can be contacted at (916) 654-4640 or by email at fmiller@energy.state.ca.us.

Schedule

Staff continues to be as productive as possible, in light of the high workload of siting cases, and various time and resource constraints. Staff is now working towards the following departure from the initial Committee Scheduling Order of May 7, 2009.

	ACTIVITY	Original Date	Staff Proposed /Actual Date
1	Applicant files Application for Certification (AFC)	11/26/08	
2	Commission's determination that AFC is complete	3/11/09	
3	Informational Hearing and Site Visit	4/22/09	
4	Staff files data requests	4/30/09	
5	Parties file Status Report 1	5/29/09	6/3/09
6	Applicant provided data responses	5/20/09; 6/1/09	7/15/09
7	Local, state and federal agency preliminary comments	7/31/09	
8	Data response and issue resolution workshop	6/3/09	8/6/09
9	Staff receives Cal ISO Phase I Interconnection Study	7/30/09	9/17/09
10	Staff receives Preliminary Determination of Compliance (PDOC)	7/31/09	10/15/09
11	Applicant provides Application/Report of Discharge to Water Board		12/7/09
12	Parties file Status Report 7	12/8/09	
13	Staff files Preliminary Staff Assessment (PSA)	8/27/09	12/15/09
14	PSA workshop	9/10/09	1/7/10
15	Applicant provides Biological analysis and certainty of completeness regarding the development of HCP	9/9/09	1/15/10
16	Water Board issues recommendation for WDRs		1/15/10
17	Local, state and federal agency final comments		1/15/10
18	Staff files Final Staff Assessment (FSA)	10/14/09	2/15/10
19	Prehearing Conference*	TBD	
20	Evidentiary Hearings*	TBD	
21	Committee files revised proposed decision*	TBD	
22	Commission Decision *	TBD	

*TBD = To Be Determined

Shaded items have been completed



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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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)**

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Declaration of Service

I, Mineka Foggie, declare that on November 10, 2009, I served and filed copies of the attached San Joaquin Solar 1 & 2 Hybrid Project (08-AFC-12) Status Report #6 Dated November 09, 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:

☒ 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:

☒ 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

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

Mineka Foggie