

DOCKET

09-AFC-3

DATE FEB 10 2010

RECD. FEB 11 2010

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Mr. Bohdan Buchynsky
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333 S. Grand Ave., Suite 1570
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**RE: MARIPOSA ENERGY PROJECT (MEP) (09-AFC-3)
DATA REQUEST SET 1 (Nos. 1-8)**

Pursuant to Title 20, California Code of Regulations, Section 1716 (b), Intevenor Robert Sarvey seeks the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess potential mitigation measures.

If you are unable to provide the information requested, need additional time, or object to providing the requested information, please send a written notice to both the Committee and me within 20 days of receipt of this notice. The notification must contain the reasons for not providing the information, and the grounds for any objections (see Title 20, California Code of Regulations, Section 1716 (f)).

Mariposa Data Requests

- 1) Please provide a copy of the mitigation agreement with San Joaquin Valley Air Pollution Control district that provides \$644,000 to the SJVUAPCD for air quality programs. Provide the detailed analysis, work papers, and the mitigation plan for the funding.
- 2) Please provide details of the emissions from the Byron Cogen Plant that is on the same parcel as the proposed Mariposa Project.
- 3) Please provide the details of the emissions from the PG&E Natural gas compressor station near the project.

Land Use

Background: Mariposa Energy received a reply letter from the Department of Conservation on July 6, 2009 titled Alameda County: Mariposa Energy Project Proposed Electric Facility as "Compatible Use". The letter states, " Given the stated facts in your letter dated June 2, 2009, the Mariposa Energy Project appears to be a compatible use with the on-going agricultural activities occurring on the 158-acre parcel. While the final decision is in the hands of the County of Alameda, the Department of Conservation could certainly concur with that conclusion should Alameda County arrive at it."

- 4) Please provide all correspondence with Alameda County, Memos. Emails, Records of conversations, etc. related to the Projects compatibility with the Williamson Act.
- 5) Please provide the hearing dates, meetings, etc. for Alameda County's determination that the project is a compatible use with the Williamson Act.
- 6) Has the Mariposa Project applied for a conditional Use Permit for the Project?
- 7) Please provide the application if one has been filed for the conditional use permit.
- 8) Please provide the distance from the Mariposa Project to the Mountain House Community when the project has reaches full build out.

DECLARATION OF SERVICE

I, Robert Sarvey declare that on January 29, 2010 I served and filed copies of the attached Mariposa Energy Project (MEP) (09-AFC-3) Data Request Set 1(Nos. 1-8) dated January 29,2009 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:

[\[http://www.energy.ca.gov/sitingcases/mariposa/index.html\]](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,

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. 09-AFC-3
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I declare under penalty of perjury that the foregoing is true and correct.

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