

# Memorandum

Date: March 30, 2010  
 Telephone: (916) 654-4781  
 File: 09-AFC-3

To: Commissioner Jeffrey Byron, Presiding Member  
 Commissioner Robert Weisenmiller, Associate Member  
 Ken Celli, Hearing Officer

<b>DOCKET</b>	
<b>09-AFC-3</b>	
DATE	MAR 30 2010
RECD.	MAR 30 2010

From: California Energy Commission - Craig Hoffman  
 1516 Ninth Street  
 Sacramento, CA 95814-5512  
 Siting Project Manager

Subject: Mariposa Energy Project (09-AFC-3)  
 Project Status Report #4

Pursuant to the Committee Scheduling Order dated October 30, 2009, the following is staff's Status Report #4 for the proposed Mariposa Energy Project (MEP). This is an update for activities that have occurred since the previous Status Report on March 4, 2010.

## Data Requests

Staff issued data request Set 2 A on March 4, 2010. These data requests were in regard to the Williamson Act Contract on the property, the lease between Diamond Generation and the property owner and exceptions in the title report.

## Supplement B – Additional Laydown Area Analysis

The Applicant provided Supplement B – Additional Laydown Area Analysis on March 5, 2010. Mariposa Energy prepared this supplement to provide Energy Commission staff with a detailed environmental analysis of an additional 4.2 acres of laydown area adjacent to the MEP site. This additional area includes the space directly between the MEP site and the original proposed laydown area, as well as a slight extension to the north.

## Outstanding Data Responses

The applicant has indicated that a Data Response packet will be provided on April 1, 2010 that includes clarification of data responses for transmission system engineering and responses to comments from the Contra Costa County Airport Land Use Commission; Keith Freitas - Contra Costa County Director of Airports and Hal Yeager - Contra Costa County Airport Land Use Commissioner.

Staff needs these data responses prior to completion of the Preliminary Staff Assessment (PSA).

### **Bay Area Air Quality Management District**

The applicant is working with the Bay Area Air Quality Management District (BAAQMD) to ensure that an application to the district is accepted as complete and is being reviewed. The applicant provided the BAAQMD with additional dispersion modeling for nitrogen dioxide on March 16, 2010.

The air district has indicated that they are still working with the applicant on carbon monoxide standards for the project. Until the applicant and air district reach an agreement on appropriate standards, the information to prepare the Preliminary Determination of Compliance (PDOC) is not complete and the PDOC cannot be prepared.

The air district has not identified when the PDOC will be completed. The delay of the PDOC is creating a delay in the preparation of the Air Quality section of the PSA.

### **Project Schedule**

The project schedule is dependent upon the applicant providing complete data responses and the PDOC being issued by the air district. Staff is unable to commit to a schedule at this time without assurances on when the PDOC will be issued. Once staff, knows when the PDOC will be issued, we will propose a modified schedule.

Staff will continue to keep the Committee apprised of current work products and critical timelines, and a project status report will be prepared for May 1, 2010.

cc: Proof of Service List  
Docket 09-AFC-3



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](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE **MARIPOSA ENERGY PROJECT**  
(MEP)

**Docket No. 09-AFC-3**

**PROOF OF SERVICE**  
(Revised 2/8/2010)

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## DECLARATION OF SERVICE

I, Mineka Foggie, declare that on April 1, 2010, I served and filed copies of the attached Project Status # 4. 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:**

X sent electronically to all email addresses on the Proof of Service list;

X by personal delivery or by depositing in the United States mail at \_\_\_\_\_ 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. 09-AFC-3  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

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

\_\_\_\_\_  
Mineka Foggie