

CALIFORNIA ENERGY COMMISSION

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DOCKET**07-AFC-3C**DATE Aug 09 2011RECD. Aug 09 2011

August 9, 2011

James C. Turney
P.O. Box 6905
La Quinta, CA 92248-6905

Re: CPV Sentinel, LLC's petition requesting to amend the CPV Sentinel Energy Project (07-AFC-3C)

Dear Mr. Turney,

Thank you for contacting the California Energy Commission regarding the petition filed June 6, 2011, by CPV Sentinel, LLC, requesting to modify the CPV Sentinel Energy Project.

The 850-megawatt project was certified by the Energy Commission on December 10, 2010, and began construction on June 1, 2011. The proposed modifications in the petition would change the general arrangement of project components. A number of structures already approved by the Energy Commission are changing locations within the 37 acres of the original site.

On June 29, 2011, staff filed a Notice of Determination that the petition meets the criteria set forth in 1769(a)(2), Title 20, California Code of Regulations, and that full energy commission approval is not required. In analyzing the petition staff made three specific findings:

- 1) The proposed changes to the project will have no significant effect on the environment. (CEQA Guidelines Section 15382, define the term "significant effect on the environment" as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance.);
- 2) The existing Conditions of Certification are sufficient to cover the proposed modifications without changing any Conditions of Certification; and
- 3) The project, as modified, will remain in compliance with applicable laws, ordinances, regulations, and standards.

Staff has read and considered your July 11, 2011 letter, as well as your follow up comments dated July 29. Energy Commission staff is currently analyzing the amendment_request and will publish an analysis in the near future. However, in its analysis of the proposed changes to the licensed facility, staff will not be taking into

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consideration the concept of “wind wake” that you raised in your comments. Staff’s analysis will be based solely on the modifications proposed by CPV Sentinel, LLC in their petition and the incremental effects of those changes (if any) to the facility, as licensed. Incidental economic effects do not trigger further environmental review. If a proposed project may cause economic consequences, but no significant environmental impacts, CEQA does not require environmental review, thus, “wind wake” is not an issue that requires further analysis as a part of this amendment proceeding.

However, in response to the concerns raised on behalf of your client, staff has recommended that this petition for amendment be heard at the September 21, 2011, Energy Commission Business Meeting, and has been placed on the agenda for consideration by the full commission pursuant to Title 20, Calif. Code of Regulations, section 1769.

This is a public hearing for the purpose of approving or denying the amendment proposal. For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser’s Office at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at pao@energy.state.ca.us.

Sincerely,

DALE RUNDQUIST
Compliance Project Manager
Siting, Transmission & Environmental Protection
Division

cc: Mail List 7240