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File No: 19/36

April 30, 2012

VIA ELECTRONIC AND U.S. MAIL DELIVERY

dockets@energy.state.ca.us

DOCKET

11-AFC-2

DATE APR 30 2012

RECD. MAY 01 2012

The Honorable Karen Douglas, Commissioner Presiding Member
The Honorable Carla Peterman, Associate Member
Hearing Officer Kenneth Celli
California Energy Commission Dockets Unit
Docket No.: 11-AFC-2
1516 Ninth Street, MS-14
Sacramento, CA 95614

Re: Request for Listing As Interested Agency; Correction of Factual
Representations Concerning Position of Southern Inyo Fire Protection
District

Dear Honorable Commissioners:

This office represents the Southern Inyo Fire Protection District (the "District"), an Interested Agency¹ with respect to the Hidden Hills Solar Electric Generating System Application (the "project") and a responsible agency under the certified regulatory program review of the project under provisions of the California Environmental Quality Act (Public Resources Code section 21000 *et seq.* "CEQA")².

Initially, the District seeks to correct representations in the record, specifically the March 16, 2012 communication to you from the Senior Project Manager received March 16, 2012 wherein it is represented on page 7 that:

"Staff has not yet received a response to the November 17,

1 The District requests to be prospectively listed as an interested agency with respect to all Commission proceedings with respect to this project.

2 See, Public Resources Code section 21080.5; CEQA Guidelines sections 15250-15253.

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2011, worker's safety and fire protection data request, sent 1.C, nos. 95 and 96³. The data's request advised the applicant to provide either confirmation of an agreement with a Southern Inyo Fire Protection District (SIFPD) that there would be no expected impacts resulting from the construction and operation of the project or a fire protection and emergency services risk and needs assessment. Without this agreement or documentation, staff cannot fully assess the potential project impacts to SIFPD's ability to provide fire protection and emergency medical services to the project and still fulfill their responsibilities to the rest of the public."

First, it is noted that there has been a District response transmitted to Commission Staff dated February 15, 2012, which initially responds to the November 17, 2011 request, a copy of which is enclosed. Simply stated, like any development within the District, the project will have an impact on the services and facilities of the District for which there should be proportionate financial mitigation.

Additionally, the District is not in agreement that the impact of the project can be met by a Fire Protection and Emergency Services Risk and Needs Assessment, *without* the incorporation of independent review or peer review within that assessment.

The District would respectively note that mitigation for the project impacts would be consistent with both the requirements for consistency or conformity with the County of Inyo's General Plan as well as regulations applicable to the project. The District has had

3 The November 17, 2011 communication referenced to data request numbers 95 and 96 provides as follows:

"95. Please provide a letter, email, or record of conversation with SIFPD that confirms the absence of any expected impacts on the local fire district resulting from construction and operation of the proposed project.

96. In the absence of such letter or communication, please provide a Fire and Emergency Services Risk Assessment and a Fire Protection and Emergency Services Needs Assessment for the construction and operation of the project that provides an objective estimate of both equipment and staffing shortfalls (if any) and the associated recommended mitigations (if any) that would be required by SIFPD to maintain its current level of readiness to respond."

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California Energy Commission Dockets Unit
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communications with the applicant representatives on these issues without definitive response.

Your review of the matters set forth in this communication is respectfully requested.

Very truly yours,

A handwritten signature in black ink, appearing to read "William D. Ross", written in a cursive style.

William D. Ross
District Counsel

WDR:lcm
Enclosure

cc: Larry Levy, District Chief
Attached Service List

ATTACHMENT

CALIFORNIA ENERGY COMMISSION

REPORT OF CONVERSATION

Page 1 of 1

DOCKET

11-AFC-2

DATE FEB 15 2012

RECD. FEB 15 2012



*Siting, Transmission, and
Environmental Protection Division*

FILE: 11-AFC-2

PROJECT TITLE: Hidden Hills SEGS

<input checked="" type="checkbox"/> Email	<input type="checkbox"/> Phone	<input type="checkbox"/> Meeting Location:	
NAME: Steve Kerr	DATE: Feb. 15, 2012	TIME: 3:26 pm	
WITH: Larry Levy, Acting Chief, Southern Inyo Fire Protection District (SIFPD)			
SUBJECT: SIFPD - Emergency Medical Response Needs Assessment Form			

I received an email from Larry Levy, Acting Chief, Southern Inyo Fire Protection District (SIFPD), in response to CEC staff's 9/30/11 letter to SIFPD regarding Potential Fire District Emergency Medical Response Needs.

The following is the content of our email:

>>> L.Levy <levy2717@access4less.net> 2/15/2012 3:26 PM >>>

Steve,

Attached is our response to the questionnaire with one attachment. The attachment is a recommendation of our legal counsel. As an independent District we receive no portion of the Prop 13 limited 1% tax base. The District finally got our residents to vote for a minimal parcel tax to support the work (on the 4th attempt). We have lost revenue in the last few years due to land transfers from private hands back to public lands. We are currently working on our own needs assessment and will meet with representatives from BrightSource when it is complete.

Call me if you have any questions. C 775-513-5675 H 760-852-4552

Larry Levy, Acting Chief, SIFPD

Attachments:

HH_emergency+medical+response+needs+assess+form[1]
Attachment A

CC: Project file Dick Ratliff, Staff Counsel	Prepared by: Steve Kerr
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Emergency Medical Response Needs Assessment Form	
Project Characteristics, as Proposed by the Project Applicant	
Type, Location, Size, and Site Access:	Power generating facility proposed on 3,277 acres in Inyo County, California, along the California-Nevada border. Primary site access would be from Tecopa Road (Old Spanish Trail Highway) from the project entrance road at the east side of the project. Secondary access would also be from Tecopa Road at the west side of the project, then along the paved road between the two solar plants.
Estimated Schedule:	Construction of the power generating facility, from site preparation and grading to commercial operation, would take approximately 29 months. If approved, construction would begin the third quarter of 2012 and conclude the second quarter of 2015. The two solar plants would be constructed concurrently with a planned three-month delay between their start dates. See Table 2.2-2 in the Project Description Section of the AFC for a list of the project schedule major milestones.
Construction (Traffic and Work Force):	Construction would generally occur between 5 a.m. and 3:30 p.m. with swing shift during heleostat assembly from 6:00 p.m. to 4:00 a.m. During the peak construction month (month 14), approximately 2,744 daily trips would occur. Of these daily trips, truck traffic accounts for 834 trips. The truck trips are assumed to be spread out equally throughout the day (from 6 a.m. to 6:00 p.m.). These trips are only the trips for the project site and do not include the trips related to the construction of the transmission line and gas line (as they are off-site). The number of workers per day range from 35 in month 29 to 1,033 in month 14. The highest numbers are predicted during construction months 13 through 16. The peak number of workers on-site is during month 14 with a projected 1,033 workers. Overall, there is a 1-year period where the number of workers is within approximately 20% of the peak.
Operation (Staff and Traffic):	The project would employ approximately 120 full-time workers resulting in approximately 240 daily trips. Only 40 employees are required for the daytime shift (80 trips) and the remaining 80 employees would work an evening shift. The evening shift employees would likely travel outside of the peak commute period.
Project Medical Emergency Response Features:	A health and safety program for both construction and operation designed to mitigate hazards and comply with applicable regulations would be implemented. Safety training programs would be provided to construction and operations personnel. The Emergency Action Program/Plan is part of the construction and operation health and safety plan. The Emergency Action Program/Plan would describe escape procedures, rescue and medical procedures, alarm and communication systems, and response procedures for very hazardous materials that can migrate. The programs or plans are contained in written documents that are usually kept at specific locations within the facility.
Existing Emergency Medical Response Resources and Services in the Project Area (attach additional paper if more room is needed to answer questions)	
Names and addresses of the facilities (e.g., fire stations, ambulance dispatch facility) serving the project area, and distance of closest dispatch facility to the project site:	Southern Inyo Fire Protection District (SIFPD) office and station, 410 Tecopa Hot Springs Rd. Dispatched by Inyo County SO. Response time, page to project site, 30-40 min. The District includes 1250 sq. mi. of S.E. Inyo County.
Adopted or desired emergency medical response service standard (e.g., 5 minute minimum emergency response time, 1 emergency response unit per 1,000 employees):	It is the desire of SIFPD to enhance our EMS and fire response capabilities in the project area (Charleston View) to provide response times in the 5-10 minute range. This will require the acquisition of both facilities and equipment as well as the training of additional responders.
Existing staffing levels able to respond to emergency medical incidents for facilities serving the project area (including permanent and volunteer staff, totals and per shift):	2 EMT-B, 1 FFII, 2 FFI in training, 4 Entry Level FF/First responder. All personnel currently volunteer /on-call 24-7.
Estimated emergency medical response times to the project site:	Currently 30-40 min. Projected with additional ambulance and trained staff in project area 5-10 min.
Current projected needs (e.g., facilities and staff) to maintain or meet existing emergency medical response service levels:	3 bay station to house new ambulance and existing fire apparatus in project area. Minimum 2 trained EMTs and 4 firefighters in project area.

Emergency Medical Response Needs Assessment Form	
Exchange of general emergency medical response responsibilities (e.g., formal and/or informal agreements with local municipalities or private companies for provision of services) in the project area:	Nearest mutual aid is Pahrump Valley Fire and Rescue Services approx. 30 min. Nye County Emergency Services also in Pahrump, Nv. / fire only. None of our neighboring jurisdictions are staffed adequately enough to guarantee availability.
Current inventory of specialized equipment or services (e.g., life flight services):	Mercy Air helicopters are available from Pahrump 10 min. or Las Vegas 30-40 min.
Estimated Need for Emergency Medical Response Services, Equipment, and Facilities (attach additional paper if more room is needed to answer questions)	
Is there a process or formula used by your department to determine the need for additional medical response services to serve a new large-scale power plant? Please explain.	The process we will use is a risk assessment to determine needs for additional staffing, equipment and needs for specialized training. These needs will include support for EMS: fire, rescue, confined space operations, hazards associated with high pressure steam and electrical generation and transmission.
Could the project trigger a need for additional emergency medical response services? Please explain. During project construction: During project operation:	YES. The project will at least triple our District's population during the construction phase. All roads in the area are narrow with little or no shoulders. Increased traffic will result in increased motor vehicle accident responses. Employees in operation phase will double the current population of the project vicinity.
Could increased project-related traffic affect circulation and access on roads near the project site to the extent that an impact to emergency response times might occur? Please explain. During project construction: During project operation:	YES. As stated above, all roads in the area are narrow with little or no shoulder. Old Spanish Trail aka Tecopa Road is the only paved access from Hwy 160 in Nevada or Hwy 127 in California. Traffic is currently light except for increased usage for access to Dumont Dunes recreation area, especially long weekends. During operation increased traffic should not be a significant issue.
Do emergency medical response personnel review development site plans for projects to assess potential medical emergency issues (e.g., safety plans, emergency response plans)? Please explain.	Southern Inyo Fire Protection District acts as the Fire Marshall in the area and will want to be involved in emergency planning so that we can respond effectively in an emergency.
Please explain any other emergency medical response concerns that have not been addressed by this needs assessment form.	SIFPD medical emergency response is currently an EMT-Basic service. We are currently assessing requirements to achieve a higher level of care.
Person Completing This Needs Assessment Form	
Name:	Larry Levy
Title/Position:	Acting Chief, SIFPD
Telephone No:	w. 775-513-5675 h. 760-852-4542
E-mail Address:	levy2717@access4less.net

Southern Inyo Fire Protection District

PO Box 51 - Tecopa Ca., 92389 - 760-852-4130

Attachment "A"

The District was created and authorized under the Fire Protection District Law of 1987 (Health and Safety Code section 13800 *et seq.*, the "Act").

It is the local agency authorized to provide fire prevention, suppression and emergency medical services within its boundaries and to the Project site.

Upon formation the District did not receive any portion of the 1% property tax rate levied under Cal. Const. section XIII A. It is established policy of the District Board that any development within the District should bear a proportional share for fire services and equipment.

The revenue authority for the District is set forth within the Act, sections 13910 through 13916.

Among the types of financing mechanisms that are available are a voter approved Special Tax, section 13911 (Government Code section 50075 *et seq.*); a Special Tax consistent with the Mello-Roos Communities Facilities Act, section 13912 (Government Code section 53311 *et seq.*); a Special Tax levy for Fire Protection, section 13913 (Government Code section 53970 *et seq.*); a Fire Suppression Services Assessment, section 13914 (Government Code section 50078 *et seq.*). The District also has Capital Improvement Financing Authority under the Improvement Act of 1911 (Streets and Highways Code section 5000 *et seq.*); the Improvement Bond Act of 1915 (Government Code section 5000 *et seq.*) and the Municipal Improvement Act of 1913 (Streets and Highways Code section 10000 *et seq.*). The District may also charge a fee for the services that it renders, section 13916.

The District maintains that the most efficient and immediate way for the Project to bear its proportional fair share would be by way of a special tax, a Mello-Roos Communities Facility Special Tax or a Fire and Police Special Tax, or a Fire Suppression Services Assessment (which would be subject to Proposition 218 analysis) all of which could be authorized by a vote of the property owner for the Project.

DECLARATION OF SERVICE

I, Le Chaune Metoyer, declare that on April 30, 2012, I served and filed a copy of the attached Request for Listing As Interested Agency; Correction of Factual Representations Concerning Position of Southern Inyo Fire Protection District, dated April 30, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: [www.energy.ca.gov/sltingcases/hydrogen_energy/index.html].

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

(Check all that Apply)

For Service to all other parties:

 x Served electronically to all e-mail addresses on the Proof of Service list;

 Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person serve, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date of those addresses **NOT** marked "e-mail preferred."

AND

 x by sending an electronic copy to the e-mail address below (preferred method); **OR**

 by depositing an original and 12 paper copies in he mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT

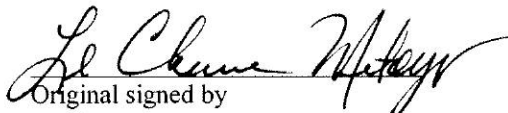
Attn: Docket No. 11-AFC-2
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

 Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street, MS-14
Sacramento, CA 95814
mlevy@energy.state.ca.us

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


Original signed by
Le Chaune Metoyer



**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 *HIDDEN HILLS SOLAR ELECTRIC
GENERATING SYSTEM***

DOCKET NO. 11-AFC-2

**PROOF OF SERVICE
(Revised 3/22/2012)**

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