



TETRA TECH EC, INC.

California Energy Commission

DOCKETED

11-AFC-3

TN # 67679

OCT. 11 2012

October 11, 2012

Eric Solorio, Project Manager
California Energy Commission
Docket No. 11-AFC-3
1516 9th St.
Sacramento, CA 95814

Cogentrix Quail Brush Generation Project - Docket Number 11-AFC-3, Response to Dorian Houser's Intervenor Data Requests, 28, 29, and 30

Docket Clerk:

Pursuant to the provisions of Title 20, California Code of Regulations, and on behalf of Quail Brush Genco, LLC, a wholly owned subsidiary of Cogentrix Energy, LLC, Tetra Tech hereby submits the Response to Dorian Houser's Intervenor Data Requests, 28, 29, and 30. The Quail Brush Generation Project is a 100 megawatt natural gas fired electric generation peaking facility to be located in the City of San Diego, California.

The topic addressed in this letter includes the following:

- Alternatives
- Air Quality and Public Health

If you have any questions regarding this submittal, please contact Rick Neff at (704) 525-3800 or me at (303) 980-3653.

Sincerely,

A handwritten signature in blue ink that reads "Constance E. Farmer".

Constance E. Farmer
Project Manager/Tetra Tech

cc: Lori Ziebart, Cogentrix
John Collins, Cogentrix
Rick Neff, Cogentrix
Proof of Service List

TETRA TECH EC, INC.



**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
QUAIL BRUSH GENERATION PROJECT***

**DOCKET NO. 11-AFC-03
PROOF OF SERVICE
(Revised 10/08/2012)**

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DECLARATION OF SERVICE

I, Constance Farmer, declare that on October 11, 2012, I served and filed a copies of the attached Response to Dorian Houser's Intervenor Data Requests, 28 through 35 dated October 11, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: <http://www.energy.ca.gov/sitingcases/quailbrush/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:

- 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 served, 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 to those addresses marked **"hard copy required"** or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- by sending an electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the 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-03
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

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
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



Analysis of Alternatives

28. Data Request: Please provide a map of the SDG&E territory with overlays displaying the following features: 1) property zoned appropriately for operation of the proposed facility; 2) the location of existing natural gas lines; 3) the location of transmission lines; 4) and the location of other natural gas power generation facilities, whether active, slated for retirement, or retired.

Response:

The requested map is included as Figure 1. Figure 1 was developed by identifying all of the jurisdictions within the SDG&E service territory, reviewing the zoning ordinance of each jurisdiction to identify zone districts that are zoned appropriately for operation of the proposed facility, and determining whether GIS data of the zone districts is available. Figure 1 does not show where a power plant is allowed by right, but rather where it may be allowed if it met the various requirements to obtain a conditional use permit. Much of this area is within the unincorporated areas of San Diego County. Figure 1 includes three categories: zone districts that would allow the project under a conditional use permit, property not zoned appropriately for operation of the proposed project, and data not available.

The CEC website http://www.energy.ca.gov/sitingcases/all_projects.html provides information for all of the power plants in California over 50 MW since 1996. This list was narrowed to include operational power plants within the SDG&E service territory; these power plants are included on Figure 1. Note that information regarding power plants that are slated for retirement or retired and power plants that are less than 50 MW could not be found online and therefore are not included on Figure 1.

This information is plotted on Figure 1 as well as the location of existing natural gas pipelines 20 inches in diameter or greater and high voltage transmission lines.

29. Data Request: Please provide additional information on how and whether the proposed sites are deemed “commercially available.”

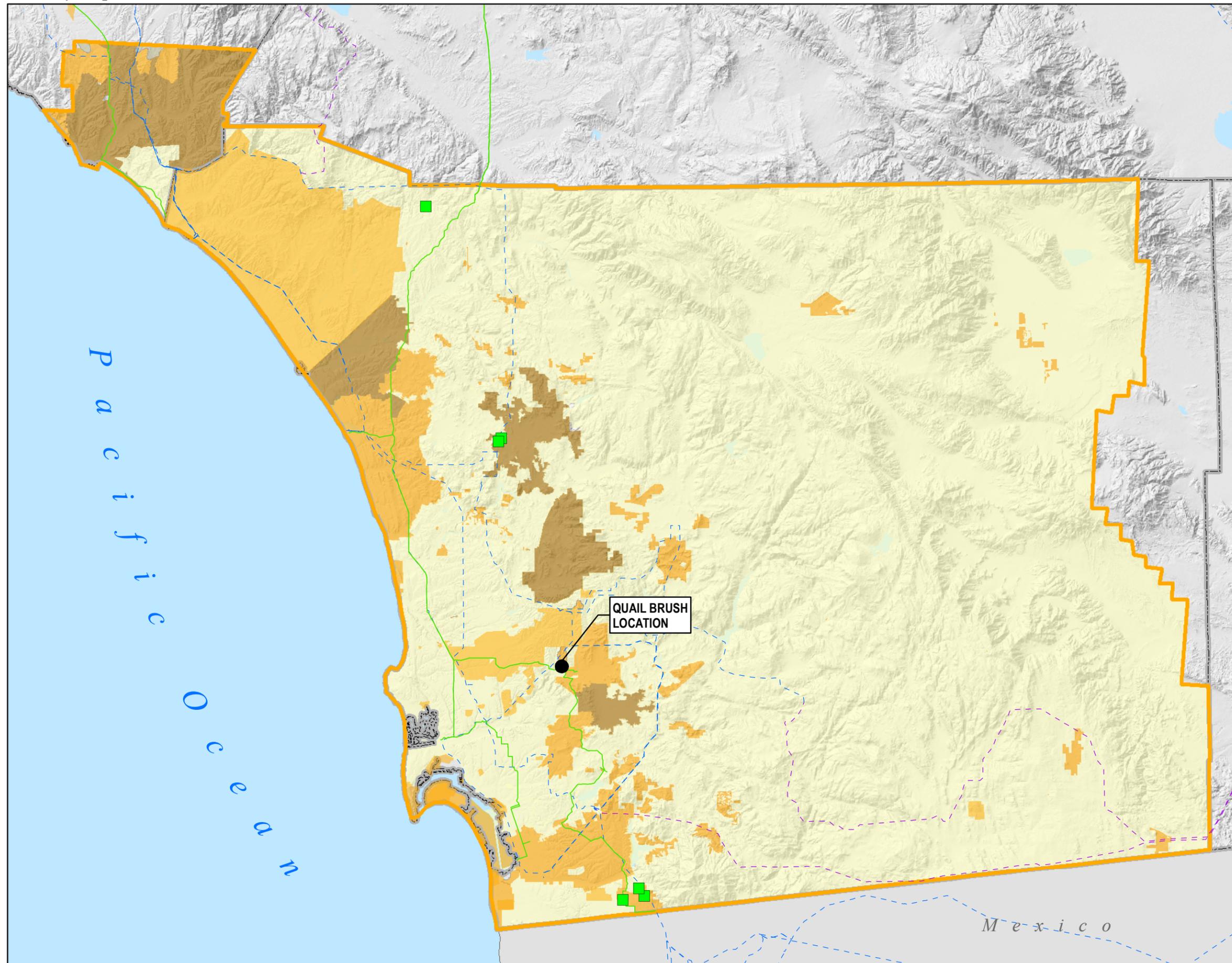
Response:

The Applicant is not aware of any standard definition of “commercially available” that applies to real property. However, the term as used by the Applicant is based upon the concept of feasibility as specified in the California Environmental Quality Act (CEQA), which requires consideration of “feasible alternatives.” (See Cal. Pub. Res. Code § 21002; Cal. Code Regs Tit. 14 § 15126.6.) “‘Feasible’ means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.” (Cal. Pub. Res. Code § 21061.1; Cal. Code Regs Tit. 14 § 15364.) A parcel of land is commercially available as a feasible alternative if it is capable of being developed in a successful manner within a reasonable period of time. A parcel would not be commercially available if, for example, it was currently dedicated to a use that would not allow for development of the project, it was owned by a government agency which would not allow for the developed of the project, or it was subject to an easement or other title encumbrance which would preclude the proposed project. The Applicant believes that the proposed site and alternative sites are feasible and commercially available.

30. Data Request: Please provide a quantitative definition for the phrase, “away from sensitive receptors,” and the justification for the definition as it relates to air quality and human health impacts.

Response:

A quantitative definition of “away”, in terms of distance (feet, miles, kilometers, etc.) cannot be specified, but would certainly be different for each specific project or locality. The term “sensitive receptor” as delineated in OEHHA guidance, The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments, and Section 4.6.4, August 2003, Cal EPA, OEHHA, is that a receptor is characterized as being one of the following receptor types; school, nursing home, residential care facility, daycare facility, or hospital. With the exception of the 1,000-foot notification criteria used for permitting diesel engines in the proximity of school sites, the Applicant is not aware of any quantitative regulatory definition of “away from sensitive receptors”.



QUAIL BRUSH GENERATION PROJECT



Legend

- Quail Brush Generation Project
- ▭ SDG&E Service Area
- - - 230-287 kV Transmission Line
- - - 500 kV Transmission Line
- - - Natural Gas Pipelines (20" Diameter, or Larger)
- Natural Gas Generating Facilities
- ▭ County Boundary
- Zone Districts that would Allow the Project Under a Conditional Use Permit
- Data Not Available
- Property Not Zoned Appropriately for Operation of the Proposed Facility

**FIGURE 1
EXISTING INFRASTRUCTURE AND ZONING
FOR A NATURAL GAS PEAKER PLANT WITHIN
SDG&E SERVICE AREA**

Miles

TETRA TECH EC, INC.