



TETRA TECH EC, INC.

California Energy Commission

DOCKETED

11-AFC-3

TN # 68297

OCT 31 2012

October 31, 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-03:
Responses to Outstanding CEC and Intervenor Houser Data Requests**

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 *Responses to Outstanding CEC and Intervenor Houser Data Requests*. 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 topics addressed in this letter include the following:

- Hydrology
- Biological Resources
- Land Use

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 10/29/2012)**

APPLICANT

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*indicates change

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DECLARATION OF SERVICE

I, Constance Farmer, declare that on October 31, 2012, I served and filed copies of the attached Responses to Outstanding CEC and Intervenor Houser Data Requests, dated October 31, 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.



Staff Data Requests 24 and 25.

Staff DR 24. Please also provide a cumulative impact analysis of the nitrogen deposition values in kg/ha/yr. Please identify other NO_x sources that were considered as part of the cumulative impacts analysis. Provide an isopleths graphic over USGS 7.5-minute maps of the direct nitrogen deposition values in the cumulative analysis and specify the cumulative nitrogen deposition rate in kg/ha/yr at any affected special status habitat and vegetation type. The geographical extent of the cumulative nitrogen deposition mapping should be directed by the results, i.e. extend geographically to where the deposition is considered below any stated threshold of significance.

Response: The Applicant will docket the *Revised CALPUFF Nitrogen Deposition Rates (11-AFC-3)* document on October 31, 2012 and provide the input and output data files at the same time. The documentation will provide the source list for cumulative analysis and the isopleths graphic.

Staff DR 25. Please describe potential mitigation strategies (e.g. weed management) to decrease cumulative nitrogen deposition impacts to less than significant levels for any affected resources, particularly Quino checkerspot butterfly critical habitat, special status vegetation types (e.g. Coastal sage scrub), or other special status species habitat. Please provide the list of sources considered in the cumulative air quality impact analysis.

Response: Weed management mitigation measures are included in the *Comprehensive Biological Resources Report* that was docketed on August 8, 2012 in *Section 5.2.6 – Nitrogen Deposition and Invasive Weeds*.

The issues of nitrogen deposition and mitigation strategies were addressed at the October 19, 2012 CEC Workshop. Comments and suggestions from Staff and intervenors at this workshop are being taken into consideration in the preparation of the mitigation plan. The mitigation plan will include a weed management plan that will be designed to conform to wildlife agency requirements and to decrease cumulative nitrogen deposition impacts on vegetation to less than significant levels.

Staff DR 38: Please provide copies of the application materials submitted to the City of San Diego for the Conditional Use Permit (CUP) and Site Development Permit (SDP) review.

Response: The Applicant requests relief from this data request because the City of San Diego did not accept the Applicant's application package and no materials were filed with the City.

Staff DR 40. Please provide a conceptual hydromodification plan which shows what methods will be used to satisfy the requirements of the City of San Diego pertaining to the collection and discharge of stormwater from the project site as well as management of off-site flows.

Response: The *Water Quality Technical Report including the Conceptual Hydromodification Plan* was docketed on September 28, 2012, and provided all of the information requested in DR 40. In addition, this issue was discussed at the October 19, 2012 CEC workshop where

comments from the CEC and the City of San Diego were provided. Responses to those comments will be docketed on October 31, 2012.

Houser Data Requests 24-26

Houser DR 24. Data Request: Please provide information on the anticipated impact to plant species in the vicinity of the power plant, particularly species of concern such as the barrel cactus or variegated dudleya which are already anticipated to experience significant project impacts requiring mitigation. Please include expectations of impacts to community composition and alterations of plant physiology (e.g. growth, fruiting).

Response: The *Comprehensive Biological Resources Report* that was docketed on August 8, 2012 discusses the issue of indirect impacts to plants as a result of nitrogen deposition in *Section 4.7.1, Indirect Impacts – Nitrogen Deposition, and Section 4.8, Cumulative Impacts.*

Houser DR 25. Data Request: Please provide an analysis of the secondary impact to animal species (e.g. butterflies) that rely on project site plant species likely to be impacted by nitrogen deposition.

Response: The *Comprehensive Biological Resources Report* that was docketed on August 8, 2012 discusses the issue of impacts to quino checkerspot butterfly as a result of nitrogen deposition in *Section 4.1.2, Special Status Wildlife Species – Quino Checkerspot Butterfly.*

Houser DR 26. Please provide information on the seasonal and spatial distribution of vernal pools within the area of anticipated elevated nitrogen deposition. Please provide information on nitrogen accumulation impacts to vernal pool habitat quality and its secondary effects on species supported by the vernal pools.

Response: As stated in the AFC and the *Comprehensive Biological Resources Report* there are no vernal pools within the proposed Project site and immediate vicinity of the project area including the loop line ROW. The *Comprehensive Biological Resources Report* discusses indirect and cumulative impacts in Sections 4.7.1 and 4.8 respectively.