

Memorandum

DOCKET

08-AFC-3C

DATE JUN 21 2011

RECD. JUN 22 2011

Date: June 21, 2011

To: Commissioner Karen Douglas, Siting Committee Chair
Chairman Robert B. Weisenmiller, Siting Committee Associate Member
Kourtney Vacarro, Hearing Officer

From: Daniel J. O'Shea, on behalf of Calico Solar, LLC

**Re: Calico Solar Project Amendment (CSPA) (08-AFC-13C)
Issues Statement**

In response to the Calico Solar Project Amendment Committee's June 23, 2011 Mandatory Status Conference notice, Calico submits this Issues Statement. At the Mandatory Status Conference, Calico would like to discuss the schedule, the list of outstanding deliverables, current status of staffs' review, and response to the Motion to Compel filed by Mr. Jackson.

I. Response to Data Request

The following is an update on the status of all outstanding responses to the two data request propounded:

- **Hydrologic Analyses:** Calico has hired Tetra Tech as its hydrology consultant. Calico submitted Tetra Tech's scope of work for the hydrological analyses to the Commission on May 28. On June 7, Commission's Staff and Calico's hydrological experts had a site visit. Calico expects to discuss this scope of work at the public workshop on June 28, 2011.

Calico determined that it needed to conduct additional soil borings for its updated Geotechnical Report. Calico applied to the BLM for the right to conduct these soil borings and expects to receive BLM's approval this week. Calico anticipates completing the soil borings during the first week of July. The Infiltration Report will be based on this updated Geotechnical Report and thus its delivery will be delayed. Based upon this timing, Calico has revised the dates that it expects to be able to deliver the hydrological reports, studies and analyses (see attached [Exhibit 1](#)).

- **Glint/Glare Study:** Calico has hired Powers & Associates to conduct the glint/glare study. On May 13, Calico submitted to the Commission Power's scope of work for the glint/glare study, which Calico expects to discuss at the public workshop on June 28, 2011. The glint/glare study is expected to be completed on August 8 (see attached [Exhibit 1](#)).
- **Soil Testing:** Calico has hired Tetra Tech to gather soil samples. To assist in responding to Patrick Jackson's data request regarding arsenic and *Coccidioides immitis arthroconidia* (*C. immitis*). Calico's application to the BLM for the right to

conduct soil borings also included a request to conduct these soil samplings. Calico expects to complete collection of soil samples for the arsenic and *C. immitis* testing during the first week of July. The results of the arsenic testing are still expected by August 1 (see attached [Exhibit 1](#)).

The ability to complete *C. immitis* testing is unknown. Calico has worked diligently to identify a laboratory capable of completing this testing. Calico has contacted laboratories in northern and southern California as well as Arizona, including the Valley Fever Center for Excellence at the University of Arizona and the California Department of Environmental Health, regarding *C. immitis* testing. To date, Calico has been unable to find a commercial laboratory with the capability to conduct the testing. The University of Arizona may have a research laboratory, which is able to conduct the testing, but the proposed method of testing includes inoculating a special breed of mice with *C. immitis*. This method could take many months and would be quite expensive. Calico continues to research alternative methods for analyzing the potential effect of *C. immitis*. Calico would like to discuss with the Committee, staff and parties whether this testing is necessary to evaluate the impacts of the project.

IV. Staff Analysis

At the status conference on Thursday, June 23, Calico is looking forward to receiving an update from Staff as to the status of technical sections for which staff requested no additional information and/or all the information requested has been provided: Air Quality; Alternatives; Biological Resources; Cultural Resources; Efficiency; Facility Design; Geological Hazards; Hazardous Materials Handling; Land Use; Noise; Paleontological Resources; Project Overview; Public Health; Reliability; Socioeconomics; Traffic and Transportation; Trans. Line Safety & Nuisance; Transmission System Design; Waste Management; and Worker Safety.

Calico would also like confirmation from staff that the reports identified in Exhibit 1 are the only information needed by staff to complete its analysis.

V. Motion to Compel

On June 18, 2011, Patrick Jackson submitted to the Commission a Motion to Compel Production of Information. Calico would like to discuss the process and timing for responding to this motion.

Exhibit 1

Updated Schedule for Outstanding Deliverables

	Studies/Reports Currently in Progress	Anticipated Date for Initial Deliverable to CEC (Revised)
1	Updated Geotechnical Report (S&W-8)	July 20
2	Infiltration Report, including an analysis for the potential for soil erosion and the increased potential for infiltration along the unimproved module access points (S&W-13) (CEC Data Request #14, 18; Jackson Data Request #1)	July 27
3	Results of soil testing for arsenic (Jackson Data Request #13)	August 1
4	Geomorphic and Hydraulic Analysis, including sediment transport studies (S&W-8) (CEC Data Request #14, 18; Jackson Data Request #1)	August 3
5	Geomorphic and Biologic Analysis (S&W-8) (CEC Data Request #14, 18; Jackson Data Request #1)	August 3
6	Scour Analysis (S&W-3) (CEC Data Request #14, 18; Jackson Data Request #1)	August 3
7	Pole Foundation Stability Report (S&W-3) (CEC Data Request #14, 18; Jackson Data Request #1)	August 3
8	Glint and Glare Study (TRANS-7) (CEC Data Request #28, 29, 30)	August 8
9	Grading and Drainage Plan (CIVIL 1) (CEC Data Request #15; Jackson Data Request #2, 3)	September 1
10	DESCP (S&W-1) (CEC Data Request #18, 21; Jackson Data Request #5)	September 1
11	Results of soil testing for <i>C. immitis</i> (Jackson Data Request #8)	unknown
12	<i>C. immitis</i> Analysis (Jackson Data Request #10,11, 12a, 12c, 12d, 12e, 12e)	unknown



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**FOR THE CALICO SOLAR PROJECT
AMENDMENT**

**Docket No. 08-AFC-13C
PROOF OF SERVICE
(Revised 6/7/2011)**

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DECLARATION OF SERVICE

I, Margaret Pavao, declare that on June 21, 2011, I served by U.S. mail and filed copies of the attached Calico Solar's Issues Statement, dated June 21, 2011. 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:

[www.energy.ca.gov/sitingcases/calicosolar/compliance/index.html].

The documents have 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)

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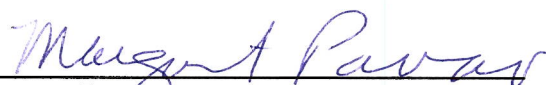
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CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 11-CAI-01
1516 Ninth Street, MS-4
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I declare under penalty of perjury 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.



Margaret Pavao