

Supes split over Coso pump permit

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After a marathon meeting Wednesday that started at 9 a.m. and finished at midnight, representatives from Coso Operating Company still managed to crack a smile when the Inyo County Board of Supervisors agreed to, essentially, grant the company a permit to pump water from its Hay Ranch property for injection into its geothermal power plant.

The meeting was set for the supervisors to hear arguments and decide on an appeal by the Little Lake Hunting Club against the county Planning Commission's decision to grant Coso a Conditional Use Permit.

The commission had signed off on the program in March, but changed the amount of water to be pumped from the 4,800 acre-feet per year, as originally requested, to 3,000 acre-feet annually. The Planning Commission, supervisors and even the permit applicant, Coso, have decided to move forward, despite the county Water Commission testimony that the project is probably not feasible for the long term. There are some model predictions that the pumping cannot be sustained for more than one year.

But, the supervisors found enough evidence to agree with the Planning Commission, 4 to 1, to grant the CUP with the reduced pumping amounts and for the full 30 years, as requested by Coso. Fourth District Supervisor Marty Fortney was the dissenting vote.

Fortney said Thursday that he was on the fence about how to decide until the last minute, but he said that ultimately, he was uncomfortable with the length of the permit. And, even in the board reports, he said he kept finding statements that the "best data was not available" for certain models and scenarios.

He said it was a very tough decision and hopes Coso the best of luck. But he said he is always cautious with regard to water rights, and with a nod to the Los Angeles Department of Water and Power, said, "Hopefully, we don't have to go down the same old roads again."

For Coso, the journey to obtain the water that it claims is needed to bring the plant back to maximum capacity, has been a long one, as it has been trying to obtain the permit since June 2007.

Part of the permit process requires Coso to develop an Environmental Impact Report, or EIR, to show what, if any, impacts the project will have on a number of issues, including flora and fauna.

Advocates for flora and fauna, like the Sierra Club and the Bristlecone Chapter of the California Native Plant Society, thought the EIR was insufficient in cataloging plant species at Little Lake and noted the baseline water level of the aquifer at Rose Valley, the water that will be pumped beneath Hay Ranch, is not specific in the EIR.

Sally Manning, vegetation ecologist and CNPS member, said she was "appalled" to see some of the data she had collected herself, and resources she's associated with, used as evidence to support some of the information in the EIR that claims small drops in the water table will not hurt the vegetation. She said small drops will harm some species.

Manning thought there was a lot wrong with the EIR, including the hydrology model, and that if the board approved the EIR and, essentially the permit, "It will leave a sad legacy encouraging other extraction uses. What's to stop other big-money businesses from coming to Inyo and asking for the same thing?"

She described the project as "a dusty road to money and power" and, as a response to Coso's claim of being an environmentally friendly company, she said, "The only green Coso is attracted to, is not necessarily the environment."

Steve McLaughlin, president of the CNPS Bristlecone Chapter, said the project will result in significant loss to wetlands at Little Lake, even though the EIR claims there are no sensitive plants found at Little Lake.

McLaughlin said went to Little Lake in March and April 2009 to count plants and compiled a large list, including eight species found on the CNPS list of "sensitive" plants. He said he did not see any of these plants listed in the EIR.

He also made claims that the contractors who compiled the EIR did their plant survey of Little Lake from the shoulder of U.S. 395, and in the winter.

The contractors, MHA Environmental Consulting, responded by saying requests to access Little Lake had been repeatedly denied, or unanswered by the hunting club.

Gary Arnold, attorney for, and member of, Little Lake Ranch and Hunting Club said that there were scheduling conflicts in the past, but full access would be allowed in the future.

Mark Bagley of Bishop, Sierra Club representative and consulting botanist who actually worked in Coso doing studies for the geothermal plant, said that he supports geothermal production, but for this project, "it's not a wise use of the water."

He and others said they were concerned that more than six months would be needed to determine the baseline water level of the aquifer, as is currently written in the EIR.

He also referred to the lack of analysis done on alternatives to water pumping, namely retrofitting or reconstructing the plant with a dry-cooling system, instead of the current wet-cooled system that leads to loss of water through evaporation.

But, cooling systems for geothermal power plants are a complex and integral part of its production capacity, according to geothermal engineer and Coso's cooling system expert, Henry Veizades.

Veizades made a presentation explaining the feasibility, or rather the impossibility, of fitting the plant with a dry-cooled system.

He said that two ideas were considered. One involved no significant change to the plants structure, but the \$18 million systems would have to be added to all nine wells, and would decrease the plant's output significantly. The other idea would be to replace or retrofit the existing cooling system. Veizades explained that to do this would require a large amount of space, possibly more than the entire plant takes up now, disrupting the environment.

He also debuffed the statements by Little Lake that other geothermal plants, specifically one in Kamchatka, Russia, use the dry-cooling system efficiently and Coso should do the same.

Veizades said that the Russian plant is much smaller than Coso and the ambient temperature in Kamchatka is 36F. Dry-cooling systems, like a car's radiator, run efficiently in colder temperatures, but would be a source of "parasitic power use" in the triple-digit temperatures of Coso. He explained the dry-cooling system would suck so much extra power in the summer months that production would virtually cease.

Another example given by Little Lake was of a plant in Africa in a hot climate that also uses dry cooling.

Veizades explained that the African plant had problems with its dry cooling and decided it was cheaper to build a dam to supply the plant with water than to try and fix the problems.

After Coso and Little Lake both presented their sides of the appeal and rebuttals were made and public comments came to an end at 10:30 p.m., to a round of applause from the weary audience, it was time for the supervisors to deliberate.

Supervisor Susan Cash said, "There's a lot of information here that contradicts and confuses, and it's a very complex project and situation – when things get so complex, I have to go with what makes sense, and to me this project makes no sense." Cash said that it seemed to her that Coso is risking a lot, more than \$12 million to be exact, on a project that experts say is not sustainable.

Supervisor Richard Cervantes said it is a hard decision to make, as it is hard to determine which experts to believe.

"But what is the greater good?" Cervantes asked aloud, and said that he'd have to err on the side of Coso, as it produces energy to power 250,000 homes, versus the interests of "24 duck hunters," referring to Little Lake.

He added that he thought the EIR had gone above and beyond what is required and was pleased with the results.

Fortney said he thought the project bordered on "water mining" as Coso was going to be pumping at nearly the same rate as the recharge to the aquifer. Fortney also called the project a "band aid" for Coso's problem and that even though Coso will continue to pay tax revenues to the county, the project is no long-term solution. He also said the CUP creates too many "what ifs" and was worried that this CUP may open the way for LADWP to ask for permits to pump more.

And, he said that while he is not an environmentalist, "I find myself on the side of these guys (the Sierra Club and CNPS), and it's leaving a bad taste in my mouth."

Supervisor Linda Arcularius said the matter is complicated and there are many different interpretations of the same data of what she called "two of the county's most valuable assets."

She said she was convinced with Coso that the hydrology model is conservative, and that the only true way to learn more about the aquifer is to test it by pumping it.

"It seems to be the only thing everyone is in agreement about here," Arcularius said of the pumping.

She explained that the board's job will be to determine if there is enough information to pass the resolution, and she said that nothing had been presented so far to prevent her from making those findings.

Board Chairperson Bev Brown explained that Little Lake was a very special place for her personally, but that she has to have faith in county staff that the right mitigation measures will be put in place to prevent any damage.

"I think we can come up with something that both parties can be happy with," Brown told Coso and Little Lake.

In the end, the supervisors added some language to the resolution to cover county litigation costs, if any should occur from the project, and language specifying that the resolution was passed with the water information contained in the EIR, to alleviate any future complications from baseline water level measurements.