

## DOCKETED

<b>Docket Number:</b>	08-AFC-07C
<b>Project Title:</b>	GWF Tracy (Compliance)
<b>TN #:</b>	202679
<b>Document Title:</b>	Letter to San Joaquin County
<b>Description:</b>	Petition
<b>Filer:</b>	Joe Douglas
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	7/11/2014 12:06:36 PM
<b>Docketed Date:</b>	7/11/2014

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



July 9, 2014

Kerry Sullivan, Director  
San Joaquin County  
Community Development Department  
Stockton, CA 95205

**Re: GWF Tracy (08-AFC-7C)**

Dear Ms. Sullivan:

The California Energy Commission received a Petition to Amend (PTA) for the GWF Tracy Combined Cycle Power Plant project on June 9, 2014. Energy Commission staff are analyzing the project changes for consistency with federal, state and local laws, ordinances, regulations and standards (LORS). As part of the amendment process, staff would like to discuss some of the land use regulations in an advisory capacity with county staff.

The GWF Tracy project is located in unincorporated San Joaquin County, immediately southwest of Tracy and about 20 miles southwest of Stockton. The project was approved by the Energy Commission on March 24, 2010, and it has been online and producing power since November 1, 2012.

While the Energy Commission is the permitting authority for the GWF Tracy project, Chapter 6, section 25519 (f) of the Warren Alquist Act states that, "Upon receipt of an application, the commission shall forward the application to local government agencies having land use and related jurisdiction in the area of the proposed site and related facility. Those local agencies shall review the application and submit comments on, among other things, the design of the facility, architectural and aesthetic features of the facility, access to highways, landscaping and grading, public use of lands in the area of the facility, and other appropriate aspects of the design, construction, or operation of the proposed site and related facility." To ensure compliance with San Joaquin County applicable LORS, Energy Commission staff is seeking input and guidance on the land use issues described below.

During construction of the project, two trailers were brought to the site to serve as temporary office space; this was consistent with the San Joaquin Development Title, Division 6: Agricultural Zones, Chapter 9-605.5 Temporary Uses and Structures, Table 9-605.4. Although the trailers were to be removed after completion of construction, they were allowed to remain onsite after a temporary allowance was granted by the Energy Commission on December 13, 2012, due to the need for office space at GWF Tracy. The recently received PTA proposes to make the two trailers permanent and add a third trailer. Staff has reviewed Division

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6 of the San Joaquin Development Title and has concluded that the trailers would not be a permitted use. However, staff notes that Chapter 9-605.4 of Division 6, Accessory Uses and Structures, states that: "Accessory uses and structures not specifically listed in Table 9-605.3 may be allowed by the Director, subject to approval of an Improvement Plan pursuant to Chapter 9-884 or a discretionary application, as specified by the Director."

Staff would like to know what conditions San Joaquin County would require under the Improvement Plan pursuant to Chapter 9-884 or a discretionary application specified by the Director to allow the permanent placement of the three trailers proposed for office space, were the county the permitting agency. Staff has included the GWF Tracy PTA as an attachment.

If you have any question, please contact Alison Fisher of my staff at (916) 651-3777. We appreciate your time and look forward to working with you.

Sincerely,



Eric Knight, Manager  
Environmental Office  
Energy Facilities Siting Division

Attachment: GWF Tracy PTA

cc: Chris Marxen, Office Manager, Compliance Office  
Joe Douglas, Compliance Project Manager  
Amanda Stennick, Planner III/Supervisor, Environmental Office  
Megan Aguirre, San Joaquin County Planner