


CALIFORNIA ENERGY COMMISSION

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

DOCKET 06-AFC-6	
DATE NOV 16 2007	
RECD. NOV 16 2007	

NOTICE OF AVAILABILITY
FINAL STAFF ASSESSMENT
FOR THE EASTSHORE ENERGY CENTER
APPLICATION FOR CERTIFICATION (06-AFC-6)

This notice is to inform you of the availability of the Final Staff Assessment (FSA) for the Eastshore Energy Center (Eastshore) Application for Certification (06-AFC-6). The FSA was published on November 9, 2007.

The FSA finds that as currently proposed, including the applicant's and the staff's proposed mitigation measures and the staff's proposed conditions of certification, the Eastshore project will not comply with all applicable laws, ordinances, regulations, and standards (LORS), and that significant adverse direct and cumulative impacts have the potential to occur in the areas of Land Use and Traffic and Transportation as follows:

- Siting of the Eastshore project at the proposed location would interfere with and restrict existing and future operations of the Hayward Executive Airport. This is a significant adverse direct impact to Land Use.
- The project site's proximity to the traffic pattern for the Hayward Executive Airport and the downwind departure route for Runway 28L would unreasonably complicate aircraft maneuverability. It would also limit the airspace available for aircraft transit, maintenance flights, training procedures, and normal departures/arrivals that currently occur relatively unimpeded within this portion of the Hayward airport airspace. This would be a significant adverse impact to Traffic and Transportation that could not be avoided if the project were developed at the proposed location.
- The cumulative effect of the Eastshore and nearby Russell City Energy Center (RCEC) projects on Hayward airport airspace increases the potential for serious impairment to the utility of the airport by increasing the complexity of the airspace. Potential mitigation such as pilots seeing and avoiding both power plants is impractical and in some cases unattainable. The FAA notes that the potential for constraints to airport operations creates a tangible impact on the future use of the Hayward Executive Airport if the facility is approved at the proposed site. Energy Commission staff concludes that the project's incremental effect, in conjunction with the operation of the RCEC project, is cumulatively considerable.

The FSA contains the California Energy Commission staff's environmental and engineering evaluation of the Eastshore project and will serve as staff's testimony during evidentiary hearings. The Energy Commission Committee assigned to the Eastshore proceedings will consider and weigh the testimony or comments or recommendations of all interested parties, including Energy Commission staff, the

Notice of Availability
Page 2
November 16, 2007

applicant, intervenors, public, and other local, state, and federal agencies, before issuing the Presiding Member's Proposed Decision (PMPD) for consideration by the full Energy Commission. The public, intervenors, local, state and federal agencies are encouraged to participate in these hearings. The Energy Commission will issue notices at least ten days prior to any scheduled hearings.

The FSA is available for review at the following local libraries: the Hayward Public Library; and the Alameda County Library - Fremont Main Library. The FSA is also available on the Internet (see below). However, if you would like a paper copy or CD of the FSA, please fill out the enclosed form and return it to California Energy Commission, Attention: Dora Gomez, Siting Project Secretary, or contact Dora Gomez at (916) 653-1608, or by e-mail at dgomez@energy.state.ca.us.

If you desire information on how to participate in the Energy Commission's review of the project, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489 or toll free in California at (800) 822-6228. Technical or project schedule questions should be directed to Bill Pfanner, Energy Commission Project Manager, at (916) 654-4206 or at bpfanner@energy.state.ca.us. The status of the project, an electronic copy of the Application for Certification, the FSA, copies of notices, and other relevant documents are also available on the Energy Commission's web site at www.energy.ca.gov/sitingcases/eastshore/index.html.

Sincerely,



ROGER E. JOHNSON
Siting and Compliance Office Manager

11/16/07
Date

Enclosure
Mailed to list: 7071, 7072, 7073

Please send me a paper copy / CD (circle one) of the California Energy Commission staff's Final Staff Assessment for the Eastshore Energy Center Project (Eastshore) Application for Certification (06-AFC-6).

Name:

Address:

City/State/Zip:

FOLD HERE

California Energy Commission
Attention: Dora Gomez
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512

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