

Bill Pfanner - Request for Regional Board Review and Approval

From: Richard Latteri
To: BWines@waterboards.ca.gov
Date: 9/26/2007 2:01 PM
Subject: Request for Regional Board Review and Approval
CC: Holmes, Caryn; Pfanner, Bill; Richins, Paul

Brian,

It was good to talk to you about the Russell City and Eastshore Energy Centers, which are both in the City of Hayward and subject to the C.3 Provisions of the Alameda Countywide NPDES Municipal Stormwater Permit (Order 03-0021). The crux of our conversation this morning was your desire to review and approve the Construction SWPPPs to include the C.3 Provisions of the City of Hayward's municipal permit.

Review and approval of the Construction and/or Industrial SWPPPs by the San Francisco Bay Regional Water Quality Control Board can be added to the Eastshore Energy Center conditions of certification prior to completion of my Final Staff Assessment for the project. The Russell City Energy Center, which is adjacent to the City's WPCF and will discharge stormwater directly to the ACFCWCD stormwater channel directly west of the site, has just been approved by the CEC. To add the provision for SFBRWQCB review and approval as a CEC requirement may not be possible.

Regardless, please send a letter on SFBRWQCB letterhead to Mr. Bill Pfanner (as you did to Ms. Jeri Scott for the Russell City amendment in Dec 2006) requesting that the SFBRWQCB be allowed to review and approve the construction/industrial SWPPPs (Conditions of Certification Soil & Water 1 and 3). In the letter to Mr. Pfanner, also request the procedure for the review and approval of the SWPPPs for the recently approved Russell City Energy Center and we'll get a legal opinion on how to proceed with respect to Russell City.

Since your e-mails/calls to Mr. Pfanner were comments on the Russell City amendment (approximately 20 acres vs 6 acres for the Eastshore site), I've included a link to the Eastshore Energy Center PSA. The requirements for the SWPPPs and Alameda County Municipal permits are addressed in the Soil and Water Resources Section of the document.

<http://www.energy.ca.gov/sitingcases/eastshore/documents/index.html#commission>

I look forward to your official correspondence.

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06-AFC-6	
DATE	SEP 26 2007
RECD.	SEP 26 2007