

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET

SACRAMENTO, CA 95814-5512



NOTICE OF AVAILABILITY
PRELIMINARY STAFF ASSESSMENT
FOR AVENAL ENERGY
APPLICATION FOR CERTIFICATION (08-AFC-1)

DOCKET	
08-AFC-1	
DATE	FEB 11 2009
RECD.	FEB 11 2009

This notice is to inform you of the availability of the Preliminary Staff Assessment (PSA) for the Avenal Energy (AE) project Application for Certification (08-AFC-1). The PSA was published on February 2, 2009. The PSA contains the California Energy Commission staff's initial engineering and environmental evaluation of the AE project.

With the exception of Air Quality, Biological Resources, Cultural Resources, Land Use and Traffic and Transportation, staff finds that the AE project is in conformance with all Laws, Ordinances, Regulations and Standards (LORS). Staff's preliminary conclusions are also that significant adverse direct, indirect or cumulative impacts are not likely to occur. The issues associated with the five technical areas in which staff is continuing its analysis, are summarized as follows:

- Air Quality - Inter-pollutant trade ratios to be resolved between the staff, the applicant and the San Joaquin Valley Air Pollution Control District for sulfur oxides and particulate matter.
- Biological Resources – Mitigation for habitat loss and other potential biological impacts is required by the United States Fish and Wildlife Service and California Department of Fish and Game.
- Cultural Resources – The proposed project would significantly impact Pacific Gas & Electric's Tesla–Midway 230-kV transmission line. Staff is currently investigating whether this impact can be mitigated to a less than significant level.
- Land Use - Mitigation is required for conversion of Prime farmland under the requirements of the California Environmental Quality Act and Guidelines, Appendix G Agricultural Resources section.
- Traffic and Transportation - Construction worker and truck traffic could interfere with local school bus service or compromise the safety of the bus or school children. Mitigation measures could include a flexible traffic control schedule that addresses staff concerns.

Members of the public and agencies are encouraged to participate in the PSA review process. Written comments would be appreciated by **Wednesday March 11, 2009**. You may also present your views at the PSA workshop that will be held in Avenal February 18, 2009 and has been noticed separately.

The PSA is available at the following local libraries:

Kings County Library
 Avenal Branch
 501 East King Street
 Avenal, CA 93204

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Kings County Library
Kettleman City Branch
104 Becky Pease Street
Kettleman City, CA 93239

Kings County Library
Main Branch
401 North Douty Avenue
Hanford, CA 93230

The Preliminary Staff Assessment and other relevant documents are available on the Energy Commission's website at <http://www.energy.ca.gov/sitingcases/avenal> and in printed format upon request. If you would like a copy of the PSA, please fill out the enclosed form and return it to the California Energy Commission, Attention: Mineka Foggie, 1516 Ninth Street, MS-15, Sacramento, CA 95814-5512, phone at (916) 653-1608 or email to email at MFoggie@energy.state.ca.us.

For more 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 Ivor F. Benci-Woodward, Siting Project Manager, at (916) 651-0965 or by email at IBenciwo@energy.state.ca.us. News media inquiries should be directed to: Media and Public Communications Office - 916-654-4989 or by email at: mediaoffice@energy.ca.us.

Sincerely,

Original Signature in Dockets
Eileen Allen, Manager
Siting, Transmission and Environmental Protection
Division

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Please send me a paper copy/CD (circle one) of the California Energy Commission staff's Preliminary Staff Assessment for the Avenal Energy project, Application for Certification (08-AFC-1).

Name:

Address:

City/State/Zip:

FOLD HERE

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

FOLD HERE

Staple or Tape closed.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
For the AVENAL ENERGY PROJECT

Docket No. 08-AFC-1
PROOF OF SERVICE
(Revised 2/3/2009)

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DECLARATION OF SERVICE

I, April Albright, declare that on February 13, 2009, I served and filed copies of the attached Notice of Availability; Document Handling; and Request for Agency Comments on the Preliminary Staff Assessment dated February 11, 2009. 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/avenal]. The document has 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)

FOR SERVICE TO ALL OTHER PARTIES:

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (***preferred method***);

OR

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION

Attn: Docket No. 08-AFC-1

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.

Original signed by _____
April Albright