

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512



<b>DOCKET</b>	
<b>08-AFC-1</b>	
DATE	<u>FEB 11 2009</u>
RECD.	<u>FEB 11 2009</u>

February 11, 2009

TO: AGENCY DISTRIBUTION LIST

**REQUEST FOR AGENCY COMMENTS ON THE PRELIMINARY STAFF ASSESSMENT FOR AVENAL ENERGY (08-AFC-1)**

The enclosed 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.

On February 21, 2008 Avenal Power LLC, submitted an Application for Certification (AFC) to construct and operate Avenal Energy, in the city of Avenal just south of the Fresno County line. The proposed site is located in a predominantly agricultural region of southwestern San Joaquin Valley in western Kings County, just south of the Fresno County line, and two miles east of Interstate 5. The proposed AE project would be built on approximately 34 acres of a 148-acre industrial zoned parcel. a nominal 600-megawatt (MW) combined cycle facility and consist of two natural gas-fired General Electric 7FA gas turbines with heat recovery steam generators and one General Electric steam turbine. Natural gas would be provided via a 2.5-mile, 20-inch underground pipeline interconnection to PG&E's natural gas pipeline transmission system at the Kettleman compressor station.

PROOF OF SERVICE (REVISED 02/03/09) FILED WITH  
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The plant would use a dry cooling process to minimize water consumption. The City of Avenal would provide water to the proposed project from the city's water treatment plant adjacent to the site. Groundwater from three local wells would provide a back-up water source to the project via two separate pipelines, totaling less than 1.4 miles. The proposed project would recycle water to the maximum extent possible through the use of a zero liquid discharge system to further minimize water consumption and eliminate waste water discharge. The proposed project would be connected to the PG&E transmission grid via a 6.4-mile single-circuit 230 kV transmission line, traversing agricultural land to the Gates substation in Fresno County.

We request that you review the enclosed PSA for the areas for which your agency would normally be responsible, but for the Energy Commission's permitting authority. Please provide any written comments to Ivor Benci-Woodward, Siting Project Manager by Wednesday, March 11, 2009. You may also present your comments at the public workshop on the PSA that will be conducted in Avenal which has been noticed separately. Comments received will be used for preparing the Final Staff Assessment, which will be staff's testimony in the evidentiary hearings in the future.

If you desire information on technical or project schedule issues, or how to participate in the Energy Commission's review of the project, your questions should be directed to Ivor Benci-Woodward at (916) 654-3991 or at IBenciwo@energy.state.ca.us. The status of the project, an electronic copy of the AFC, copies of notices, and other relevant documents are also available on the Energy Commission's web site at <http://www.energy.ca.gov/sitingcases/avenal>.

Sincerely,

**Original Signature in Dockets**

Eileen Allen, Manager

Siting, Transmission and Environmental  
Protection Division

Enclosure

Mail to list: Agency 7227



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](http://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](mailto:docket@energy.state.ca.us)

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

Original signed by \_\_\_\_\_  
**April Albright**