

CALIFORNIA ENERGY COMMISSION

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



June 10, 2009

**NOTICE OF AVAILABILITY
 FINAL STAFF ASSESSMENT FOR THE PROPOSED AVENAL ENERGY PROJECT
 (08-AFC-1)**

NOTICE OF PUBLIC WORKSHOP

Tuesday, June 23, 2009

2:00pm-7:00pm

There will be an initial meeting from 2:00-5:30 p.m. followed by a summary meeting of the same contents from 5:30-7:00p.m. to facilitate public participation after work hours.

**Reef-Sunset Unified School District
 205 N. Park Avenue, Avenal, CA 93204.
 (Wheelchair Accessible)
 (Map Attached)**

DOCKET 08-AFC-1

DATE	JUN 09 2009
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TO: MEMBERS OF THE PUBLIC

This notice is to inform you of the availability of the Final Staff Assessment (FSA) for the Avenal Energy (AE) Application for Certification (08-AFC-1). The FSA was published on June 5, 2009. The FSA contains the California Energy Commission staff's final engineering, public health, and environmental evaluation of the proposed AE.

This notice is also to inform you that the Energy Commission staff will hold a workshop to discuss the FSA and further encourage public participation, as it relates to the proposed AE and the Energy Commission's permitting process. The workshop will provide an opportunity for agencies, the public and other interested parties to present questions and comments on the FSA. All interested agencies and members of the public are invited to participate. The workshop will be held on Tuesday, June 23, 2009 starting at 2:00 p.m. at Reef-Sunset Unified School District, 205 N. Park Avenue, Avenal, CA 93204. An additional evening session will begin at 5:30 p.m.

The California Energy Commission encourages public participation in the review of the AE Application for Certification. Written comments on the FSA should be provided to Joseph Douglas, Siting Project Manager, no later than 5:00 p.m., June 19, 2009 at the address on this letterhead or by email to JDouglas@energy.state.ca.us. Technical or project schedule questions should be directed to Mr. Joseph Douglas at (916) 653-4677 or by email. You may also present your comments at the public workshop on the FSA that will be conducted in Avenal on June 23, 2009.

PROOF OF SERVICE (REVISED 5/27/09) FILED WITH
 ORIGINAL MAILED FROM SACRAMENTO ON 6/11/09

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Summary of the Proposed Avenal Energy Project (AE)

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 the 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. The proposed project would be 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 natural gas compressor station.

The plant would use a dry cooling and a zero liquid discharge process to minimize water consumption. The use of this technology would allow AE to follow all applicable laws, ordinances, regulations, and standards (LORS) and decrease water use by over 97% from its original design of evaporative cooling. 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.

Energy Commission Licensing Authority

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications for construction and operation of thermal electric power plants, 50 MW and greater, proposed for construction in California. The Energy Commission's facility certification process carefully examines public health and safety, environmental impacts and engineering aspects of proposed power plants, and all related facilities such as electric transmission lines and natural gas and water pipelines. The Energy Commission is the lead agency under the California Environmental Quality Act (CEQA), and because the regulatory program has been certified by the Natural Resources Agency pursuant to Public Resources Code section 21080.5, produces several environmental and decision documents rather than an Environmental Impact Report.

Summary of the California Energy Commission Staff's Conclusions

Energy Commission staff concludes that with the applicant's proposed mitigation measures and the staff's proposed conditions of certification, the AE would not cause a significant adverse environmental or public health impact and would conform with all applicable LORS. The Energy Commission staff's findings are summarized as follows:

- The proposed project site is in a predominately agricultural region, currently being farmed in irrigated row crops, but the project site has been rezoned for industrial uses. With the implementation of the staff's recommended conditions of certification all biological, soil, water, and agricultural impacts will be fully mitigated for both the project site, for the construction laydown areas, and for the associated linear facilities including the water, gas line, and electrical transmission routes.
- The San Joaquin Valley Air Pollution Control District has determined that the project complies with the appropriate rules and requirements of the District and would not contribute to the degradation of the air quality.

Staff evaluated the global climate change and greenhouse gas (GHG) emissions from the project. AE would be an efficient, new, dispatchable natural gas-fired combined cycle power plant that would provide a net reduction in GHG emissions across the electricity system while generating electricity for California consumers. Its addition to the system would displace less efficient plants and facilitate the integration of renewable resources.

- With the AE project's proposed use of dry cooling and zero liquid discharge technology, staff concludes that the project is in conformance with all LORS related to water resources and will not result in a significant adverse impact.
- With the proposed conditions of certification included in the various technical areas, the project's construction and operation impacts in all areas can be mitigated to a level less than significant, and the project would comply with all federal, state, and local laws, ordinances, regulations, and standards.

Public Resources, Contact Information and Additional Sources for Information

If you desire information on how to participate in the Energy Commission's review of the proposed project, please contact Elena Miller, the Energy Commission's Public Adviser, at (916) 654-4489 or toll free in California at (800) 822-6228, or by email at: publicadviser@energy.state.ca.us.

To request special accommodations for those persons with disabilities, please contact Lourdes Quiroz, the Energy Commission's Equal Employment Opportunity Officer at lquiroz@energy.state.ca.us or by telephone (916) 654-5146. For those persons with limited English knowledge, request interpreter services by contacting the Project Manager, Joseph Douglas, at (916) 653-4677.

Notice of Availability

June 10, 2009

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The status of the project, an electronic copy of the FSA, 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/index.html>

News media inquiries should be directed to Assistant Director, Susanne Garfield, at (916) 654-4989, or by email at: mediaoffice@energy.state.ca.us.

The PSA will be available for review at the following local libraries:

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

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

Copies will also be available at the Energy Commission's Library in Sacramento, the California State Library in Sacramento, and at California public libraries in Eureka, Fresno, San Francisco, Los Angeles, and San Diego. In addition, copies will be distributed to those public agencies that would normally have jurisdiction except for the Energy Commission's exclusive authority to certify sites and related facilities.

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: April Albright, Siting Project Secretary, at (916) 653-1640, or by e-mail at aalbright@energy.state.ca.us.

Sincerely,

Date: 6/9/09

Original signed by _____
TERRENCE O'BRIEN, Deputy Director
Siting, Transmission and Environmental
Protection Division

Enclosure

Mailed to lists:
7285 - General
7286 - Property Owners

Please send me a paper copy / CD (circle one) of the California Energy Commission Final Staff Assessment for the Avenal Energy (AE) Project Application for Certification (08-AFC-1).

Name:

Address:

City/State/Zip:

FOLD HERE

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

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Staple or Tape closed.

FSA WORKSHOP FOR AVENAL ENERGY PROJECT (08-AFC-1)

NOTICE OF PUBLIC WORKSHOP TO BE HELD

Tuesday, June 23, 2009

Starting at 2:00pm

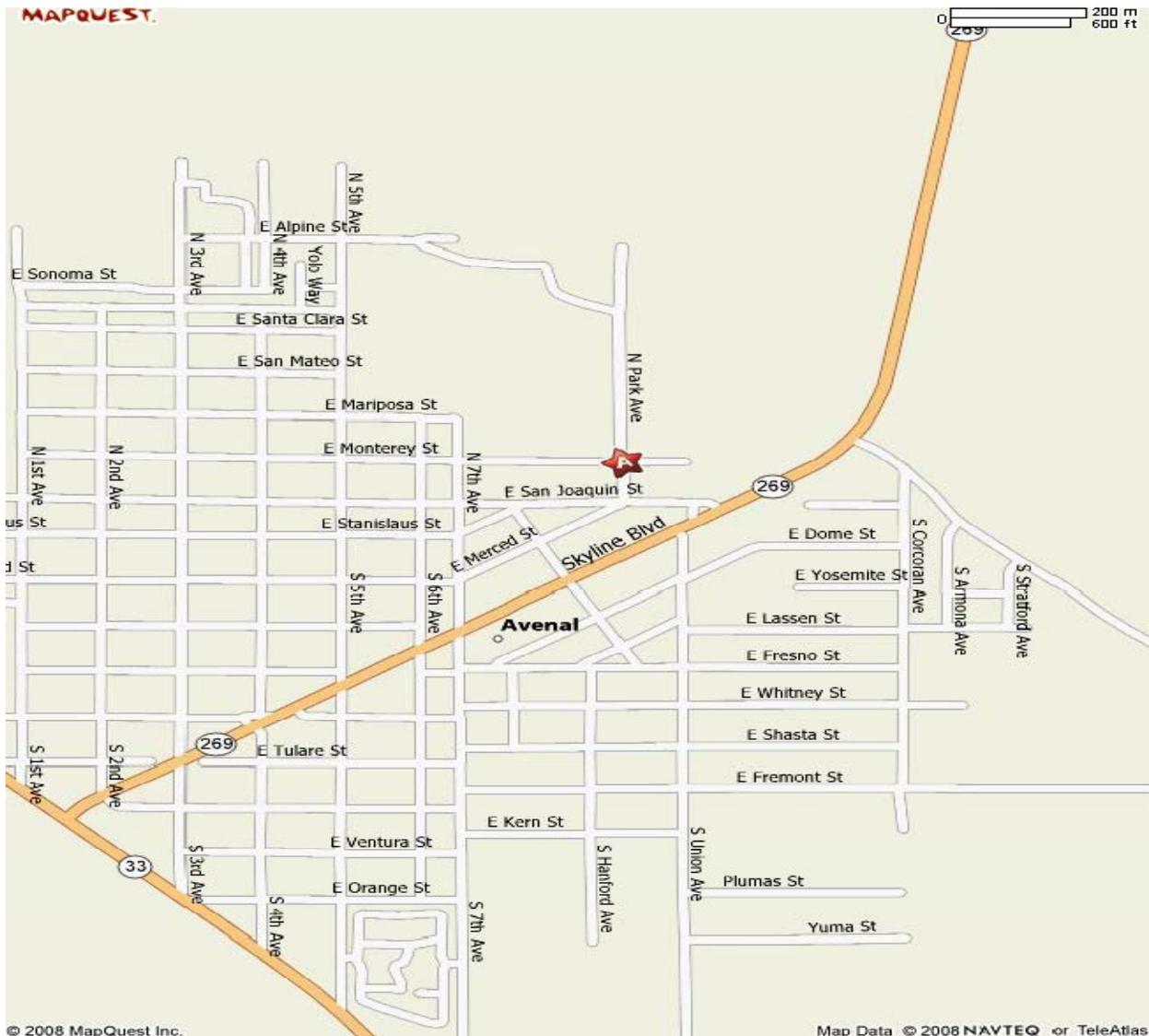
(An additional session will start at 5:30pm)

(Wheelchair Accessible)

City of Avenal

Reef-Sunset Unified School District

205 N. Park Avenue, Avenal, CA 93204





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 5/27/2009)

APPLICANT

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publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, April Albright, declare that on June 11, 2009, I served and filed copies of the attached Notice of Availability of the Final Staff Assessment with Public Workshop Notice; Document Handling and Posting of Public Notice; and Request for Agency Comments on the Final Staff Assessment with Public Workshop Notice. 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