



**SAN JOAQUIN COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT**

1810 E. HAZELTON AVE., STOCKTON, CA 95205-6232  
PHONE: 209/468-3121 FAX: 209/468-3163

December 8, 2008

Dale Edwards, Manager  
Environmental Protection Office  
Siting, Transmission and Environmental Protection Division  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

<b>DOCKET</b> <b>08-AFC-10</b>
DEC 08 2008
DATE _____
RECD. DEC 19 2008

Re: Lodi Energy Center (08-AFC-10)

Dear Mr. Edwards:

This is in response to your letter to Kerry Sullivan of November 21, 2008 regarding the Lodi Energy Center. That project involves a gas pipeline affecting Assessor Parcels Numbers (APNs) 055-180-06, 055-190-02, 055-190-03, 055-220-05, 055-220-35, 055-220-39, and 055-220-40. In your letter you asked the following questions:

**Does the county consider the gas pipeline a minor or major utility use?**

The gas pipelines fall under the use type Utility Services-Major which includes utility services involving major structures. Typical uses include natural gas transmission lines and substations, petroleum pipelines, and wind farms (Development Title Section 9-115.580).

**What conditions or approvals (if any) would the county place on the project if were it the permitting agency?**

The above listed APNs are designated General Agriculture on the General Plan and are zoned AG-40 (General Agriculture, 40 acre minimum lot size). If the County were the permitting agency, a Site Approval application would be required. A Site Approval is a staff review item with notification to surrounding property owners and is subject to CEQA review. There are no standard conditions or ordinance requirements relative to underground pipelines, other than complying with any mitigation measures developed during the environmental review process.

**Is there any section in the General Plan or Title 9 that would prohibit or allow gas pipelines on parcels in the Williamson Act?**

All of the above listed APNs are under Williamson Act contract. Development Title (Title 9) Section 9-1810.3(b)(1)(Z) lists Utility Services as a use type which may be permitted on property under Williamson Act Contract.

Thank you for the opportunity to respond to this project. If you have any other questions regarding this issue, please call me at (209) 468-3144.

Sincerely,

A handwritten signature in black ink, appearing to read "Chandler Martin". The signature is fluid and cursive, with a long horizontal flourish at the end.

Chandler Martin  
Deputy Director of Planning

F/Chandler/California Energy Commission/EdwardsLodiEnergyCenter.Dec.2008