

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5112**DOCKET****09-AFC-2**DATE JUL 28 2009RECD JUL 28 2009

July 28, 2009

TO: AGENCY DISTRIBUTION LIST

REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE ALMOND 2 POWER PLANT PROJECT, DISTRIBUTION OF APPLICATION FOR CERTIFICATION SUPPLEMENT (09-AFC-2)

On May 11, 2009, the Turlock Irrigation District (TID) submitted an Application for Certification (AFC) to the California Energy Commission to develop the Almond 2 Power Plant (A2PP), adjacent to the existing Almond 1 Power Plant (A1PP) in the City of Ceres, in Stanislaus County. On June 9, 2009, a Supplement to the AFC was received and evaluated by staff. Subsequently, at the Energy Commission's July 1, 2009 Business Meeting, the AFC was deemed complete, beginning staff's analysis of the proposed project.

PROJECT DESCRIPTION

If approved, the project will occupy a 4.6-acre site, previously used as a soil borrow pit, within an industrial area approximately 2 miles from the Ceres city center and 5 miles south of Modesto, in Stanislaus County. A2PP would be a natural-gas fired, simple-cycle peaking facility rated at a gross generating capacity of 174 megawatts (MW). Primary equipment for the generating facility would include three 58-MW General Electric LM6000PG turbines equipped with a water injection system to the turbine in order to reduce nitrogen oxide (NOx) formation, and a selective catalytic reduction system to further control NOx emissions. Power would be transmitted to the grid at 115 kilovolts (kV) through two proposed new transmission lines which will connect to the proposed TID Grayson Substation, to be located approximately 3,300 feet from A2PP. The substation is expected to be complete before the A2PP project is operational and is not part of the A2PP project. Existing facilities at the adjacent A1PP will be shared with the A2PP facility without modification. They include the fire protection system, water treatment system, process water supply and wastewater discharge system, and demineralized and reverse osmosis water storage tanks. A2PP would receive process water from the Ceres Wastewater Treatment Plant through an existing pipeline at A1PP, as well as service water for domestic use provided by an existing onsite water well. Expansion of the existing natural gas service would be required for the proposed project. PG&E plans to construct an 8-inch natural gas pipeline to their supply line, a distance of nine to eleven miles from the A2PP site.

AGENCY PARTICIPATION

To ensure that the Energy Commission have the information needed in order to make a decision, the Energy Commission's regulations identify a special role for federal, state, and local agencies (See, Cal. Code Regs., tit. 20, section 1714, 1714.3, 1714.5, 1742, 1743, and 1744). As a result, we request that you conduct a review of the AFC and provide us with the following information:

PROOF OF SERVICE (REVISED 7/1/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 7/28/09
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- 1) a discussion of those aspects of the proposed site and related facilities for which your agency would have jurisdiction but for the exclusive jurisdiction of the Energy Commission to certify sites and related facilities;
- 2) a determination of the completeness of the list in the AFC of the laws, regulations, ordinances, or standards which your agency administers or enforces that are applicable to the proposed site and related facilities and would be under your jurisdiction, but for the Energy Commission's exclusive jurisdiction;
- 3) a description of the nature and scope of the requirements which the applicant would need to meet in order to satisfy the substantive requirements of your agency but for the Energy Commission's exclusive jurisdiction, and identification of any analyses that the Energy Commission should perform in order to determine whether these substantive requirements can be met; and
- 4) an analysis of whether there is a reasonable likelihood that the proposal will be able to comply with your agency's applicable substantive requirements.

The scope of your agency's comments on the AFC should encompass *significant* concerns, and substantive requirements that would be required for permitting in your jurisdiction but for the Energy Commission's exclusive jurisdiction or certification. (Cal. Code Regs., tit. 20, section 1714.5, subd. (a)(2); emphasis added.) Please let us know if you need additional information or need to perform analyses or studies in order to resolve any concerns of your agency. (Cal. Code Regs., tit. 20, section 1714.5.)

We request that all agency comments be provided to us by **October 15, 2009**, except for the San Joaquin Air Quality Management District's Preliminary and Final Determinations of Compliance, which should be provided by **October 15, 2009**, and **December 14, 2009**, respectively. You may be asked to present and explain your conclusions at public and evidentiary hearings on the project. (See Cal. Code Regs., tit. 20, sections 1714.3, 1714.5, 1743, 1744.5, and 1748). Local agencies may seek reimbursement for reasonable costs incurred in responding to these requests. (Cal. Code Regs., tit. 20, section 1715).¹

The Energy Commission will work closely with you to ensure that your concerns and conclusions are described in the Preliminary Staff Assessment and Final Staff Assessment. Over the coming months, the Energy Commission will conduct a number of public workshops, scoping meetings, and hearings on the proposal to determine whether the proposed project should be approved for construction and operation and under what set of conditions. These workshops, scoping meetings, and hearings will provide the public as well as local, state and federal agencies the opportunity to ask questions about, and provide input on, the proposed project. The Energy Commission will issue notices for these workshops, scoping meetings and hearings at least 10 days prior to the meeting. We encourage your agency to participate in these proceedings.

Enclosed is a copy (CD) of the AFC Supplement in electronic format. A copy of the AFC was previously provided to you on May 27, 2009. If you would like to have a hard copy

¹ Please note that pursuant to 20 CCR 1715 reimbursement is not available to state and federal agencies.

July 28, 2009

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of the AFC sent to you, if you have questions, or if you would like additional information on how to participate in the Energy Commission's review of the project, please contact Felicia Miller, Project Manager at (916) 654-4640 or by email at fmiller@energy.state.ca.us. The status of the project, copies of notices, electronic version of the AFC, and other relevant documents are also available on the Energy Commission's Internet web site at <http://www.energy.ca.gov/sitingcases/almond>. You can also receive email notification of all project related activities and availability of reports by subscribing to the List Server on the website.

Sincerely,

Date: _____

Eileen Allen, Manager
Energy Facilities Siting and Compliance Office

Enclosure



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 TID ALMOND 2
POWER PLANT PROJECT**

Docket No. 09-AFC-2

**PROOF OF SERVICE
(Established 7/1/09)**

APPLICANT

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INTERESTED AGENCIES

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INTERVENORS

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DECLARATION OF SERVICE

I, Hilarie Anderson, declare that on July 28, 2009, I served and filed copies of the attached Request for Agency Participation in the Review of Supplement to AFC, dated July 28, 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: [<http://www.energy.ca.gov/sitingcases/almond/index.html>].

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 _____, 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. 09-AFC-2
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 Signature in Dockets
Hilarie Anderson