

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5112**DOCKET****09-AFC-2**DATE MAY 06 2010RECD. MAY 06 2010

May 6, 2010

TO: AGENCY DISTRIBUTION LIST

NOTICE OF AVAILABILITY OF THE STAFF ASSESSMENT FOR THE ALMOND 2 POWER PLANT PROJECT, APPLICATION FOR CERTIFICATION (09-AFC-2)

The California Energy Commission (Energy Commission) has prepared a Staff Assessment (SA) for the Almond 2 Power Plant Project (A2PP) Application for Certification (AFC). The SA contains the Energy Commission staff's engineering, public health, and environmental evaluation of the proposed A2PP. This notice is to inform you of the availability of the SA, which was published by the Energy Commission on April 30, 2010.

The Energy Commission encourages public and agency participation in the review of staff's SA. The SA will be available for a 30-day public comment period that will conclude on June 7, 2010. Written comments on the SA should be provided to Felicia Miller, Project Manager at the address on this letterhead (please add "Mail Stop 15") or by email to fmiller@energy.state.ca.us. Technical or project schedule questions should also be directed to Felicia Miller at (916) 654-4640, or by email.

The SA will serve as Energy Commission staff's testimony during evidentiary hearings held by the Energy Commission. The Energy Commission Committee assigned to the A2PP proceedings will consider and weigh the testimony, comments, and recommendations of all interested parties, including Energy Commission staff, the applicant, intervenors, public, and other local, state, and federal agencies, before issuing the Presiding Member's Proposed Decision (PMPD) for consideration by the full Energy Commission. The public, intervenors, local, state and federal agencies are encouraged to participate in these hearings. The Energy Commission will issue notices at least 14 days prior to any scheduled hearings.

SUMMARY OF THE PROPOSED ALMOND 2 POWER PLANT PROJECT

The SA contains the Energy Commission staff's evaluation of the A2PP. The proposed 174-megawatt (MW) A2PP electric generating plant and related facilities are under the Energy Commission's licensing jurisdiction and cannot be constructed or operated without the Energy Commission's certification. The SA contains analyses similar to those normally contained in an Environmental Impact Report (EIR) required by the California Environmental Quality Act (CEQA). When issuing a license, the Energy Commission is the lead state agency under CEQA, and its process is functionally equivalent to the preparation of an EIR.

The Energy Commission staff has the responsibility to complete an independent assessment of the project's engineering design and its potential effects on the environment, the public's health and safety, and whether the project conforms to all

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applicable laws, ordinances, regulations and standards (LORS). The staff also recommends measures to mitigate potential significant adverse environmental effects and conditions of certification for construction, operation and eventual closure of the project, if approved by the Energy Commission.

This SA is not the decision document for these proceedings, nor does it contain findings of the Energy Commission related to environmental impacts or the project's compliance with local/state/federal legal requirements. The SA serves as staff's official, sworn testimony in evidentiary hearings to be held by the Committee assigned to this proceeding, comprised of two Commissioners and a Hearing Officer. After evidentiary hearings, the Committee will consider testimony and comments presented by staff, the applicant, other parties to the proceeding, governmental agencies and the public – all aspects that comprise the official record of this proceeding -- and issue a Presiding Member's Proposed Decision (PMPD). Following a public hearing, the full five-member Energy Commission will make its final decision on this power plant application based upon the PMPD, comments by parties to the proceeding and input from members of the public.

PUBLIC PARTICIPATION

Please direct your technical or project schedule questions to Felicia Miller, Energy Commission Project Manager, at (916) 654-4640, or by e-mail at fmiller@energy.state.ca.us. The status of the proposed project, copies of notices, an electronic version of the AFC and SA, and other relevant documents are also available on the Energy Commission's web site:

<http://www.energy.ca.gov/sitingcases/almond>. You can also subscribe to receive e-mail notification of all notices and announcements at: <http://www.energy.ca.gov/listservers>.

By being on this email list, you will receive all project-related notices and documents pertaining to the project's evaluation and review. If you have any questions related to the automatic email notification list, please contact Hilarie Anderson, Project Assistant, at (916) 651-0479, or by email at: handerso@energy.state.ca.us.

Sincerely,

Roger Johnson, Office Manager
Energy Facilities Siting Office

cc:Dockets
Proof of Service (09-AFC-2)

Enclosure: CD containing the **Staff Assessment** for the Almond 2 Power Plant Project (09-AFC-2)

CALIFORNIA ENERGY COMMISSION1516 NINTH STREET
SACRAMENTO, CA 95814-5112

May 6, 2010

TO: MEMBERS OF THE PUBLIC

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PUBLIC PARTICIPATION

Please direct your technical or project schedule questions to Felicia Miller, Energy Commission Project Manager, at (916) 654-4640, or by e-mail at fmiller@energy.state.ca.us. If you desire information on participating in the Energy Commission's review of the project, please contact the Energy Commission's Public Adviser's Office, at (916) 654-4489 or toll free in California, at (800) 822-6228. The Public Adviser's Office can also be contacted via email at pao@energy.state.ca.us. News media inquiries should be directed to the media office at (916) 654-4989 or via email at mediaoffice@energy.state.ca.us.

The status of the proposed project, copies of notices, an electronic version of the AFC and SA, and other relevant documents are also available on the Energy Commission's web site: <http://www.energy.ca.gov/sitingcases/almond>.

You can also subscribe to receive e-mail notification of all notices and announcements at: <http://www.energy.ca.gov/listservers>. By being on this email list, you will receive all project-related notices and documents pertaining to the project's evaluation and review.

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The SA is available at the following local libraries:

Ceres Library
2250 Magnolia St.
Ceres, CA 95307

Keyes Public Library
4420 Maud Ave.
Keyes, CA 95328

Modesto Library
1500 I St.
Modesto, CA 95354

CSU Stanislaus Library 112
801 W Monte Vista Ave
Turlock, CA 95382

Stanislaus County Free Library
2412 3rd St
Hughson, CA 95326

Copies of the SA are also 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.

Sincerely,

Roger Johnson, Office Manager
Energy Facilities Siting Office

cc:Dockets
Proof of Service (09-AFC-2)

**Please send me a paper copy / CD (circle one) of the Staff Assessment for the Almond
2 Power Plant Project (A2PP) Project Application for Certification (09-AFC-2).**

Name:

Address:

City/State/Zip:

FOLD HERE

California Energy Commission
Attention: Hilarie Anderson
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 TID ALMOND 2
POWER PLANT PROJECT**

Docket No. 09-AFC-2

**PROOF OF SERVICE
(Revised 2/8/10)**

APPLICANT

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INTERESTED AGENCIES

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INTERVENORS

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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on May 6, 2010, I mailed hard copies of the attached (09-AFC-2) Almond 2 - Agency Letters Regarding Notice of Availability of the Staff Assessment. 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: [\[http://www.energy.ca.gov/sitingcases/almond\]](http://www.energy.ca.gov/sitingcases/almond).

The documents have 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;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original signed by: _____
Teraja` Golston