Memo

DOCKET

08-AFC-7C

DATE Aug 16 2011

RECD. Aug 24 2011

To: Eric Veerkamp, Compliance Project Manager

From: Mary Castillo

CC: Mark Kehoe, Ron Sichau, Cathy Martin

Date: August 16, 2011 **Re:** Approval Request

 Request for Administrative Approval – Temporary Lay Down Area

Both electronic and hard copies of this transmittal record will be submitted.

GWF Energy LLC

Memo

To: Erick Veerkamp

From: Mark Kehoe
CC: Chris Marxen

Date: 8/24/2011

Re: GWF Tracy (08-AFC-07) Temporary Lay Down Area Expansion

During our last meeting at the GWF Tracy Combined Cycle project site, we discussed the additional temporary construction lay down area in the northeast portion of our property that was needed to store construction materials for the next several months. The additional acreage being added for lay down is 5.45 acres. The approved AFC identified 12.3 acres of property was to be used for construction parking and construction materials storage. **Land Use 1** required that all property used for temporary storage and construction usage be restored at the end of the project and returned to possible agricultural use. Land Use 1 also required the mitigation of Prime Farmland loss of 3.28 acres which has been completed. All land to be used during construction is owned by GWF Energy and was part of the original project Tracy Peaker Plant (01-AFC-16) that was constructed in 2002-3. Both Prime Farmland loss and multi-species habitat conservation loss (36.4 acres) were fully mitigated as part of the original project.

Figure 1 (see attached) provides a drawing that shows GWF Energy's property boundary of nominally 40 acres, the nominal 12.3 acres of original construction parking and lay down/construction area and the additional 5.45 acres of land that GWF requests be approved for construction material storage.

The justification for the request of the administrative approval for the expansion of the lay down area includes the following:

- 1. The original application for the Authority For Certification included a preliminary general arrangement and site usage drawing that was submitted approximately 30 months prior to the selection of the EPC contractor.
- 2. GWF has complied with Land Use 1 in mitigating the loss of Prime Farmland (3.28 acres) for the construction of the GWF Tracy Combined Cycle project.
- 3. GWF has fully mitigated the loss of 40 acres of Prime Farmland and 36.4 acres of multi-species habitat loss during the original Peaker Plant construction.
- 4. The proposed additional lay down area land was included and fully mitigated in the original project Tracy Peaker Plant (01-AFC-16).

- 5. The Drainage, Erosion and Sedimentation Control plan has been revised to include Best Management Practices (BMPs) for the additional lay down area and as such will prevent any surface water accumulation from storm events from draining onto adjacent properties.
 - a. Bureau Veritas North America the Chief Building Official for the project has reviewed and approved the site drainage drawings that reflect the changes to the lay down area.

GWF Energy LLC requests that the increase in the lay down area for temporary use of land previously mitigated be approved as an administrative change by the California Energy Commission's Compliance Project Manager.

Please feel free to contact me if you have any further questions regarding this request.

