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September 16, 2011

Ms. Christine Stora
Compliance Project Manager
California Energy Commission
1516 9th Street
Sacramento, CA 95614

DOCKET

97-AFC-2C

DATE Sept 16 2011

RECD. Sept 16 2011

**RE: Grimes Pipeline Project Amendment 97-AFC-02
Sutter Energy Center Conditions of Certification and Proposed
Conditions of Certification for the Grimes Pipeline Project**

Dear Ms. Stora:

As Calpine Construction Finance Company, L.P. and CPN Pipeline Company indicated in our comments on the California Energy Commission's (CEC) Staff Assessment on the Grimes Pipeline Project Amendment dated September 11, 2011, please find attached our proposed set of conditions of certification specific to the Grimes Pipeline Project (Grimes Project).

The attached table summarizes what we believe are the applicable April 1999 Conditions of Certification issued as part of the Commission's Decision for the Sutter Energy Center (SEC) and the proposed conditions of certification set forth in the Staff Assessment. The purpose of this table is to clarify what conditions will be required for the Grimes Project so that Calpine Construction Finance Company, L.P. and CPN Pipeline Company can comply in a timely manner as we proceed toward construction of the Project.

We would like to meet with you at your convenience to discuss the conditions of certification that are applicable to the Grimes Pipeline Project.



Please contact me at (925) 557-2238 to set up a meeting date.

Sincerely,
Barbara McBride
Western Regional Director, Environmental Health and Safety

Attachment

**PROPOSED ENVIRONMENTAL ASSESSMENT CONDITIONS OF
CERTIFICATION APPLICABLE
TO THE GRIMES PIPELINE PROJECT**

Resource	Condition of Certification	General Description of Condition of Certification	1999 Staff Assessment Citation	Applicability to Grimes Project
Air Quality	AQ-1	City/County of Sutter approved erosion and sediment control plan	Page 45	Applicable
	AQ-SC1	Air Quality Construction Mitigation Plan	N/A	New Condition for Grimes Pipeline Project
	AQ-SC2	Air Quality Construction Mitigation Plan	N/A	New Condition for Grimes Pipeline Project
	AQ-SC3	Construction Fugitive Dust Control	N/A	New Condition for Grimes Pipeline Project
	AQ-SC4	Dust Plume Response Requirement	N/A	New Condition for Grimes Pipeline Project
	AQ-SC5	Diesel-Fueled Engine Control	N/A	New Condition for Grimes Pipeline Project
Socioeconomics	SOCIO-1	Procurement of personnel and materials and supplies within Sutter County first	Page 95	Applicable
	SOCIO-2	Agreement and funding with Sutter County Fire Department regarding hazardous materials handling and fire protection	Page 96	Applicable
Biological Resources	BIO-1	Designated biologist	Page 141	Applicable
	BIO-2	Designated biologist duties	Page 142	Applicable as revised by CEC
	BIO-2a	Biological Monitor Selection and Duties	N/A	New Condition for Grimes Pipeline Project
	BIO-3	Notifications regarding non-compliance and corrective actions	Page 143	Applicable
	BIO-4	Worker Environmental Awareness Program	Page 143	Applicable as

Resource	Condition of Certification	General Description of Condition of Certification	1999 Staff Assessment Citation	Applicability to Grimes Project
Biological Resources Cont'd	BIO-4 Cont'd	Worker Environmental Awareness Program	Page 143	revised by CEC
	BIO-5	Endangered species MOU	Page 145	Deleted
	BIO-6	Section 7 Biological Opinion	Page 145	Applicable
	BIO-7	Streambed Alteration Agreement	Page 145	Applicable as revised by CEC
	BIO-7a	Frac-Out Plan	N/A	New Condition for Grimes Pipeline Project
	BIO-8	Measures to protect giant garter snake	Page 145	Applicable as revised by CEC
	BIO-9	Swainson's Hawk	Page 147	Applicable as revised by CEC
	BIO-11	Wetlands mitigation measures	Page 149	Applicable as revised by CEC
	BIO-12	BRIMMP, including Endangered species MOU	Page 150	Applicable as revised by CEC
	BIO-14	Valley Elderberry Longhorn Beetle	N/A	New Condition for Grimes Pipeline Project
Visual Resources	VIS-1	Treatment of project structures, buildings and tanks visible to the public with non-reflective colors	Page 117	Applicable
	VIS-2	Any fencing for the project shall be non-reflective	Page 119	Applicable
Noise	NOISE-1	Notification of residents within one mile of site	Page 158	Applicable
	NOISE-2*	Noise complaints resolution	Page 159	Applicable
	NOISE-3	Noise Control Program to reduce employee exposure to high noise	Page 160	Applicable
Traffic and Transportation	TRANS-1	Compliance with CALTRANS and Sutter County limitations on vehicle sizes and weights	Page 170	Applicable
	TRANS-2	Encroachment permits	Page 170	Applicable
	TRANS-3	Compliance with federal and state regulations for hazardous waste transport	Page 170	Applicable
	TRANS-6	Traffic control plan	Page 171	Applicable

Resource	Condition of Certification	General Description of Condition of Certification	1999 Staff Assessment Citation	Applicability to Grimes Project
Traffic and Transportation Cont'd	TRANS-7	Repair roads damaged during construction	Page 171	Applicable
Waste Management	WASTE-1	Obtain hazardous waste generator ID no. prior to generating hazardous waste	Page 188	Applicable
	WASTE-2	Notification of waste management related enforcement action	Page 189	Applicable
	WASTE-3*	Submit construction and operations waste management plan to Sutter County and CEC for approval	Page 189	Applicable
	WASTE-4	Prepare and submit Soils Management Plan	N/A	New Condition for Grimes Pipeline Project
Worker Safety and Protection	SAFETY-1	Submit to CPM Project Construction Safety and Health Program	Page 193	Applicable
	SAFETY-2	Submit to CPM Project Operations Safety and Health Program	Page 193	Applicable
Cultural Resources	CUL-15.1	Cultural Resources Personnel	N/A	New Condition for Grimes Pipeline Project
	CUL-15.2	Cultural Resources Information for the Grimes Pipeline Project	N/A	New Condition for Grimes Pipeline Project
	CUL-15.3	Cultural Resources Monitoring and Mitigation Plan for the Grimes Pipeline Project	N/A	New Condition for Grimes Pipeline Project
	CUL-15.4	Supplement to the Final Cultural Resources Report for the Grimes Pipeline Project	N/A	New Condition for Grimes Pipeline Project
	CUL-15.5	Employee Training Program for the Grimes Pipeline Project	N/A	New Condition for Grimes Pipeline Project
	CUL-15.6	Archaeological Monitoring for the Grimes Pipeline Project	N/A	New Condition for Grimes Pipeline Project
	CUL-15.7	Cultural Resource Discovery and the Grimes Pipeline Project	N/A	New Condition for Grimes Pipeline Project

Resource	Condition of Certification	General Description of Condition of Certification	1999 Staff Assessment Citation	Applicability to Grimes Project
Soil & Water	SOIL & WATER-3	Submit erosion control and revegetation plan for staff approval	Page 178	Applicable
	SOIL & WATER-4	Submit NOI for construction activities to SWRCB and prepare SWPPP	Page 179	Applicable
Paleontological Resources	PAL-1	Designated Paleo resources specialist	Page 213	Applicable as revised
	PAL-2	Provide information to Paleo resources specialist prior to construction	Page 216	Applicable
	PAL-3	Prepare draft Paleo Resources Monitoring Mitigation Plan	Page 216	Applicable
	PAL-5	Environmental Awareness Training Program	Page 220	Applicable
	PAL-6	Provide Environmental Awareness Training to all workers, supervisors	Page 221	Applicable
	PAL-7	Provide current schedule to PALEO resources specialist	Page 221	Dependent upon PAL-8 deletion
	PAL-8	Paleontological monitor on site	Page 222	Revised by Staff Assessment; Calpine requested deletion
	PAL-9	Data collection of finds	Page 222	Applicable
	PAL-10	Prepare Preliminary Paleontologic Resources Report	Page 223	Applicable
	PAL-11	Prepare Final Paleontologic Resources Report	Page 223	Applicable
	PAL-12	Submit Final Paleo Resources Report to Institution	Page 224	Applicable
	PAL-13	Deliver for curation any paleontologic resource materials found	Page 225	Applicable

*Conditions of Certification reported in Sutter Energy Center's Annual Report to the California Energy Commission.