



February 10, 2011

Mr. Pierre Martinez  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, CA 95814

## DOCKET

09-AFC-4

DATE 02/10/11

RECD. 02/18/11

### RE: Oakley Generating Station Project (09-AFC-4)

Dear Mr. Martinez:

This letter is in reference to the Oakley Generating Station (OGS) Preliminary Staff Assessment (PSA) Parts A and B (Case Docket Number 09-AFC-4). The Oakley Generation Station Project is proposed as a natural gas-fired, combined cycle facility with a generating capacity of 624-megawatts (MW), located at 6000 Bridgehead Road, northeast of the junction of State Route 4 and State Route 160 in the west city limits of the city of Oakley and adjacent to the eastern city limits of Antioch. The project also consists of power transmitted to the regional electrical grid via a 230-kV connection to PG&E's Contra Costa Substation, located 2.4 miles to the southwest of the OGS site. The transmission lines connecting to the PG&E Contra Costa Substation are located within the City of Antioch for approximately 1.4 miles. The City of Antioch is commenting on any potential impacts to the City and because a portion of the project, the transmission lines, is located within the City's boundaries.

Please see below for comments on Part A of the PSA, which addresses impacts on cultural resources, noise and vibration, public health, transmission line safety and nuisance, visual resources, waste management worker safety, facility design, geology and paleontology, power plant efficiency, and plant reliability.

**Cultural Resources:** No comments.

#### **Hazardous Materials Management:**

The PSA does not discuss hazardous materials traveling through the City of Antioch via State Route 4, State Route 160, or the surface streets. While SR 4 and SR 160 are under the jurisdiction of Caltrans, the two proposed routes are for trucks to either use SR 160, exit at Wilbur Avenue and turn onto Bridgehead Road, or use SR/Main Street and turn onto Bridgehead Road. When the trucks leave State Route 160 they enter onto the surface streets of Antioch briefly

Community Development Department  
Planning Division

P.O. Box 5007 • 200 H Street • Antioch, CA 94531-5007 • Tel: 925-779-7035 • Fax: 925-779-7034 • [www.ci.antioch.ca.us](http://www.ci.antioch.ca.us)

prior to entering into Oakley. The City of Antioch does not have issue with the proposed routes as both East Eighteenth Street (Main Street in Oakley) and Wilbur Avenue are considered truck routes by the City of Antioch. The two proposed routes fulfill General Plan policy 11.7.2I, which is to promote the safest possible transport of hazardous materials through Antioch.

### **Noise and Vibration:**

In reviewing the Noise and Vibration section of the PSA, the City of Antioch General Plan and Zoning Code were not taken into consideration. There will be construction of monopoles and transmission lines occurring within the City Antioch, which should be analyzed and addressed utilizing the City's thresholds and noise ordinances. The City's General Plan addresses noise objectives and policies within section 11.6.

The PSA indicated that there will be some construction that will take place 24 hours a day, 7 days week, with linear construction occurring only within the daytime hours. Mitigation measure, **NOISE-8**, does not have the same limiting hours of construction as the City of Antioch. The City of Antioch has two applicable Municipal Code sections, 5-17.04 and 5-17.05, which relate to construction activity noise.

The two sections state it is unlawful for any person to operate heavy equipment or to be involved in construction activity during the hours specified below:

- On weekdays prior to 7:00 a.m. and after 6:00 p.m.
- On weekdays within 300 feet of occupied dwellings, prior to 8:00 a.m. and after 5:00 p.m.
- On weekends and holidays, prior to 9:00 a.m. and after 5:00 p.m., irrespective of the distance from the occupied dwellings.

The following section of the Municipal Code, section 5-17.06, does allow for the City Manager or designee the authority to grant a waiver of the restrictions. If the applicant is planning to exceed the City's limited construction hours, a request in writing should be made to the City for review.

**Public Health:** No comments.

### **Transmission Line Safety and Nuisance:**

Under Table 1 of the Trans Line Safety and Nuisance LORS the City of Antioch's LORS are not listed even though transmission lines will be in the city limits.

Community Development Department  
Planning Division

The PSA indicates the majority of the land use designations to be industrial and agriculture. However, the transmission line corridor, as it runs through the City of Antioch, has General Plan designations of Medium Low Density Residential and Business Park. The potential impacts should take these land uses into consideration as they were incorrectly identified in the PSA.

The applicant shall submit a site plan showing the location of all proposed monopoles. The applicant shall provide the City with a final site plan showing the final construction/lay down area for the transmission lines. The site plan shall show truck access to the designated area. The contractor shall obtain an encroachment permit for work within the public right-of-way or easement.

#### **Visual Resources:**

KOP 2 identifies the land within Antioch as being Heavy Industrial (H-I), when the General Plan designation for the land adjacent to SR 160 is Business Park and Commercial. This land use designation should be taken into consideration.

Page 179 of the PSA states that the transmission line area will be restored within one year, however there is not a description of actions indication indicating how the area will be restored. The City would like details as to what the applicant intends to do with the transmission line area in order to comply with the statement.

#### **Waste Management:**

The City of Antioch is not listed in the LORS Waste Management Table 1. The applicant is proposing to remove the existing transmission towers and replace them with monopoles within the city limits. The Antioch Municipal Code addresses construction and demolition debris recycling in Article II of Title 6 Chapter 3. The City requires any construction, demolition, or renovation projects over \$75,000 to comply with the article. If the demolition of the transmission towers exceeds \$75,000 then the applicant shall submit a Waste Management Plan consistent with the City of Antioch's requirements per the Municipal Code.

Mitigation **WASTE-1** requires the applicant to dispose of existing waste along the transmission line route. The applicant shall develop and implement a plan to address unauthorized dumping which provides for regular periodic clean disposal of waste for the life of the project.

**Facility Design:** No comments.

**Geology & Paleontology:** No comments.

**Power Plant Efficiency:** No comments.

**Power Plant Reliability:** No comments.

Please see below for comments on Part B of the PSA, which addresses impacts on air quality, biological resources, land use, socioeconomic resources, soil and water resources, traffic and transportation, transmission engineering, and alternatives.

**Air Quality:**

The City of Antioch will defer to the BAAQMD, as they are the regional agency for air quality.

**Biological Resources:**

The City of Antioch received an arborist report on February 7, 2011 for the trees that will be impacted and removed within the City of Antioch. The ordinance provides two options for mitigation for the impacts related to the removal of the tree that had been identified in the report. If the application is approved the mitigations are: 1) replacement of the tree at a 2:1 ratio with 24 inch box trees or 2) the payment of a penalty of \$2,000.00.

The arborist's report lacks information regarding construction being conducted within the drip line of any established trees. Established trees shall be any tree which is at least 10 inches in diameter, as measured four and one half feet above natural or finished grade. Moreover, any trees where construction will occur within the drip line of a protected tree shall be bonded for in the amounts outlined in the City's Municipal Code, Section 9-12.

**Land Use:**

The PSA indicates the General Plan designations within the City as Medium Density Residential, Medium Low Density Residential, Open Space, and SR-4/160 Frontage Focus Area. According to the aerial provided in Part A, the actual General Plan designations are as follows: Business Park, Public/Institutional, Open Space, Medium Density Residential, Medium Low Density Residential, and Residential TOD. The PSA lists the following zoning designations: Service/Regional Commercial (C-3), the Planned Development District, and the Light Industrial District (M-1). The actual zoning designations

are as follows: Planned Business Center (PBC), Light Industrial (M-1), and Planned Development (PD).

**Socioeconomics:** No comments.

**Soil and Water Resources:** No comments.

**Traffic and Transportation:**

The traffic and transportation section does not address trucks traveling within the City of Antioch. Any oversized loads traveling within the City will need a transportation permit issued by the Public Works Department. Mitigation TRANS-4 should also include the required City of Antioch transportation permit.

The PSA also states that construction of the transmission lines may result in temporary lane and roadway closures. The PSA states a Construction Traffic Control Plan (prepared in conjunction with the City of Oakley and Caltrans) will identify any temporary closures of vehicle traffic lanes and will redirect traffic flow by cones and flagmen when necessary. The PSA does not mention the City of Antioch or whether there are any temporary closures of vehicle traffic lanes planned within the City. Work performed within the City's public right-of-way or easement requires an encroachment permit with a Traffic Control Plan.

**Transmission System Engineering:** No comments.

**Alternatives:**

**OGS Alternative 1: 18th Street Site** – The PSA states that a project at the site could obtain potable water from the City of Antioch by tapping into a line in place for the Gateway Generating Station, that recycled water and wastewater would likely be managed by the Delta Diablo Sanitary District (DDSD), and that a 4.7-mile recycled water connection would connect to the DDSD's treatment plant located at 2500 Pittsburg-Antioch Highway in Antioch. Instead, the PSA should state that potable water, wastewater collection and storm drainage facilities are presently available in E. 18<sup>th</sup> Street and Drive-In Way and that a 2.6-mile recycled water connection would connect to the City of Antioch's new recycled waterline on 'A' Street. Work performed within the City's public right-of-way or easement would require an encroachment permit with a traffic control plan.

**Water Resources.** The PSA states that with a connection of 500 feet or less, a project at the alternative site could tap into a potable line from the City of Antioch that is in place for Gateway Generating Station, that the Delta Diablo Sanitary District would likely supply recycled water and manage wastewater, and that a 4.7-mile recycled water connection would connect to the DDSD's treatment plant. Instead, the PSA should state that potable water, wastewater collection and storm drainage facilities are presently available in E. 18<sup>th</sup> Street and Drive-In Way, that a 2.6-mile recycled water connection would connect to the City of Antioch's new recycled waterline on 'A' Street, and that any work performed within the City's public right-of-way or easement would require an encroachment permit with a traffic control plan.

**OGS Alternative 2: Wilbur Avenue Site** – The PSA states the project could tap into a City of Antioch water pipeline in place at the Contra Costa Power Plant. Instead, the PSA should state that connection to a City of Antioch water pipeline is available in Wilbur Avenue and the connection would require a City encroachment permit and an Out of Agency Agreement, which would need to be approved by LAFCO. The PSA also states that recycled water could be provided by DDSD or the ISD, either of these connections would also require an Out of Agency Agreement through LAFCO. The PSA does not discuss wastewater or sewer connection, only recycled water. The PSA states that a 4.4-mile connection to the DDSD treatment plant is required to obtain recycled water, Instead, the PSA should state that a sewer connection is available in Wilbur Avenue, that a 2.2-mile recycled water connection would connect to the City of Antioch's new recycled waterline on 'A' Street, and that these connections would require a City encroachment permit and an Out of Agency Agreement,

**Water Resources.** The PSA states that with a connection of 500 feet or less, a project at the alternative site could tap into the potable water line from the City of Antioch that is in place for the Contra Costa Power Plant and that to obtain recycled water, a 4.4-mile connection to the DDSD plant would be required. Instead, the PSA should state that a project at the alternative site could tap into an existing water line in Wilbur Avenue, that a 2.2-mile recycled water connection would connect to the City of Antioch's new recycled waterline on 'A' Street, and that these connections would require a City encroachment permit and an Out-of-Agency Agreement, which would need to be approved by LAFCO.

**OGS Alternative 3: Riverfront Site** – Same comments as in Alternative 2 above, except that the PSA states a 3.9-mile connection would be required to reach the DDSD treatment plant in Antioch. Instead, the PSA should state that

a 1.8-mile recycled water connection would connect to the City of Antioch's new recycled waterline on 'A' Street, This comment should be incorporated into the **Water Resources** bullet point.

Please contact me if you have any questions and concerns regarding the City of Antioch's comments on the Oakley Generation Station at (925) 779-6133 or [mgentry@ci.antioch.ca.us](mailto:mgentry@ci.antioch.ca.us).

Sincerely,



Mindy Gentry  
Acting Senior Planner

cc: Jim Jakel, City of Antioch  
Tina Wehrmeister, City of Antioch  
Victor Carniglia, City of Antioch