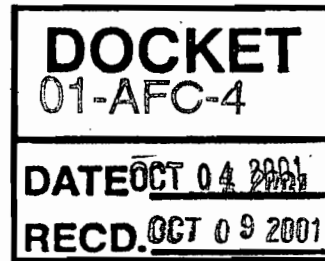




ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT

Adolph Martinelli  
Agency Director

October 4, 2001



James E. Sorensen  
Planning Director

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Subject: East Altamont Energy Center LLC (EAEC), (01-AFC-4), final comments of Alameda County affected agencies, including Community Development Agency, Public Works Agency, Fire Department and Environmental Health Department.

Dear Ms. Davis:

Alameda County is pleased to provide these comments on the EAEC Application for Certification. It has been a pleasure working with the CEC and with the applicant as well on these matters, as all parties have been very accommodating and forthcoming with information and assistance.

The following comments are, in some cases, in the form of suggested Conditions of Approval, and in other cases suggestions for additional analysis. All are intended to help make the project as environmentally-friendly as possible, and to help make the project as compliant with County policy and procedure as can be reasonably expected. The comments are organized by agency or department, and are exactly as received by the Community Development Agency from the various other County entities with only slight format changes.

Alameda County Community Development Agency

The following three recommended conditions reflect the results of a cooperative effort between the County and the applicant to achieve thorough mitigation for perceived impacts to farmland and visual character of the area. For many of the requirements specified in these conditions, the applicant is already working to fulfill their intent.

*Land Use:*

1. Applicant shall enter into an agreement with the County of Alameda to provide mitigation for high quality farmland and/or prime agricultural soils that are made unavailable for agricultural production as a result of the development of the project. Mitigation shall be performed on a minimum ratio of one unit of land preserved for each unit lost, calculated both as to area and to economic replacement value, whichever yields the greatest fee requirement. The agreement shall include a combination of unaffected lands to be set aside and enhanced for continued agricultural use, and for lands taken permanently out of production, payment of fees to the County or designated public agency or land trust to adequately cover the costs of securing either fee title or permanent agricultural conservation easements over lands of similar value elsewhere in Alameda County. The

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agreement shall be approved as soon as practicable, either before or following project approval by the CEC, and the fee shall be paid into an escrow or trust fund prior to the issuance of grading and/or building permits.

2. Applicant shall submit to Alameda County a written program specifying measures to be taken to ensure the continuing quality and agricultural viability of lands adjacent to and on the same assessed parcel of land on which the project is constructed. Measures shall include, but not be limited to, economic support for agriculture on these lands, including making the land available for lease at below-market rates, a schedule for which shall be included in the program. Implementation of other measures that involve significant expenditures of capital to ensure viability should be guaranteed by an appropriate mechanism, such as escrow accounts or surety performance bonds. This program shall also demonstrate the ability of the applicant to initialize these measures on the adjacent lands and ensure that they are implemented after energy production ensues. The program shall be submitted and approved by the County Planning Director prior to the issuance of grading or building permits.

***Visual Impact:***

3. Applicant shall design and submit for review by the County Planning Director a program for visual attenuation of views of the East Altamont Energy Center. The program should include sensitive landscaping with trees, shrubs and other appropriate vegetation for screening, low berms or hillocks where necessary, a paint scheme that helps the plant blend in with the background of hills or sky, depending upon the vantage point, and night lighting that illuminates only the site and necessary equipment, without light trespass offsite and generally without escape of light from the immediate area of the plant and operations above the horizontal. Trees and plantings shall be the preferred method of screening, and shall be chosen and installation designed so as to minimize the loss of farmland; species should be chosen for their attractiveness, suitable water and climate requirements, and where necessary, to avoid creation of perches for raptors, taking into account tree heights and stiffness of branches. Berms and hillocks should be used sparingly and only where trees would not be practical or would result in another major impact type, such as biological. Paint colors should be chosen for their ability to blend with the natural surroundings of grassy hillsides and bright sky, and should be applied to the plant with attention given to backgrounds as seen from various angles. Wherever possible, lighting practice shall employ full cutoff light fixtures and lighting shall be installed using motion sensitive circuitry to provide lighting when it is needed and for security. Examples and/or photos of trees, light fixtures and paint samples should be submitted with the report.

This report shall be submitted prior to issuance of building and grading permits for the project, and implemented features shall be subject to inspection and verification upon completion, and the inspector may take steps as necessary to ensure compliance with the approved program.

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**Alameda County Fire Department**

The following comments are submitted by James Ferdinand, Fire Marshal for East Alameda County. These are comments on the fire protection segments of the application. The comments provide recommendations for conditions of approval that are designed to aid firefighting efforts at the project site in the event that they become necessary.

***1. Section 2.2.12 Fire Protection – Cooling Tower***

Provide details as to the fire resistance rating of the fiberglass as well as materials used to construct the cooling tower.

***2. 2.3.2.1 – Fire Protection Systems – General***

The Alameda County Fire Code requires fire sprinkler systems be installed in all structures which exceed 5000 square feet in total building area.

- a. Plans and specifications showing detailed mechanical design, including hydraulic calculations, of all fire protection systems shall be submitted to the Fire Department for approval and permit prior to installation.
- b. Automatic fire extinguishing systems shall conform to N.F.P.A. Standard No. 13.
- c. The Fire Department connection shall be located in an approved location per fire department requirements.
- d. Automatic fire extinguishing systems installed within buildings shall have all control valves and flow devices electrically supervised and maintained by an approved central alarm station. Zoning and annunciation of central station alarm signals shall be submitted to the Fire Department for approval. The central station monitoring service shall be either certificated or placarded as defined in N.F.P.A. Standard No. 72.
- e. Contact the fire Department at least 48 hours in advance for required underground inspections and hydrostatic test of all system components.
- f. Contractor Material and Test Certificates, as required by NFPA 13, shall be submitted to the Fire Department prior to asking for approval of both underground and aboveground installations. Partially completed forms will not be accepted.

On site fire hydrants shall be installed as required by Article 10 of the Uniform Fire Code.

- g. Installation of fire hydrants shall conform to N.F.P.A. Standard No. 24.
- h. Each fire hydrant shall be equipped with a minimum of one 2-1/2" and one 4-1/2" outlet.
- i. Contact the Fire Department for approved hydrant locations.
- j. An adequate means of guarding shall be provided for each fire hydrant to prevent accidental injury.
- k. Hydrant locations shall be identified by the installation of approved blue reflective markers installed in the Fire Access Road.
- l. Distribution of fire hydrants and minimum fire flow shall be provided as required in the Uniform Fire Code, Appendix III-A and III-B.

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- m. Detailed mechanical drawings of the proposed installation shall be submitted to the Fire Department for approval and permit.

**Alameda County Public Works Agency - Road Planning and Design**

The following comments were submitted by Bill Lepere, Supervising Civil Engineer, Development Services, and Tam Nguyen, Road Planning and Design. Road Design and Traffic Engineering staff have reviewed the traffic and transportation section of the draft EIR for East Altamont Energy Center on Mountain House Road, Livermore. The following comments/suggestions should be included in the EIR of this project:

1. This development will increase vehicle turning movements and potential vehicle conflicts at the intersections along Mountain House Road. To provide a safe operation at intersection locations and driveway access points, we recommend that Calpine install street lights at the driveway access point and at the following intersections:
  - a. Mountain House Road and Byron-Bethany Road
  - b. Mountain House Road at Kelso Road
  - c. Mountain House Road at Grant Line Road
2. The combination of existing vehicle speeds and additional commercial traffic supports the installation of both deceleration and acceleration lanes, and designated left and right turn lanes at critical driveway and intersection locations. The turning lanes (acceleration, deceleration, left-turn, and right-turn) should be designed to accommodate a 95<sup>th</sup> percentile confidence level for both existing and projected traffic volumes.
3. Also, the intersection of Mountain House Road at Byron-Bethany should be realigned to provide for a 90-degree alignment.
4. No access points should be designated on Byron-Bethany Road. Driveway access points should be located along the tangent section of Mountain House Road and should avoid conflict with the proposed intersection realignment (90-degree intersection).
5. For roadway and building set back, the following information should be considered:
  - a. Future Width Line – Byron-Bethany Road has an adopted 110-foot future width line.
  - b. Special Building Line – Byron-Bethany Road has a 130-foot special building set back.
6. Areas that are reconstructed/realigned should provide a shoulder section along the roadway. This shoulder would allow for the optimum recovery and emergency purposes.
7. Existing pavement structural section along Mountain House Road is not adequate for the proposed commercial traffic along the roadway. Calpine should provide for roadway improvement to the existing roadway pavement structural section for a Traffic Index of 8.5.

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8. In Section 8.10.1.1 Highways and Road – Public Transportation: School bus operation should be included. Our experience indicates that motorists do not adhere to the posted speed limit of 25 mph "when children are present". This experience is based on traffic during commute periods and previous construction related projects. These projects also indicate motorists behavior may create less than favorable conditions. Consideration should be made to improve shoulder areas for decelerating traffic in the vicinity of Mountain House School.
9. The traffic volume shown in the EIR appears low. Our current traffic volume data show the following:
  - a. Mountain House Road – 2500 vpd
  - b. Byron-Bethany – 9500 vpd
  - c. Kelso Road – 900 vpd

This data or more recent traffic volumes should be considered in the traffic volume analysis.

**Alameda County Public Works Agency - Land Development and Grading**

The following comments were submitted by Mr. Bill Lepere both for Land Development and on behalf of the Grading Department. As with the comments above, these are recommended conditions to enable the project to comply with local ordinances and regulations related to grading, onsite water management and overall development.

We have reviewed the "Application for Certification for East Altamont Energy Center" prepared by East Altamont Energy Center, LLC for submission to the California Energy Commission Sacramento, California Volume 1 and Appendices and should this application receive favorable consideration, please consider the following recommendations in establishing the conditions of approval.

1. Any right-of-way dedication, road improvements, and any necessary relocation of utility facilities shall be at no cost to the County
2. All roadway and storm drain facilities are to conform to Alameda County's Subdivision Design Guidelines and Hydrology and Hydraulics Criteria Summary. All work must be in compliance with Alameda County ordinances, guidelines, and permit requirements.
3. Acquire an encroachment permit from Alameda County for all work within the roadway right-of-way.
4. County design requirements control access points to a County road. Improvement plans shall conform to the County's concerns with regard to tie-in, angle of approach, steepness, and sight distance for any driveway connection to the road. Design the driveway entrances to intersect the road right-of-way at a perpendicular angle. A minimum length of 20 feet behind the curb face must be relatively flat (6 percent maximum) to ensure safe access to the road. Also, there should be no parking spaces within this 20-foot area..

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5. All paved slopes should have a minimum 0.5 percent grade.
6. It is not clear how the rear yard areas will drain. Do not augment or concentrate runoff to the adjacent properties to the rear or side of the development area.
7. Develop a contingency overland flow drainage plan to account for blocked drainage inlets and the 100-year storm. The emergency overflow plan should show emergency overflow contained within the roadway right-of-way. Show right-of-way on the tentative map between lots to allow passage of emergency overflow releases, where low point cul-de-sac's or other internal low points are unavoidable. The potential area of flooding should not extend outside the roadway right-of-way, unless approved by the Public Works Agency.
8. The minimum size pipe allowed in the County right-of-way is 12 inches in diameter. This office recommends that all storm drains be no less than 12 inches in diameter to minimize maintenance problems.
9. Catch basins deeper than 3 feet must have a minimum top opening of 2' x 3' and must have steps for access.
10. Do not block the runoff from the adjacent properties. The drainage area map created for the project drainage design calculations shall clearly indicate all areas tributary to the project site.
11. Submit a hydrology map and hydrology and hydraulics calculations showing the drainage impact on the adjacent properties. It must include the method of dissipation and points of discharge of the augmented runoff due to roof leaders, driveways, and any additional impervious surfaces. (It may be necessary to obtain a drainage release from all affected downstream property owners or to install a storm drainage system and obtain an easement from the adjacent properties.)
12. A grading permit will be required for the project. The East Altamont Energy Center LLC is not an exempt entity under section 15.36.050 of the Alameda County Grading Ordinance. Application forms may be obtained at our offices.
13. The geologic hazards associated with the site must be investigated and addressed in a geotechnical and geologic study which conforms with section 15.36.350 of the Alameda County Grading Ordinance. Reference "A" above reports a presence of both expansive and liquefiable soils at the site. While such conditions might be mitigated, the required report must contain adequate recommendations for accomplishing this.
14. We will submit any such report to one of our geotechnical and geological engineering consultants for peer review. Costs associated must be borne by the applicant.
15. Grading and drainage plans conforming with sections 15.36.240 & 15.36.250 should be prepared and provided to this department following review by the project geotechnical engineers.

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16. Erosion control plans conforming with sections 15.36.600 & 15.36.620 should be prepared and provided for the project.
17. A permit will be required for work within any streams under jurisdiction of the Alameda County Watercourse Protection Ordinance.
18. The grading and watercourse ordinances were enacted, in part, for the purpose of regulating grading on private property and creeks within the unincorporated area of the county to safeguard life, limb, health, property and public welfare and to avoid pollution of watercourses with nutrients, sediments, or other earthen materials generated on or caused by surface runoff on or across the permit area. Application of all of the applicable sections through the County's review, permitting and inspection processes is designed to reduce associated environmental impacts.
19. No grading shall be permitted on this site until a grading plan and an erosion and sedimentation control plans have been reviewed by the County and a grading permit is issued in accordance with the Alameda County Grading Ordinance.
20. Prior to the issuance of any building permits on this site, this office should be afforded the opportunity to review a detailed grading, drainage, and road improvement plan with supporting calculation by a Registered Civil Engineer. The proposed curb elevations are not to be less than 1.25 feet above the hydraulic grade line and at no point should the curb grade be below the energy grade line.
21. If grading occurs on land with a slope of more than 10 percent, it will be necessary to undergo environmental impact review at the grading permit phase. Any grading for this project should be required to be a balanced cut and fill.
22. Graded slopes shall not be steeper than 2 horizontal to 1 vertical.
23. Setback graded slopes from the property lines in accordance with the Uniform Building Code. Setbacks from the property lines and all grading shall be based on recent survey data. Graded slopes shall not exceed 2 horizontal to 1 vertical.
24. All retaining walls are to be concrete. Safety fencing shall be provided on all retaining walls exceeding 30" in height located in the right-of-way, and in accordance with Building Requirements within lots. Safety fencing shall be wrought iron, unless otherwise approved by the Alameda County Planning Department.
25. It is the responsibility of the applicant to comply with Federal, State, and local water quality standards and regulations. In order for the County and the Applicant to comply with our National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit issued by the San Francisco Bay Regional Water Quality Control Board, storm water quality measures must be implemented. The applicant shall provide measures to prevent discharge of contaminated materials into public drainage facilities during both construction and post-construction periods. Refer to the

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Alameda County Urban Runoff Clean Water Program's Preamble to the State BMP Handbooks for additional guidance.

26. Sites with land disturbances greater than five acres must file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State General NPDES permit for Construction Activities. A copy of the NOI must be submitted to the District prior to issuance of a grading permit for the site or any land disturbance on the site. A Storm Water Pollution Prevention Plan (SWPPP) shall be made available to the District prior to issuance of grading permit or any land disturbance on the site.
27. Prior to issuance of a grading permit, a Storm Water Quality Control Plan, including erosion and sedimentation control, that addresses both construction and post-construction storm water quality shall be prepared and included in the project improvement plans.

The Alameda County Environmental Health Department has chosen in this instance not to submit comments on this matter. Environmental Health staff have been working closely with the applicant to design and develop an acceptable wastewater treatment program, and staff have indicated a high level of comfort with the applicant during discussions on this matter.

This concludes the comments of Alameda County on the EAEC LLC. If you have any questions or comments, please do not hesitate to contact me at (510) 670-6527, or at my e-mail address [bjensen3@co.alameda.ca.us](mailto:bjensen3@co.alameda.ca.us). I am at your service, and I will be happy to quickly pass on any comments to other participating County entities.

Sincerely,



Bruce Jensen,  
Senior Planner, Alameda County Community Development Agency

cc: James Sorensen, Planning Director  
Bill Lepere, Land Development  
Ted Froyland, Grading  
Jim Ferdinand, Fire Department  
Alicia Torre, Calpine



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION  
OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE  
EAST ALTAMONT ENERGY CENTER  
(EAST ALTAMONT)

DOCKET No. 01-AFC-4  
(AFC ACCEPTED 06/27/01)  
(\*Revised 9/19/01)

I, **ANGELA HOCKADAY**, declare that on **OCTOBER 9, 2001**, I deposited copies of the attached **EAST ALTAMONT ENERGY CENTER L.L.C. (01-AFC-4) FINAL COMMENTS OF ALAMEDA COUNTY AFFECTED AGENCIES, INCLUDING COMMUNITY DEVELOPMENT AGENCY, PUBLIC WORKS AGENCY, FIRE DEPARTMENT AND ENVIRONMENTAL HEALTH DEPARTMENT**, in the United States mail at **Sacramento, CA** with first class postage thereon fully prepaid and addressed to the following:

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*Send the original signed document plus the required 12 copies to the address below:*

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DOCKET UNIT, MS-4  
\*Attn: Docket No. 00-AFC-4  
1516 Ninth Street  
Sacramento, CA 95814-5512  
E-mail:doCKET@energy.state.ca.us**

\* \* \* \*

*In addition to the documents sent to the Commission Docket Unit, also send individual copies of any documents to:*

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I declare under penalty of perjury that the foregoing is true and correct.

  
[signature]

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