

COUNTY OF ALAMEDA
PUBLIC WORKS AGENCY
DEVELOPMENT SERVICES DEPARTMENT
951 Turner Court, Room 100
Hayward, CA 94545-2698
(510) 670-6601
FAX (510) 670-5269

DOCKET 01-AFC-21
DATE <u>MAY 08 2002</u>
RECD. <u>MAY 15 2002</u>

May 8, 2002

Mr. Jack Caswell
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Midway Road

Dear Mr. Caswell

Subject: Tesla Power Project – Preliminary Comments

We have received a copy of the Application for Certification dated October 23, 2001 and Application for Certification Supplemental Material dated January 9, 2002. Thank you for referring these documents to us for our consideration. We have Preliminary Comments for your consideration.

On March 26, 2002, we met with representatives from Florida Power and Light and their consultants (FPL) regarding the project, and discuss preliminary concerns that the Alameda County Public Works Agency has with the proposed project and to respond to questions by FPL. On May 1, 2002, FPL submitted revised plans to us via e-mail, and followed up on May 7, 2002, with a copy of a response to comments letter and revised traffic study. We have not completed our review of the revised documents, but I understand that these documents have been submitted to the California Energy Commission for their consideration. We intend to meet again with FPL at the end of May, or in early June, to discuss the revised plans, although a date has not been set. We intend to submit Final Comments and recommended conditions to the CEC at a later date. I understand these comments need to be provided by July 8, 2002.

I would like to in some instance clarify our preliminary comments that were forwarded to you, and add some additional items that have been raised since our last meeting with FPL.

1. We are concerned with the effect of proposed construction traffic and installation of pipelines to serve the project on County Roadways. The existing County Roadways are primarily chip seal, and may fail under construction loading or during installation of the pipeline. If this occurs during the course of the construction, it will be much more difficult to address than if the occurs after construction is completed (the scenario contemplated by typical conditions of approval.) I have enclosed a copy of the Alameda County Trench Cut Study Final Report, for Alameda County, City of

PROOF OF SERVICE (REVISED _____) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 5-15-02

Pat O'Connell

Fremont, City of Hayward, City of Livermore, City of Newark, City of Pleasanton, and City of Emeryville, prepared by CHEC Consultants, dated October 30, 2002, that evaluated the impact of trenching on roadways for your use and information.

2. We are concerned with construction traffic slowing to enter the site on these roadways where the predominant speed of travel is very fast. This is especially of concern during times when there is "valley fog", and trucks or other slow moving vehicles will be exiting or entering the site from a narrow and unlit County Roadway.
3. Pipeline construction should be limited to non-peak hours, to prevent excessive traffic delay. Hours of work are typically limited to 9 A.M. to 3:30 P.M., unless approved by the Alameda County Board of Supervisors.
4. Haul and delivery routes should be restricted, and roadways to be utilized by heavy truck traffic improved as necessary.
5. We are very concerned with the installation of a 16" private gas line in our roadway. I believe this would be classified as a high risk facility by Caltrans and needs to be installed deep (5 - 6' of cover). The water line may also be classified as a high risk facility because of its size (16"). Also, since both the gas and water lines are private, they are not on the USA network and someone trenching will not know about it. Some sort of above ground and underground (metallic tracer) should be located along the pipeline alignments - maybe a sleeve for the gas pipe also.
6. Traffic Engineering Comments were submitted by FPL, and I believe FPL sent them to you. These comments will need to be updated after we have finished looking at the revised plans and traffic study. Some comments are clarified or added as follows:
 - Sight Distance at the entrance to the site is an issue that needs further evaluation.
 - The contractor should hire a traffic engineer to develop and then monitor the traffic control and safety plan.
 - We would like to have additional detailed information on the location of utility poles from the existing edge of pavement and right of way. We feel information regarding the pipeline installation is needed to provide a complete assessment of the impact of such an installation. Construction impacts of the installation line may be different on where within the roadway prism the utility line is placed. Midway Road is a narrow road, and there may not be room to provide adequate traffic control, and keep one lane open at all times, and two lanes open when construction is not active, unless the pipeline is located in the shoulder area. This may in turn impact overhead utility lines, or slopes adjoining the roadway, as for the majority of the roadway, there is no existing shoulder.
7. Your attention is directed to the following County guidelines and ordinances. Design of drainage facilities should be in accordance with the Hydrology and Hydraulic Criteria Summary for Western Alameda County, which I can provide you with a copy of if you desire. Grading and Drainage should consider Alameda County Grading,

and Watercourse ordinances, which are available at the County Web site. There is a watercourse adjoining the site. The project would appear to fall within the jurisdiction of the Grading Ordinances as well. Copies of these ordinances have been provided to FPL. Roadway design is in accordance with Caltrans standards for design, and County ordinances.

Please feel free to call me at (510) 670-5249 if you have any questions.

Very Truly Yours,

A handwritten signature in black ink that reads "Karen Borrmann". The signature is written in a cursive style with a large initial "K" and a long, sweeping underline.

Karen Borrmann,
Development Services

C: James Chu
Bob Preston
Rory Macneil
Gary Moore
Bill Lepere

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

APPLICATION FOR CERTIFICATION FOR THE
TESLA POWER PROJECT
BY MIDWAY POWER LLC.

DOCKET No. 01-AFC-21
(AFC ACCEPTED 01/09/02)

PROOF OF SERVICE
(Revised 2/15/02)

I, **PAT OWEN**, declare that on **May 15, 2002**, I deposited copies of the attached letter from **COUNTY OF ALAMEDA, PUBLIC WORKS AGENCY - TESLA POWER PROJECT – PRELIMINARY COMMENTS**, in the United States mail at **Sacramento, CA** with first class postage thereon fully prepaid and addressed to the following:

DOCKET UNIT

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

**CALIFORNIA ENERGY COMMISSION
DOCKET UNIT, MS-4
*Attn: Docket No. 00-AFC-21
1516 Ninth Street
Sacramento, CA 95814-5512
docket@energy.state.ca.us**

* * * *

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

APPLICANT

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Attn: Derrel A. Grant, Jr.
Attn: Scott Busa
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Juno Beach, FL 33408-2683
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sbusa@fpl.com

COUNSEL FOR APPLICANT

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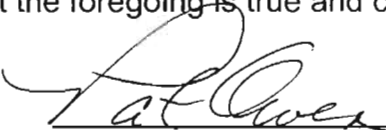
INTERESTED AGENCIES

Central Valley Regional Water Quality
Control Board
Attn: Ann Olson
3443 Routier Road, Suite A
Sacramento, CA 95827-3098

Bay Area Air Quality Management
District
Attn: Dennis Jang
939 Ellis Street
San Francisco, CA 94109
djang@baaqmd.gov

San Joaquin Valley Unified Air Pollution
Control District, Northern Region
Attn: Jim Swaney, Permit Svcs. Mgr.
4230 Kiernan Avenue
Modesto, CA 95356
jim.swaney@valleyair.org

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



[signature]

* * * *

INTERNAL DISTRIBUTION LIST

FOR YOUR INFORMATION ONLY! Parties **DO NOT** mail to the following individuals. The Energy Commission Docket Unit will internally distribute documents filed in this case to the following:

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