

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5112

October 1, 2002

Sterling Kinnell  
3705 Anza Way  
San Leandro, CA 94578

<b>DOCKET</b> <b>01-AFC-21</b>
DATE <u>OCT 01 2003</u>
REC <u>OCT 01 2003</u>

Dear Mr. Kinnell,

Thank you for your thoughtful letter of September 1, 2003, regarding the proposed Tesla Power Plant and East Altamont Energy Center projects and their compliance with Alameda County's Measure D. With respect to the Tesla Power Plant's consistency with Alameda County Measure D, after extensive discussion and correspondence, the Energy Commission staff has deferred to the County staff's conclusions. The County staff concluded that the project is consistent, given Measure D's and East County Area Plan (ECAP) Policy 13's allowance for infrastructure, with that infrastructure necessary and acceptable for meeting electricity needs in the East County. The Alameda County Board of Supervisors (Board) and the County Administrator received copies of the County staff's April 30, 2002 letter regarding the project's consistency with local laws, ordinances, regulations and standards (LORS), including Measure D. The Board, as the land use policy entity representing the County voters, agrees with the County staff's interpretation of the project as infrastructure which is acceptable under Measure D and ECAP Policy 13. The Board's agreement is demonstrated by the Board's February 6, 2003 resolution, which is discussed in the Impacts section of staff's Land Use analysis.

The Energy Commission staff's Air Quality and Public Health analyses for the Tesla Power Plant project discuss the potential for emissions being blown towards Tracy, which also is affected by a considerable level of motor vehicle emissions. Wildlife habitat impacts and mitigation measures are discussed in the staff's Biological Resources analysis.

If you have any further comments or questions, please contact the Tesla project manager, Jack Caswell at (916) 653-0062 or by e-mail at [jcaswell@energy.state.ca.us](mailto:jcaswell@energy.state.ca.us).

Sincerely,

A handwritten signature in cursive script that reads "Eileen Allen".

EILEEN ALLEN, Supervisor  
Land Use and Traffic & Transportation Unit  
Environmental Office  
Systems Assessment & Facility Siting Division

September 1, 2003

California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814-5512

Dear California Energy Commission,

As a resident of Alameda County, I am distressed at plans to build two natural-gas power plants in rural eastern Alameda County. I was one of the majority of voters in Alameda County who voted in favor of Measure D, an initiative that protects the few remaining open-space areas in my county. The proposed East Altamont Energy Center and the Tesla Power Plant clearly violate the spirit and intention of Measure D.

I understand that Measure D contains an exemption that can allow infrastructure to be built outside the "Urban Growth Boundary" in open-space areas if it is needed to serve the residents of eastern Alameda County, and that the CEC must defer to the local jurisdiction to interpret our own ordinances. However, I do not believe that the Alameda County Community Development Agency has the expertise to assess whether two power stations of this mammoth size are needed. Furthermore, this agency is motivated to support the construction of these plants by the property-tax revenues they will bring, and is willing to ignore the mandate of the voters for that reason.

I am also opposed to the construction of these plants because of the negative environmental outcomes they will generate. California is hungry for more cheap, available energy, but building more plants that exploit non-renewable, polluting fossil fuels is shortsighted and continues our dependence on resources that are limited. I grew up in the Dublin-Livermore Valley and I have worked there for most of my adult life; I know firsthand that the air quality of that valley is not hospitable to anyone prone to asthma. To build polluting power plants that will blow emissions toward nearby Tracy, where asthma rates are among the highest in the nation, is unconscionable. There is also the issue of locating these plants on undeveloped land, further destroying what little habitat remains for wildlife in the Bay Area.

I urge the California Energy Commission to uphold the will of the voters of Alameda County by denying certification for the East Altamont Energy Center and the Tesla Power Plant. These plants are not in the best interests of the people of Alameda County, or of the welfare of the state of California.

Sincerely yours,



Sterling Kinnell  
3705 Anza Way  
San Leandro, CA 94578