

CALIFORNIA ENERGY COMMISSION

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SACRAMENTO, CA 95814-5512
www.energy.ca.gov



February 7, 2006

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TO: AGENCY DISTRIBUTION LIST

REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE WALNUT CREEK ENERGY PARK APPLICATION FOR CERTIFICATION (05-AFC-2)

On December 1, 2005, your agency was sent a copy of the Walnut Creek Energy Park Application for Certification (AFC) with a request for your agency's comments. Enclosed is a supplement to that AFC that was received from Walnut Creek Energy, LLC (applicant), on January 13, 2006. The Walnut Creek Energy Park would be a 500 megawatt (MW) peaking power plant in the City of Industry, Los Angeles County.

On February 1, 2006, the California Energy Commission accepted the AFC with the supplemental information as complete. Energy Commission staff has now begun the data discovery and the analysis phases of the project's 12-month review. During this time, staff will conduct a detailed examination of the project's potential for public health and safety and environmental impacts, and its compliance with all applicable laws, ordinances, regulations, and standards (LORS). As part of our review process, the Energy Commission staff works closely with local, state and federal agencies to ensure that all LORS are met and incorporated into the final decision of the Energy Commission. Your agency now has the opportunity to assist Energy Commission staff in identifying significant issues and any additional information necessary for proper analysis and resolution of these issues.

Energy Commission's Facility Certification Process

The Energy Commission is responsible for reviewing and ultimately approving or denying all thermal electric power plants, 50 MW and greater, including all related facilities such as electric transmission lines and natural gas pipelines, proposed for construction in California. The issuance of a certificate by the Energy Commission is in lieu of any local, state, or federal permit (to the extent permitted by federal law). The Energy Commission's responsibilities are those of a lead agency under the California Environmental Quality Act, except that, as a Certified Regulatory Agency under Public Resources Code section 21080.5, the Energy Commission's analysis includes several environmental and decision documents rather than an Environmental Impact Report.

Agency Participation


To ensure a timely review of the AFC, we request your cooperation by completing your review and issuing any **draft and final** notices, findings, opinions (such as those contained in a final Determination of Compliance, wastewater discharge requirements, biological opinions, and land use recommendations) **within 120 and 180 days**,

respectively, from the date the Energy Commission determined the AFC to be complete. Therefore, please provide your agency's preliminary and final determinations and opinions to us by Thursday, **June 1, 2006** (120 days) and Monday, **July 31, 2006** (180 days), respectively.

Over the next several months, the Energy Commission will conduct public workshops and hearings on the proposal to determine whether the project should be approved for construction and operation and, if so, under what set of conditions. These events will provide the public as well as local, state, and federal agencies the opportunity to ask questions about and provide input on the proposed project. The Energy Commission will issue notices for these workshops and hearings at least 10-14 days prior to the meeting. We encourage your agency to participate in these proceedings.

If you have questions on how to participate in the Energy Commission's review of the project, please contact Eric Knight, Project Manager, at (916) 653-1850, or by email at eknight@energy.state.ca.us. The status of the project, copies of notices, an electronic version of the AFC, and other relevant documents are also available at the Energy Commission's Internet web site at <http://www.energy.ca.gov/sitingcases/walnutcreek/index.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger E. Johnson". The signature is fluid and cursive, with a large initial "R" and "J".

Roger E. Johnson, Manager
Energy Facilities Siting and Compliance Office

Enclosure