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DOCKET	
08-AFC-11	
DATE	DEC 23 2008
RECD.	DEC 23 2008

CITY OF VACAVILLE

650 MERCHANT STREET, VACAVILLE, CALIFORNIA 95688-6908

ESTABLISHED 1850

December 23, 2008

OFFICE OF
City Manager

Rod Jones, Project Manager
California Energy Commission
1516 Ninth Street MS-15
Sacramento, CA 95814

**SUBJECT: RESPONSES TO REQUEST FOR AGENCY PARTICIPATION IN
THE REVIEW OF THE CPV VACA STATION PROJECT
(08-AFC-11)**

Dear Mr. Jones:

The City of Vacaville has received the subject request regarding the Application for Certification (AFC) to the California Energy Commission (CEC) submitted by Competitive Power Ventures (CPV) to construct and operate an electrical generating plant in the City of Vacaville, Solano County, California. Due to the very short timeframe and the volume of the documents involved, the City of Vacaville responses are at this point both general and preliminary. Our comments are provided with the proviso that, as the review process proceeds, the City will be able to submit additional comments to the CEC as appropriate.

The response to questions 1 and 2 are essentially the same. Since the project is actually within the boundaries of the City of Vacaville, except for the exclusive jurisdiction of the CEC, the City would be responsible for the full range of project review and approval. This would include being the lead Agency for purposes of complying with the requirements of the California Environmental Quality Act (CEQA) and ensuring that the project meets the requirements of the City of Vacaville's General Plan and Municipal Codes. The City will also be providing municipal services (Fire, Police, Utilities etc.) needed to support the operation of the proposed facility.

In addition to current State and local requirements, the project is located on land owned by the City and leased to CPV. Consequently there are a number of Leases and other Agreements that define the inter-relationships and responsibilities between the City of Vacaville and Competitive Power Ventures.

Vacaville has some areas of interest that it would like to have examined during the CEC review process to ensure that these areas are covered in any approval granted.



A. Utilities

- Confirm that the flows needed for the project will not exceed 5.0 mgd of treated effluent and 840 gpd of potable water with a maximum flow rate of 5 gpm.
- Determine how any effluent from the site will be handled. Current agreements between the City and CPV do not allow for the return for treatment of any effluent to the Easterly Wastewater Treatment Plant.
- Plans for the project need to include stand-alone Fire water and Storm water systems.

B. Public Safety

- Fire – The project should be required to comply with the 2007 Edition of the California Fire Code with local amendments.
- Police – A detailed security plan for the project should be required and be subject to review by the Vacaville Police Department.

C. Regulatory


- The project appears to be within Zone C of the Travis Airport Land Use Compatibility Plan. Objects taller than 100 feet in Compatibility Zone C require review before the Solano County Airport Land Use Commission.

D. Miscellaneous

- During construction and operation, access to the site by heavy equipment should be limited to Lewis Road. A traffic analysis should be prepared and reviewed by the County of Solano. The traffic analysis should propose mitigations if necessary.
- The project may cause visual impacts to the surrounding areas. Efforts to offset the impact should be considered and identified.
- Lighting during construction and operation should be reviewed to limit its impact during the evening on surrounding properties.
- Dust, noise, and other impacts during construction should be mitigated.
- In describing the affected environment and study areas, the text and figures need to include the village of Elmira.

The City of Vacaville appreciates the opportunity to participate in the review process for the proposed facility. Please continue to keep us informed of meetings, reports, etc. that the CEC conducts.

Sincerely,



Michael R. Palombo
Economic Development Manager