

## CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET  
SACRAMENTO, CA 95814-5112

**DOCKET****08-AFC-3**DATE APR 28 2010RECD. APR 28 2010

April 28, 2010

TO: MEMBERS OF THE PUBLIC

**NOTICE OF AVAILABILITY OF THE STAFF ASSESSMENT FOR THE MARSH  
LANDING GENERATING STATION, APPLICATION FOR CERTIFICATION (08-AFC-3)**

This notice is to inform you that the California Energy Commission (Energy Commission) has prepared a Staff Assessment (SA) for the Marsh Landing Generating Station (MLGS) Application for Certification (AFC). Additionally, this notice is to inform you of the availability of the SA, which was published by the Energy Commission on April 26, 2010. The SA contains the Energy Commission's engineering, public health, and environmental evaluation of the proposed Marsh Landing Generating Station.

The SA will serve as CEC staff's testimony during evidentiary hearings held by the Energy Commission. The Energy Commission Committee assigned to the MLGS proceedings will consider and weigh the testimony and or comments and or recommendations of all interested parties, including Energy Commission staff, the applicant, intervenors, public, and other local, state, and federal agencies, before issuing the Presiding Member's Proposed Decision (PMPD) for consideration by the full Energy Commission. The public, intervenors, local, state and federal agencies are encouraged to participate in these hearings. The Energy Commission will issue notices at least ten days prior to any scheduled hearings.

The California Energy Commission encourages public and agency participation in the review of staff's SA. The SA will be available for a 30-day public comment period that will conclude on May 26, 2010. Written comments on the SA should be provided to Mike Monasmith, Senior Project Manager at the address on this letterhead (please add "Mail Slot 15") or by email to [mike.monasmith@energy.state.ca.us](mailto:mike.monasmith@energy.state.ca.us). Technical or project schedule questions should also be directed to Mike Monasmith at (916) 654-4894, or by email.

**SUMMARY OF THE PROPOSED MARSH LANDING GENERATING STATION**

The Staff Assessment (SA) contains the California Energy Commission staff's evaluation of the Marsh Landing Generating Station (MLGS). The proposed 760-megawatt (MW) MLGS electric generating plant and related facilities are under the Energy Commission's licensing jurisdiction and cannot be constructed or operated without the Energy Commission's certification. The SA contains analyses similar to those normally contained in an Environmental Impact Report (EIR) required by the California Environmental Quality Act (CEQA). When issuing a license, the Energy Commission is the lead state agency under CEQA, and its process is functionally equivalent to the preparation of an EIR.

The Energy Commission staff has the responsibility to complete an independent assessment of the project's engineering design and its potential effects on the

PROOF OF SERVICE (REVISED 4/19/10) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 4/28/10

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environment, the public's health and safety, and whether the project conforms to all applicable laws, ordinances, regulations and standards (LORS). The staff also recommends measures to mitigate potential significant adverse environmental effects and conditions of certification for construction, operation and eventual closure of the project, if approved by the Energy Commission.

This SA is not the decision document for these proceedings, nor does it contain findings of the Energy Commission related to environmental impacts or the project's compliance with local/state/federal legal requirements. The SA serves as staff's official, sworn testimony in evidentiary hearings to be held by the Committee assigned to this proceeding, comprised of two Commissioners and a Hearing Officer. After evidentiary hearings, the Committee will consider testimony and comments presented by staff, the applicant, other parties to the proceeding, governmental agencies and the public – all aspects that comprise the official record of this proceeding -- and issue a Presiding Member's Proposed Decision (PMPD). Following a public hearing, the full five-member Energy Commission will make its final decision on this power plant application based upon the PMPD, comments by parties to the proceeding and input from members of the public.

## **PUBLIC PARTICIPATION**

Please direct your technical or project schedule questions to Mike Monasmith, Energy Commission Project Manager, at (916) 654-4894, or by e-mail at [mike.monasmith@energy.state.ca.us](mailto:mike.monasmith@energy.state.ca.us). If you desire information on participating in the Energy Commission's review of the project, please contact the Energy Commission's Public Adviser's Office, at (916) 654-4489 or toll free in California, at (800) 822-6228. The Public Adviser's Office can also be contacted via email at [pao@energy.state.ca.us](mailto:pao@energy.state.ca.us). News media inquiries should be directed to the media office at (916) 654-4989 or via email at [mediaoffice@energy.state.ca.us](mailto:mediaoffice@energy.state.ca.us).

The status of the proposed project, copies of notices, an electronic version of the AFC, and other relevant documents are also available on the Energy Commission's web site: <http://www.energy.ca.gov/sitingcases/marshlanding>.

You can also subscribe to receive e-mail notification of all notices and announcements at: <http://www.energy.ca.gov/listservers>. By being on this email list, you will receive all project-related notices and documents pertaining to the project's evaluation and review.

If you have any questions related to the automatic email notification list, please contact Teraja Golston, Project Assistant, at (916) 654-4498, or by email at: [tgolston@energy.state.ca.us](mailto:tgolston@energy.state.ca.us).

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The SA is available at the following local libraries:

Antioch Library 501 W. 18 <sup>th</sup> Street Antioch, CA	Oakley Library 1050 Neroly Road Oakley, CA	Pittsburg Library 80 Power Avenue Pittsburg, CA
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Copies of the SA are also available at the Energy Commission's Library in Sacramento, the California State Library in Sacramento, and at California public libraries in Eureka, Fresno, San Francisco, Los Angeles, and San Diego. In addition, copies will be distributed to those public agencies that would normally have jurisdiction except for the Energy Commission's exclusive authority to certify sites and related facilities.

Sincerely,

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Roger Johnson, Office Manager  
Energy Facilities Siting Office

Dockets  
Proof of Service (08-AFC-3)

**Please send me a paper copy / CD (circle one) of the Staff Assessment for the Marsh Landing Generating Station (MLGS) Project Application for Certification (08-AFC-3).**

**Name:**

**Address:**

**City/State/Zip:**

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California Energy Commission  
**Attention:** Teraja Golston  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512

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**Staple or Tape closed.**



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION  
FOR THE MARSH LANDING  
GENERATING STATION**

**Docket No. 08-AFC-3**

**PROOF OF SERVICE**  
(Revised 4/19/2010)

**APPLICANT**

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**INTERESTED AGENCIES**

California ISO  
*E-mail Preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

California Unions for Reliable Energy  
("CURE")  
Gloria D. Smith & Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
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DECLARATION OF SERVICE

I, Teraja` Golston, declare that on April 28, 2010, I mailed hard copies of the attached Marsh Landing (08-AFC-3) - Notice of Availability of the Staff Assessment. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:  
[<http://www.energy.ca.gov/sitingcases/marshlanding/index.html>].

*(Check all that Apply)*

For service to all other parties:

- ☒ sent electronically to all email addresses on the Proof of Service list;  
☐ by personal delivery;  
☒ by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

**AND**

For filing with the Energy Commission:

- ☐ sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

**OR**

- ☐ depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 08-AFC-3  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original Signature in Dockets  
Teraja` Golston