

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

DOCKET**09-AFC-3**

DATE NOV 09 2010

RECD NOV 10 2010



November 9, 2010

**NOTICE OF AVAILABILITY
STAFF ASSESSMENT FOR THE PROPOSED
MARIPOSA ENERGY PROJECT
(09-AFC-3)**

NOTICE OF PUBLIC WORKSHOPS

**Monday, November 29, 2010
Beginning at 1:00 pm**

**Byron Bethany Irrigation District
7995 Bruns Road,
Byron, California, 94514
Wheelchair Accessible
(Map Attached)**

**To participate in the meeting by telephone,
please call: 800-779-2609 (toll-free in the U.S. and Canada)
Enter passcode: 53851**

TO: MEMBERS OF THE PUBLIC

This notice is to inform you of the availability of the Staff Assessment (SA) for the Mariposa Energy Project Application for Certification (09-AFC-3). The SA was published on **November 8, 2010**. The SA contains the California Energy Commission staff's engineering and environmental evaluation of the proposed Mariposa Energy Project.

Purpose of the Public Workshop

The Energy Commission staff will hold a workshop to discuss the SA and to further encourage public participation, regarding the proposed Mariposa Energy Project and the Energy Commission's permitting process. The workshop will provide an opportunity for agencies, the public and other interested parties to present questions and comments on the SA. All interested agencies and members of the public are invited to participate. **The workshop will be held on Monday, November 29, 2010 starting at 1:00 pm in Byron, California at the Byron Bethany Irrigation District headquarters.**

PROOF OF SERVICE (REVISED 10/20/10) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 11/10/10

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Based on the workshop dialogue, written comments received regarding the SA, and additional information that will be gathered, the Energy Commission staff will revise the SA where appropriate and issue a Supplemental Staff Assessment (SSA).

Public Comments

The California Energy Commission encourages public and agency participation in the review of the Mariposa Energy Project Application for Certification (09-AFC-3). The public comment period for this SA is from **Tuesday November 9, 2010 to Thursday, December 9, 2010**. Written comments on the SA should be provided to Craig Hoffman, Siting Project Manager, no later than **5:00 p.m., Thursday, December 9, 2010** at the address on this letterhead or by email to choffman@energy.state.ca.us. Technical or project schedule questions should be directed to Craig Hoffman at (916) 654-4781 or by email.

Following a 30-day public comment period on the Staff Assessment, a Supplemental Staff Assessment will be prepared and published based on Staff Assessment workshops and written comments. Staff may refine its analysis, correct errors, and finalize conditions of certification to reflect areas where agreements have been reached with the parties. The SSA will be a limited document representing revisions and additions rather than a document including each technical section.

The Staff Assessment and Supplemental Staff Assessment will serve as staff's formal written testimony in evidentiary hearings to be held by the Energy Commission Committee assigned to hear this case. The Committee will hold evidentiary hearings and will consider the testimonies presented by staff, applicant, interveners and comments from government agencies and the public prior to preparing the Presiding Member's Proposed Decision (PMPD), which will also have a 30-day comment period. The revised PMPD will then be considered by the full Energy Commission which will issue the final decision.

Summary of the proposed Mariposa Energy Project

Project Location

The proposed project site is in northeastern Alameda County, in an unincorporated area designated for Large Parcel Agriculture by the East County Area Plan. The site is located approximately 7 miles northwest of Tracy, 7 miles east of Livermore, 6 miles south of Byron, and approximately 2.5 miles west of the community of Mountain House in San Joaquin County.

The facility would be located southeast of the intersection of Bruns Road and Kelso Road on a 10-acre portion of a 158-acre parcel (known as the Lee Property) immediately south of the Pacific Gas and Electric Company (PG&E) Bethany Compressor Station and 230-kilovolt (kV) PG&E Kelso Substation. The proposed power plant site is located in the southern portion of the Lee Property. The existing, unrelated 6.5 MW Byron Power Cogeneration Plant occupies 2 acres of the 158-acre parcel northeast of the MEP site. The remainder of the parcel is non-irrigated grazing land.

Project Description

The MEP would be a natural gas-fired, simple cycle peaking facility with a generating capacity of 200-megawatts (MW). The project proposes to operate on average, 600 hours per year, but if licensed can run up to 4,000 hours per year. Primary equipment for the generating facility would include four General Electric (GE) LM6000 PC-Sprint natural gas-fired combustion turbine generators (CTG) and associated equipment. Power would be transmitted to the grid at 230-kV through a new 0.7-mile transmission line that would connect to the existing Kelso Substation. A new 580-foot natural gas pipeline would connect the project site to PG&E's Line 2, which is an existing high-pressure natural gas pipeline located northeast of the project site. Service and process water would be fresh irrigation water provided from a new connection to the Byron Bethany Irrigation District (BBID) via a new pump station and 1.8-mile pipeline. The MEP is proposing to utilize on average 35 acre feet of water per year. In the event of continuous and maximum permitted operation, the MEP would utilize 187 acre feet of water for 4,000 hours of operation. All domestic wastewater would be routed to an onsite septic system and either discharged to an onsite leach field or removed via truck for offsite disposal. Stormwater runoff would be detained onsite in an extended detention basin and released according to regulatory standards for stormwater quality control. Air emissions control systems would include a selective catalytic reduction (SCR) system for nitrogen oxides (NOx) control using 19 percent aqueous ammonia and an oxidation catalyst for carbon monoxide (CO) control.

Temporary construction facilities would include a 9.2-acre worker parking and laydown area immediately east of the project site, a 1-acre water supply pipeline parking and laydown area located at the BBID headquarters facility, to serve water pipeline construction needs, and a 0.6-acre laydown area along the transmission line route.

Construction of the generating facility, from site preparation and grading to commercial operation, is expected to take place from mid 2011 to July 2012.

The applicant has a power purchase agreement with PG&E.

Summary of the California Energy Commission Staff's Conclusions

Based upon the information provided to date and the analysis completed to date for each technical section, staff has concluded that with implementation of staff's recommended mitigation measures described in the conditions of certification, all potential environmental impacts will be mitigated to a less than significant level with the exception of Biological Resources and Transmission System Engineering. The project analysis complies with the requirements of the California Environmental Quality Act (CEQA). For a detailed review of potentially significant impacts and the related mitigation measures, please refer to the analysis in the SA.

Staff also concludes that with implementation of staff's recommended mitigation measures described in the conditions of certification, the project would comply with all applicable laws, ordinances, regulations, and standards (LORS), with the exception of

Biological Resources and Transmission System Engineering where additional analysis is needed.

Energy Commission Licensing Authority

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications for construction and operation of thermal electric power plants, 50 MW and greater, proposed for construction in California. The Energy Commission's facility certification process carefully examines public health and safety, environmental impacts and engineering aspects of proposed power plants, and all related facilities such as electric transmission lines and natural gas and water pipelines. The Energy Commission is the lead agency under the California Environmental Quality Act (CEQA), and produces several environmental and decision documents rather than an Environmental Impact Report.

Public Resources, Contact Information and Additional Sources for Information

If you desire information on how to participate in the Energy Commission's review of the proposed project, please contact Jennifer Jennings, the Energy Commission's Public Adviser, at (916) 654-4489 or toll free in California at (800) 822-6228, or by email at: publicadviser@energy.state.ca.us.

To request special accommodations for those persons with disabilities, please contact Lourdes Quiroz, at lquiroz@energy.state.ca.us or by telephone (916) 654-5146. For those persons with limited English knowledge, request interpreter services by contacting the Project Manager, Craig Hoffman, at (916) 654-4781.

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

News media inquiries should be directed to Assistant Director, Susanne Garfield, at (916) 654-4989, or by email at: mediaoffice@energy.state.ca.us.

The SA will be available for review at the following local libraries:

Mountain House Branch Library
579 Wicklund Crossing
Mountain House, CA 95391

Tracy Public Library
20 E Eaton Ave
Tracy, CA 95376

Livermore Public Library
1188 S. Livermore Avenue
Livermore, CA 94550

San Joaquin County Library
605 North El Dorado Street
Stockton, CA 95202

Brentwood Library
751 3rd St.
Brentwood, CA 94513

Fremont Main Library
2400 Stevenson Blvd.
Fremont, CA 94538

Copies are also available at the Energy Commission's Library in Sacramento, the California State Library in Sacramento, and at public libraries in Eureka, San Francisco, Los Angeles, Fresno, and San Diego. In addition, this information has been shared with those public agencies that would normally have jurisdiction but for the Energy Commission's exclusive authority to certify sites and related facilities.

If you would like a paper copy or CD of the SA, please fill out the enclosed form and return it to California Energy Commission, Attention: Hilarie Anderson, Siting Project Assistant, at (916) 651-0479, or by e-mail at handerson@energy.state.ca.us.

Sincerely,

Date: _____

TERRENCE O'BRIEN, Deputy Director
Siting, Transmission and Environmental
Protection Division

Enclosure
Mailed to lists:
7285 - General
7286 - Property Owners

Please send me a paper copy / CD (circle one) of the California Energy Commission staff's Staff Assessment for the Mariposa Energy Project Application for Certification (09-AFC-3).

Name:

Address:

City/State/Zip:

FOLD HERE

California Energy Commission
Attention: Hilarie Anderson
1516 Ninth Street, MS-15
Sacramento, CA 95814-5512

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Staple or Tape closed.

SA WORKSHOP FOR MARIPOSA ENERGY PROJECT (09-AFC-3)

NOTICE OF PUBLIC WORKSHOP

Monday, November 29, 2010

Starting at 1:00 pm

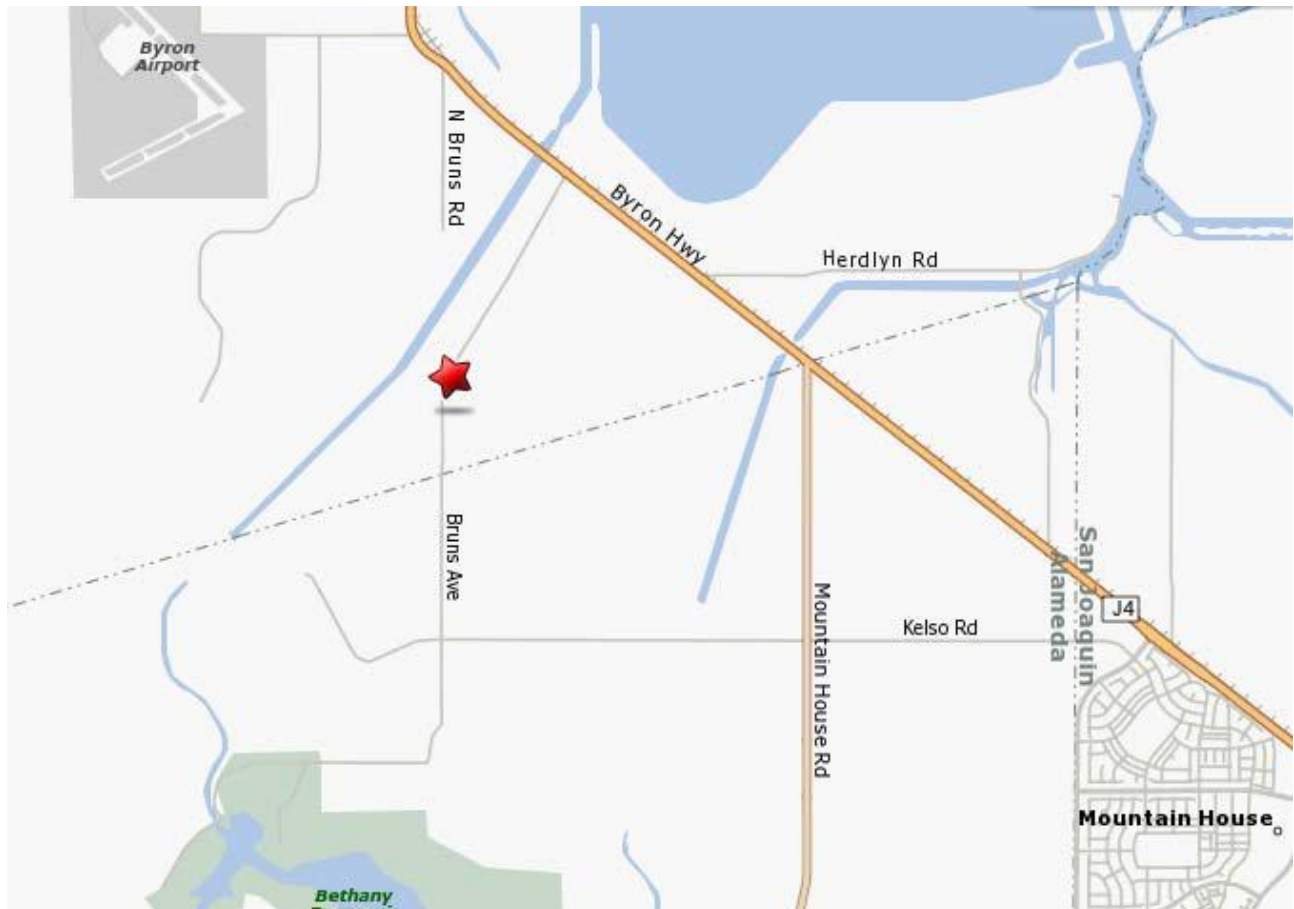
Byron Bethany Irrigation District

7995 Bruns Road,

Byron, California, 94514

(Wheelchair Accessible)

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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

**APPLICATION FOR CERTIFICATION
FOR THE *MARIPOSA ENERGY PROJECT*
(MEP)**

Docket No. 09-AFC-3

PROOF OF SERVICE
(Revised 10/20/2010)

APPLICANT

Bo Buchynsky
Diamond Generating Corporation
333 South Grand Avenue, #1570
Los Angeles, California 90071
b.buchynsky@dgc-us.com

APPLICANT'S CONSULTANTS

Doug Urry
2485 Natomas Park Dr #600
Sacramento, CA 95833-2975
Doug.Urry@CH2M.com

COUNSEL FOR APPLICANT

Gregg Wheatland
Ellison, Schneider & Harris L.L.P.
2600 Capitol Avenue, Suite 400
Sacramento, CA 95816-5905
glw@eslawfirm.com

INTERESTED AGENCIES

California ISO
E-mail Service Preferred
e-recipient@caiso.com

INTERVENORS

Mr. Robert Sarvey
501 W. Grantline Road
Tracy, California 95376
Sarveybob@aol.com

*California Pilots Association
c/o Andy Wilson
31438 Greenbrier Lane
Hayward, CA 94544
andy_psi@sbcglobal.net

Rajesh Dighe
395 W. Conejo Avenue
Mountain House, California 95391
dighe.rajesh@gmail.com

Morgan K. Groover
Development Director
Mountain House Community
Services District
230 S. Sterling Drive, Suite 100
Mountain House, CA 95391
mgroover@sjgov.org

ENERGY COMMISSION

JEFFREY D. BYRON
Commissioner and Presiding Member
jbyron@energy.state.ca.us

ROBERT B. WEISENMILLER
Commissioner and Associate Member
rweisenm@energy.state.ca.us

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Kristy Chew
Advisor to Commissioner Byron
E-Mail Service preferred
kchew@energy.state.ca.us

Craig Hoffman
Siting Project Manager
choffman@energy.state.ca.us

Kerry Willis
Staff Counsel
kwillis@energy.state.ca.us

Jennifer Jennings
Public Adviser
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Hilarie Anderson, declare that on November 10, 2010, I served and filed copies of the attached Notice of Availability & Notice of Public Workshop, Library Letter and Agency Letter. 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:

[\[http://www.energy.ca.gov/sitingcases/mariposa/index.html\]](http://www.energy.ca.gov/sitingcases/mariposa/index.html).

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(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. 09-AFC-3

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

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

Hilarie Anderson