

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5112
www.energy.ca.gov

DOCKET**08-AFC-7C**

DATE SEP 29 2011

RECD. SEP 29 2011



NOTICE OF DETERMINATION
PETITION TO MODIFY THE (TEMPORARY CONSTRUCTION LAYDOWN AREA) for the
GWF Tracy (Tracy II) Project
(08-AFC-07C)

A petition has been filed with the California Energy Commission by **(GWF Energy, LLC)**, requesting to modify the **(GWF Tracy (Tracy II))** Project. The **314**-megawatt project was certified by the Energy Commission on **(March 30, 2010)**, **is currently under construction and is approximately 45% percent complete**. The facility **is** located in the City of **(Tracy)**, in **(San Joaquin)** County.

DESCRIPTION OF PROPOSED MODIFICATIONS

The modifications proposed in the petition would increase the size of the temporary laydown area to include an additional 5.45 acres of land located in the northeast portion of the GWF property. The land would be used for the temporary storage of construction materials for approximately the next several months. Subsequent to construction, the land will be restored to a pre-construction condition and will be available for agricultural use.

ENERGY COMMISSION STAFF REVIEW AND DETERMINATION

Pursuant to section 1769(a)(2), Title 20, California Code of Regulations, “(w)here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required...”

Energy Commission staff has determined that approval by the full Commission is not required and the proposed modifications meet the criteria for approval at the staff level because:

- The modification will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification; and
- The project as modified will maintain full compliance with applicable LORS.

Any person may file a written objection to staff’s determination within 14 days of the date of this notice on the grounds that the project modification does not meet the criteria set forth in Section 1769(a)(2). All objections must be in writing and must be sent either by U.S. mail, e-mail, or other document delivery service to **(Eric Veerkamp)**, Compliance Project Manager, at the address shown below:

California Energy Commission
1516 9th Street, MS 2000
Sacramento, CA 95814

Comments may be submitted by fax to (916) 654-3882, or by e-mail at **(veerkam@energy.state.ca.us)**. If no substantive objection is received in writing, the requested project modifications will be deemed approved.

For further information on how to participate in this proceeding, please contact the Energy Commission Public Adviser's Office, at (916) 654-4489, or toll free in California at (800) 822-6228, or by e-mail at publicadviser@energy.state.ca.us. News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at mediaoffice@energy.state.ca.us.

If you have questions about this notice, please contact **(Eric Veerkamp)** at (916) **654-4611**, or by fax or e-mail using the above information.

Date: September, 29, 2011

CHRISTOPHER J. MARXEN, Manager
Compliance Office Manager

Mail List # 7312