**DEPARTMENT OF TRANSPORTATION**
District 11
4050 Taylor Street, MS 240
San Diego, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY (800) 735-2929

*Flex your power!*
*Be energy efficient!*

**DOCKET**
**07-AFC-6**
DATE NOV 17 2008
RECD. NOV 18 2008

November 17, 2008

Mr. Mike Monasmith
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5112

Dear Mr. Monasmith:

The California Department of Transportation (Caltrans) sent a letter to the California Energy Commission (CEC) dated March 25, 2008, detailing our comments on the Application for Certification Review for the Carlsbad Energy Center Project (Energy Project) located adjacent to Interstate 5 (I-5) in the City of Carlsbad.

Prior to our previous letter, and since our last correspondence, we have continued to coordinate with the Energy Project engineers, as well as the City of Carlsbad (City), on potential concerns involving right-of-way for future build-out design of the I-5 North Coast Corridor Project (I-5 NCC Project), and the feasibility of mitigating for potential visual impacts from the proposed Energy Project.

The Notice of Preparation and Notice of Intent to prepare a Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the I-5 NCC Project were released in 2004. Since 2001, Caltrans has had numerous meetings in each City along the I-5 corridor to inform the public about the proposed project. There are four build alternatives (and one no-build alternative) currently under study which would impact this site to some degree. While no preferred alternative has been identified, all the alternatives provide for a possible multiple use trail (identified as an enhancement area) outside Caltrans' proposed right-of-way on the west side of I-5 between the freeway and the proposed Energy Plant site as shown in the I-5 North Coast Community Enhancement Plan. This community enhancement opportunity was developed in coordination with the City to provide for a trail connection compatible with the Coastal Rail Trail system currently included in the City's General Plan. The City of Carlsbad, the proponents of the Energy Project and Caltrans need to coordinate the implementation of the Coastal Rail Trail approved by the region. As part of the I-5 North Coast Corridor Project, Caltrans can contribute financially and participate in the implementation of the trail. Attached is an exhibit for the 8+4 with Barrier Alternative which would also require right-of-way and a footing easement for proposed retaining walls.

Caltrans considers both the surrounding communities and the traveling public when developing projects, and is sensitive to viewer responses in the Coastal Zone. All of the I-5 NCC Project alternatives would result in the removal of the existing earth berm, mature trees and landscaping that would likely provide a visual screen for the proposed Energy Project site from both I-5 and residents to the northeast of Agua Hedionda Lagoon. While the I-5 NCC Project would include

replacement vegetation where possible, Caltrans and the City continue to coordinate in efforts to avoid precluding future opportunities for visual mitigation, as it is anticipated that the I-5 NCC Project would not be able to replace in kind or provide visual mitigation planting without acquiring additional right-of-way in this area. Any visual impacts resulting from Caltrans' removal of landscaping would be addressed in the Draft EIR/EIS for the I-5 NCC Project, and appropriate mitigation measures would be identified.

Phasing and timing for the construction of the I-5 NCC Project will depend on available funding, and widening towards the proposed Energy Plant site is not anticipated for at least five to ten years after approval of the Final EIR/EIS. Caltrans, however, encourages the CEC to continue coordination with the City of Carlsbad, and to consider the schedules of both projects when determining appropriate mitigation measures for visual impacts potentially resulting from the proposed Energy Project.

Caltrans also recommend the CEC's environmental analysis identify any regulations for having flammable tanks next to a transportation facility.

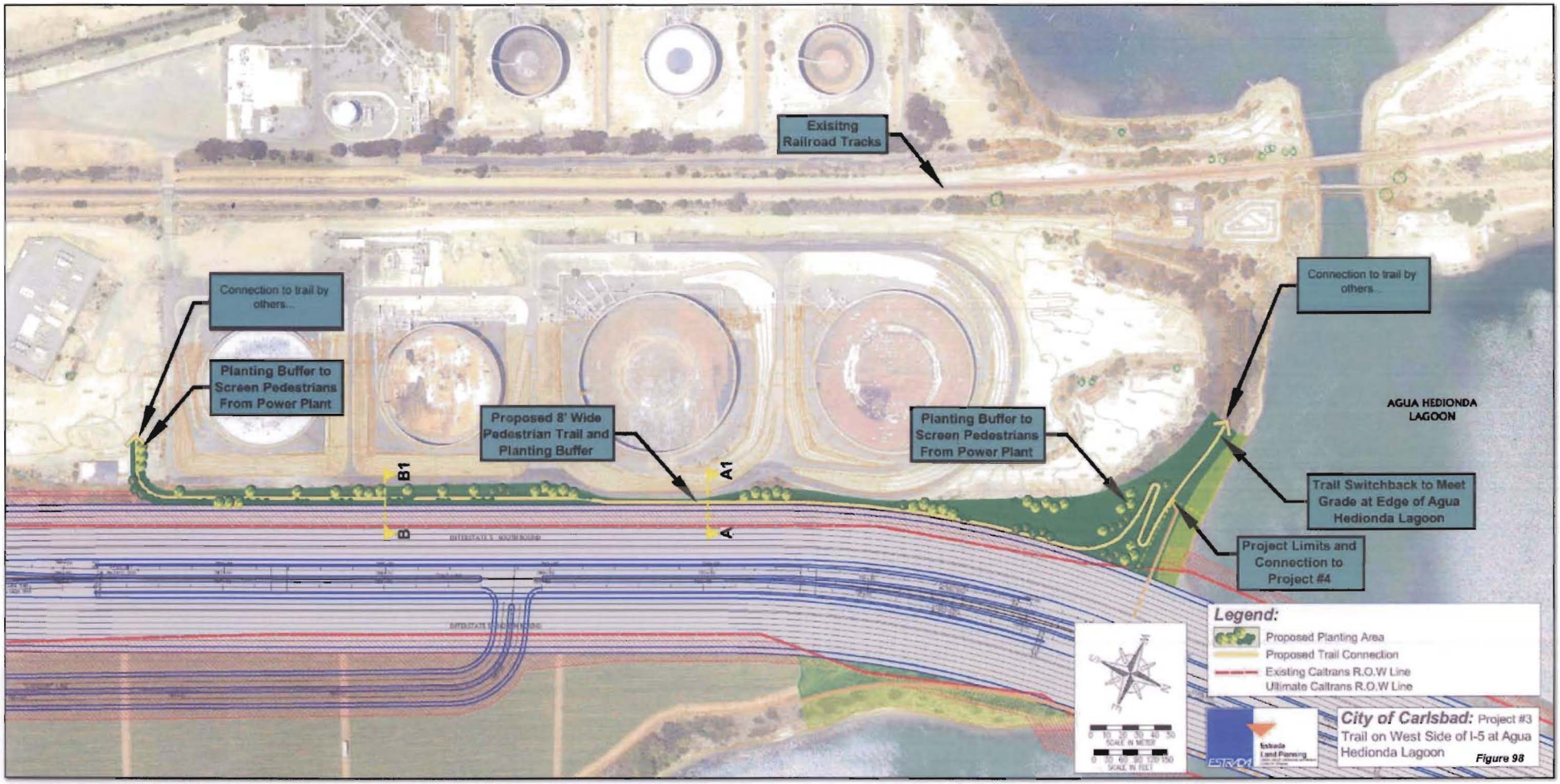
We look forward to continued coordination with the CEC and our local partners on this project.

If you have any questions, please contact me at (619) 688-6960.

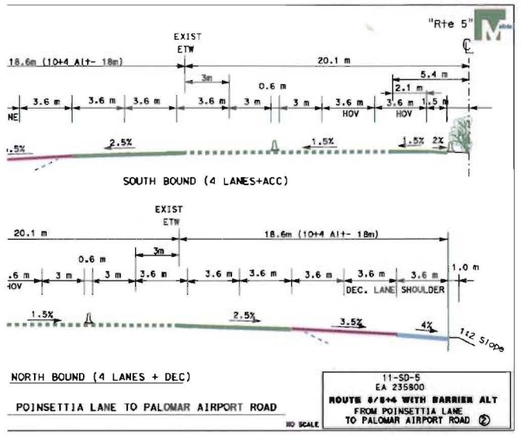
Sincerely,

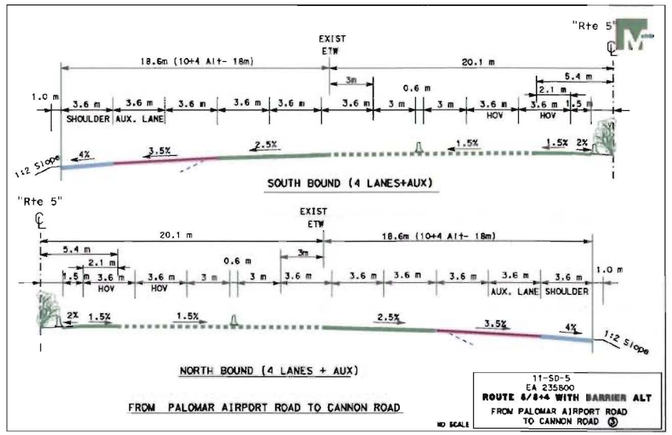
Jacob Armstrong, Chief
Development Review Branch

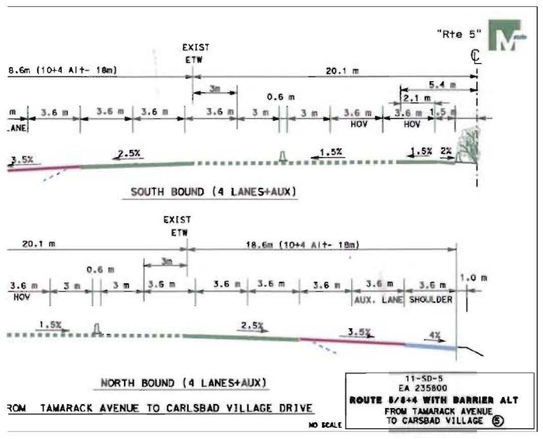
c: Joe Garuba, City of Carlsbad

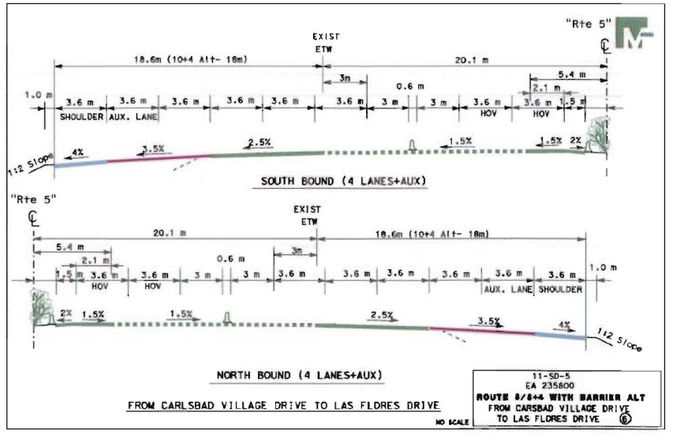


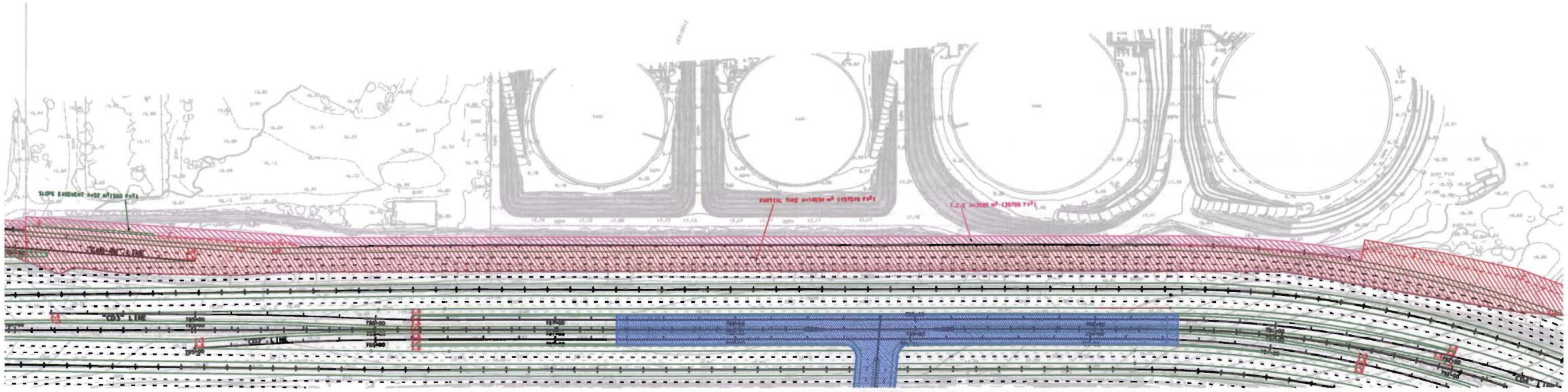

**Project #3: Trail on West Side of I-5 at Agua Hedionda Lagoon**


"Rte 5"
EXIST ETW
18.6m (10+4 Alt- 18m)
20.1 m
3m
0.6 m
5.4 m
2.1 m
3.6 m
3 m
HOV
1.5 m
2.5%
1.5%
2%
SOUTH BOUND (4 LANES+ACC)
20.1 m
18.6m (10+4 Alt- 18m)
1.0 m
DEC. LANE
SHOULDER
3.5%
4%
1:2 Slope
NORTH BOUND (4 LANES + DEC)
POINSETTIA LANE TO PALOMAR AIRPORT ROAD
11-SD-5
EA 235800
ROUTE 5/844 WITH BARRIER ALT
FROM POINSETTIA LANE
TO PALOMAR AIRPORT ROAD (2)
NO SCALE


"Rte 5"
EXIST ETW
18.6m (10+4 Alt- 18m)
20.1 m
3m
0.6 m
5.4 m
2.1 m
1.0 m
3.6 m
SHOULDER
AUX. LANE
HOV
1.5 m
4%
3.5%
2.5%
1.5%
2%
1:2 Slope
SOUTH BOUND (4 LANES+AUX)
NORTH BOUND (4 LANES + AUX)
FROM PALOMAR AIRPORT ROAD TO CANNON ROAD
11-SD-5
EA 235800
ROUTE 5/844 WITH BARRIER ALT
FROM PALOMAR AIRPORT ROAD
TO CANNON ROAD (3)
NO SCALE


"Rte 5"
EXIST ETW
20.1 m
18.6m (10+4 Alt- 18m)
3m
0.6 m
5.4 m
2.1 m
3.6 m
HOV
1.5 m
2.5%
1.5%
2%
SOUTH BOUND (4 LANES+AUX)
1.0 m
AUX. LANE
SHOULDER
3.5%
4%
1:2 Slope
NORTH BOUND (4 LANES+AUX)
FROM TAMARACK AVENUE TO CARLSBAD VILLAGE DRIVE
11-SD-5
EA 235800
ROUTE 5/844 WITH BARRIER ALT
FROM TAMARACK AVENUE
TO CARSBAD VILLAGE (5)
NO SCALE


"Rte 5"
EXIST ETW
18.6m (10+4 Alt- 18m)
20.1 m
3m
0.6 m
5.4 m
2.1 m
1.0 m
3.6 m
SHOULDER
AUX. LANE
HOV
1.5 m
4%
3.5%
2.5%
1.5%
2%
1:2 Slope
SOUTH BOUND (4 LANES+AUX)
NORTH BOUND (4 LANES+AUX)
FROM CARLSBAD VILLAGE DRIVE TO LAS FLORES DRIVE
11-SD-5
EA 235800
ROUTE 5/844 WITH BARRIER ALT
FROM CARSBAD VILLAGE DRIVE
TO LAS FLORES DRIVE (6)
NO SCALE



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 *CARLSBAD ENERGY CENTER PROJECT*

**Docket No. 07-AFC-6**
**PROOF OF SERVICE**
**(Revised 11/12/2008)**

**INSTRUCTIONS: All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:**

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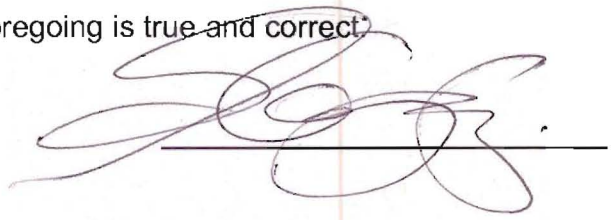
## DECLARATION OF SERVICE

I, SETH CUTTER, declare that on Nov. 18, 2008, I deposited copies of the attached CALTRANS Comment Letter ~~in the United States mail at _____ with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.~~

***OR***

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is ~~true and correct.~~



*indicates change