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July 27, 2007

Mr. Paul Kramer, Hearing Officer
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Subject: Response to James S. Adams letter dated July 3, 2007

Dear Mr. Kramer,

The California Pilots Association mission is to promote and preserve the state's airports. As a statewide volunteer organization, we work to maintain the State's airports in the best possible condition.

The California Pilots Association and the San Carlos Airport Pilots Association request you do not approve the amendment for Russell City Energy Center (RCEC) and not allow this Power Plant to be built in Hayward within 5 miles of Hayward Executive Airport. Both organizations support the Staff Assessment from the California Energy Commission.

The Hayward Executive Airport is a vital link in the National Transportation System. It is therefore eligible for Grants from the Federal Aviation Administration. When the City of Hayward last accepted a FAA Grant for Construction in 2002, the City Manager signed Grant Assurances on behalf of the City.

The City thereby agreed to an obligation to keep Hayward Executive Airport free of hazards, and also to maintain compatible land use zoning. These are Grant Assurances numbers 20 and 21. (Attachment)
http://www.faa.gov/airports_airtraffic/airports/aip/grant_assurances/media/airport_sponsor_assurances.pdf

> 20. **Hazard Removal and Mitigation.** It *(the City, acting as the sponsor)* will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards **and by preventing the establishment or creation of future airport hazards.**
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> 21. **Compatible Land Use**. It *(the City, acting as the sponsor)* will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and

purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility with respect to the airport, of the noise compatibility program measures upon which federal funds have been expended.

The airspace at Hayward Executive Airport is very complicated, perhaps the most complicated in the country. That is because Class B Airspace for San Francisco International Airport sits on top of the airspace over much of the Bay Area affecting the airspace at all other airports in the Bay Area. Class C Airspace for Oakland International Airport is another layer of airspace, which affects Hayward Executive Airport. Hayward Executive Airport (HWD) has its own Airspace, Class D, further complicating rules and regulations for flying at Hayward's Airport.

Each class of airspace has its own particular rules and regulations, which must be followed by a pilot at certain altitudes in certain areas in the Bay Area. Please see the enclosed Class B Terminal Area Chart. One of the requirements for ALL aircraft flying in the Class D airspace is to have a radio for communication with the control tower at all times. During Hayward Airport Tower operating hours pilots are required to communicate with Hayward. When the Hayward Tower is not in operation, pilots are required to report to the Oakland Tower. This further complicates the Hayward Executive Airport Airspace, as do Hayward Airport's Noise Abatement Procedures.

Additionally, as we have seen above in the FAA Grant Assurances, it is incumbent upon the City of Hayward to protest the inclusion of not one but two more obstacles (Russell Energy and Eastshore Power Plants) which will affect Pilots flying in the vicinity of Hayward Executive Airport.

The types of aircraft using a HWD vary greatly, from very light fabric airplanes, to blimps, light corporate- style jet aircraft, single-engine and twin-engine Cessna and Piper Aircraft and twin-engine King Airs. All of these aircraft would be affected by turbulence created by this power plant. The type of turbulence experienced would be more serious at the lower altitude of 650 feet or 600'Above Ground Level [AGL] (which is the traffic pattern altitude for Hayward Airport), because there is less altitude at which to recover when the pilot encounters buffeting or sudden change in altitude.

The response from the FAA is inadequate. While it quotes a FAA safety study, which recommends no overflight at low altitude, and then recommends as mitigation, notification to alert pilots near HWD that flights below 1000 feet AGL should be avoided, it does not take into account that in this compressed and constricted airspace it is not possible to fly 1000 feet AGL or more above this plant nor at 1000'plus AGL above the variable height plume the plant will generate. The altitude is restricted to below 1400'.

I flew over the area with a friend, who keeps her plane at Hayward. It was evident how close these two sites are to the Airport. While flying the pattern we were over the Eastshore site and very close to the Russell City Energy Center.

Wake Turbulence (2 wing vortices, one for each wing) from large commercial aircraft heading to Oakland's Runway 29 is a known HAZARD to ALL aircraft especially helicopters. When ANY aircraft departs from HWD Runway 28L or Runway 10R AND there is an approaching aircraft to Oakland's 29 the pilot is given a warning from the tower controller (Hayward or Oakland depending on the time of day). To have two additional declared hazards within the same controlled airspace would be a huge burden to control tower operators AND pilots. If the Wake Turbulence (Left wing, Right wing) were to combine with the Plume Velocity's of Russell and Eastshore there would TWO additional HAZARDS that would be unpredictable in size, location and magnitude. That would be a total of FOUR HAZARDS invisible to the pilot in one area that would require undefined aircraft avoidance distances.

Hayward Airport is classified as a Reliever Airport that relieves or saves Oakland Airport from having to accommodate the Air Traffic of smaller planes (commonly called General Aviation). This allows for a more efficient use of air space and air traffic control. By constructing two power plants within 1 1/2 miles of the airport, it will limit airspace use, which would have a dramatic deleterious affect on the Bay Area's air traffic management.

Please do not allow this impingement on airspace to occur.

Respectfully submitted,

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