THE AIRPORT LAND USE COMMISSION OF ALAMEDA COUNTY
HAYWARD, CA

RESOLUTION 02-2007 – AT A MEETING HELD OCTOBER 17, 2007

DOCKET
06-AFC-6
DATE
RECD. OCT 26 2007

Introduced by: Hauri
Seconded by: Needle

WHEREAS, County Airport Land Use Commissions (ALUCs) were established pursuant to the State ALUC law (Public Utilities Code Article 3.5, State Aeronautics Act, Section 21661.5, Section 21670 et seq., and Government Code Section 65302.3 et seq.) to protect the public health, safety, and welfare by promoting orderly expansion of airports and adoption of land use measures by local public agencies to minimize exposure to excessive noise and safety hazards near airports, and

WHEREAS, state law authorizes ALUCs to coordinate planning at the state, regional and local levels; to prepare and adopt airport land use plans; and to review and make recommendations concerning specified plans, regulations and other actions of local agencies and airport operators including General and Specific Plan amendments, adoption of a Zoning Ordinance or Rezoning, adoption of Building Regulations, revision of Airport Master Plans, and approval of plans to construct a new airport/heliport, and

WHEREAS, Tierra Energy is proposing to develop the Eastshore Energy Center that would be a nominal megawatt, gas-fired power plant, with 70-foot towers that would produce high-velocity thermal plumes in excess of 4.3 meters per second (m/s), and

WHEREAS, the power plant would generate invisible high-velocity, high-heat thermal plumes in the Hayward Airport airspace, and

WHEREAS, the Eastshore Energy Center project would be located 1 mile from the Hayward Executive Airport within the Airport Influence Area (AIA) for the airport as defined by the Airport Land Use Commission (ALUC) of Alameda County, and

WHEREAS, California Energy Commission (CEC) staff have published a Preliminary Staff Assessment on potential impacts to Hayward Airport operations which concluded that the thermal plumes from the towers will disturb airspace stability to 500 feet above ground level (AGL), and

WHEREAS, the CEC staff has asked the ALUC to provide an advisory determination of the project's compatibility with the Hayward Executive Airport operations, and

WHEREAS, The 2002 Hayward Airport Master Plan forecasts an increase in total general aviation operations of approximately 3,350 flights per year, or 280 flights per month between 2010 and 2020 over current operation levels, and

WHEREAS, the expected increase in flight operations for the Hayward Airport represents an increase in aircraft overflight of the thermal plumes to be generated by the proposed Eastshore Energy Center project, and

WHEREAS, the airspace in the vicinity of the Hayward Airport is already restricted due to Noise Abatement Flight Procedures, and the National Security NOTAM requesting pilots to

PROOF OF SERVICE (REVISED 10/1/02) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 10/29/07 PJ

avoid overflight of power plants that will be in effect with the approved Russell City Energy Center (RCEC) project that is also within a mile and a half of the Hayward Executive Airport

NOW THEREFORE BE IT RESOLVED that the Airport Land Use Commission of Alameda County discussed their concerns regarding thermal plumes of the proposed Eastshore Energy Center project relative to aviation safety at the Hayward Executive Airport and makes the following finding:

1. The Commission recommends an alternate site for the proposed project outside of the Airport Influence Area for the Hayward Executive Airport.

ADOPTED BY THE FOLLOWING VOTE:

AYES: HAURI, GROSSMAN, PEREIRA, NEEDLE, MORRIS

NOES: NONE

ABSENT: LOCKHART, KAMENA

EXCUSED: LOCKHART

ABSTAINED: NONE

SIGNED: DATE:

STEVE GROSSMAN
CHAIR, ALAMEDA COUNTY AIRPORT LAND USE COMMISSION

CHRIS BAZAR, ADMINISTRATIVE OFFICER
ALAMEDA COUNTY AIRPORT LAND USE COMMISSION

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION FOR THE EASTSHORE ENERGY CENTER IN CITY OF HAYWARD BY TIERRA ENERGY	**Docket No. 06-AFC-6** **PROOF OF SERVICE** **(Revised 10/12/2007)**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-6
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DECLARATION OF SERVICE

I, Dora Gomez, declare that on October 29, 2007, I deposited copies of the attached Resolution 02-2007 – At a meeting held October 17, 2007 for Eastshore (06-AFC-6) in the United States mail at Sacramento 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 the 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.

Dora Gomez