

Memorandum

Date : September 12, 2000
Telephone: ATSS ()
(916) 654-4074

To : **Metcalfe Energy Center Siting Committee:**
Robert A. Laurie, Presiding Member
William J. Keese, Associate Member

File: <S:/projects/metcalfe/status/sr91100.doc>

From : **California Energy Commission** - Paul Richins, Jr.
1516 Ninth Street Energy Commission Project Manager
Sacramento, CA 95814-5512

Subject : **SEPTEMBER 11, 2000 STATUS REPORT**

The information that was noted in our August status report as outstanding has been received and docketed by Calpine/Bechtel. The last of the information on ground water modeling was provided on September 7, 2000. The information did not include data files from the revised modeling results. These files will allow staff to verify the applicants' projections. We expect to receive these data files soon.

The San Francisco Bay Area Air Quality Management District completed and released the Final Determination of Compliance (FDOC) on August 24, 2000. The air district followed up with a draft errata that when finalized will modify the FDOC. We expect to receive the final errata by September 15, 2000.

With the recent additional information provided by Calpine/Bechtel, U.S. Fish and Wildlife Service estimates the Biological Opinion will be completed by the middle of October. The Biological Opinion is not required for staff to complete the Final Staff Assessment (FSA) as we have been working closely with the U.S Fish and Wildlife Service and understand the conditions they are considering.

Calpine/Bechtel has been encouraging staff to issue the FSA by the end of September. Staff is working diligently to finalize its analyses and file a comprehensive document with carefully considered assessments and well thought-out conditions of certification. Consequently, we are not optimistic about meeting the applicants desired date but anticipate filing the FSA around October 6, 2000.

As requested in the interim scheduling order, we met with the staff of the City of San Jose on several occasions this past month. As evident from the attached letter, the San Jose plans to rely on Public Resources Code section 225129(c) for its entitlement actions. After release of the FSA, we understand that it will take between 3-8 weeks to complete City Planning Commission and City Council hearings on Calpine/Bechtel's request for a General Plan amendment, and Planned Development Rezoning and Annexation applications for the Metcalfe Energy Center site. To our knowledge, dates for City Planning Commission and City Council hearings have not yet been set.

September 12, 2000

Page 2

We reiterate our concerns expressed in our August status report regarding the Committee's direction to staff to conduct workshops on the FSA. Without restating our concerns here, we recommend that the Committee eliminate this requirement and expeditiously plan for hearings.

Attachment—September 8, 2000 letter from the City of San Jose

cc: Metcalf POS list