

APPENDIX 5.3A

Agency Consultation Letters



CH2M HILL
3 Hutton Centre Drive
Suite 200
Santa Ana, CA 92707
Tel 714.429.2000
Fax 714.429.2050

January 15, 2008

365887.GW.TR.02.04

Ms. Elizabeth A. Greathouse, Coordinator
Central California Information Center
Department of Anthropology
California State University, Stanislaus
801 W. Monte Vista Ave.
Turlock, CA 95382
209.667.3307
209.667.3324 fax
egreathouse@csustan.edu

Subject: GWF Tracy Combined Cycle Conversion Project

Dear Elizabeth:

CH2M HILL is assisting GWF Energy LLC with the preparation of an Application for Certification (AFC) before the California Energy Commission (CEC) for conversion of an existing simple cycle power plant to a combined cycle project by adding heat recovery steam generators and a steam turbine. The project site is located near the City of Tracy, in unincorporated San Joaquin County. Please see the enclosed study area map (T2S, R4E, Section 36, Tracy, CA 7.5 Minute USGS quadrangle).

We request the Central California Information Center conduct a Records Search for the project by performing the following tasks:

- Check NRHP and CRHP listings (if any NRHP or CRHP properties are present – provide copies of all pertinent inventory/nomination/registration forms).
- Check “determined eligible” listings for the NRHP or CRHP; provide copies of pertinent forms as appropriate.
- Check all other state and local listings for the presence of historic buildings, structures, landmarks, points of historical interest, or other cultural resources; provide copies of pertinent forms/documents as appropriate (HPDF records).
- Check for presence of known/recorded archaeological sites (historic and/or prehistoric); provide copies of inventory forms/Primary Record Forms as appropriate.
- Provide a bibliography of all reports, surveys, excavations, inventories, studies, etc., within the 1-mile boundary CHRIS search area marked on the attached quadrangle map. Provide a copy of all reports, surveys, excavations, inventories, studies, etc. within the 1-mile boundary CHRIS search area marked on the attached quadrangle map.
- Annotate and return the map showing locations of known/recorded/registered cultural resource sites (archaeological sites, NRHP or CRHP historic properties, etc.) and mapped polygons for previously conducted surveys, inventories, and other studies.

- **Provide copies of all DPR forms within a 1-mile boundary.**
- **Provide full copies of all technical reports for studies that occurred within 0.25-mile of the project site.**

Due to schedule constraints, we request that you conduct this search on an **expedited** priority basis.

If you have any questions, please call me at 714-435-6140.

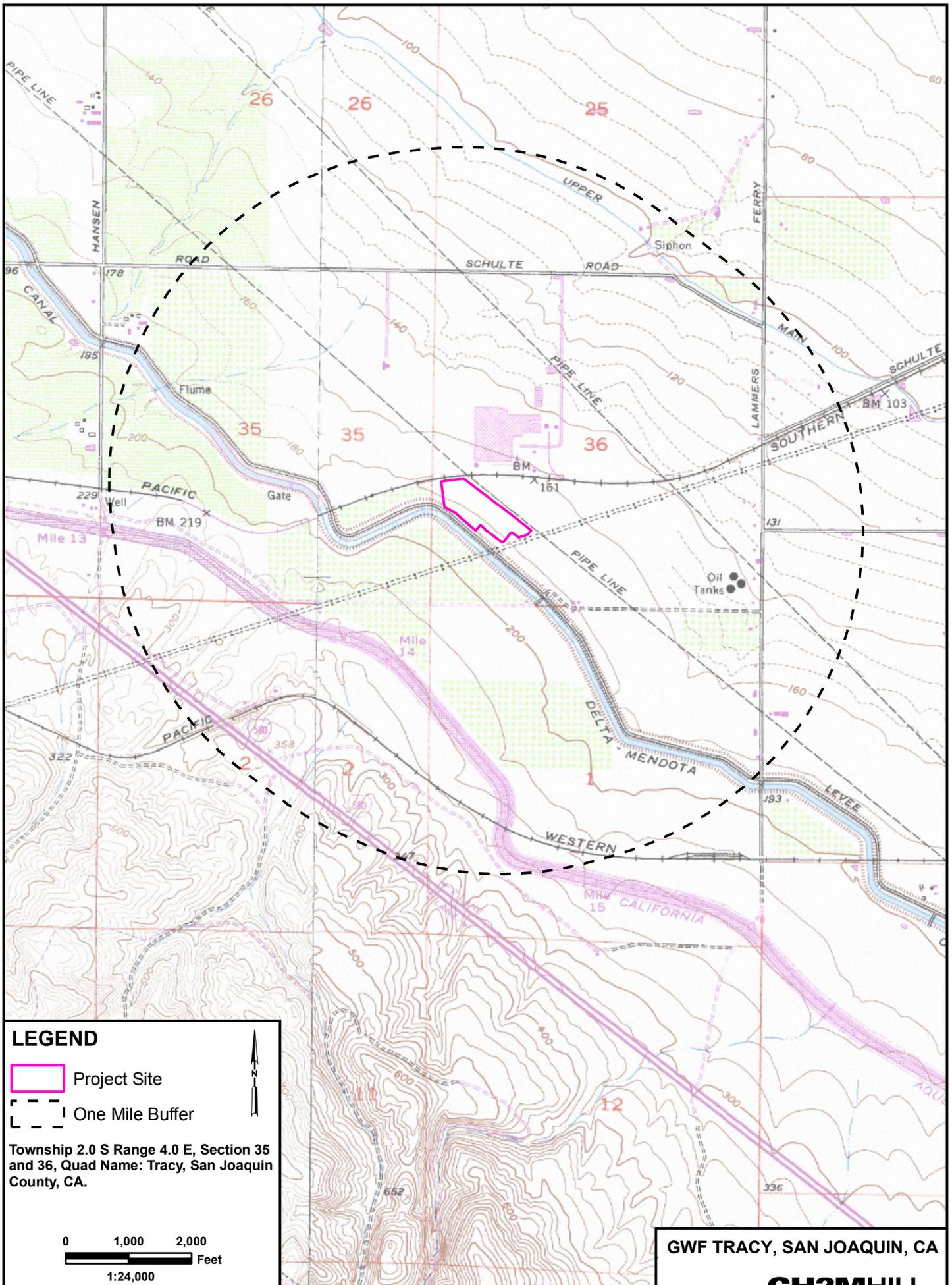
Sincerely,

CH2M HILL

A handwritten signature in black ink, appearing to read "Clint Helton", written in a cursive style.

Clint J. Helton, M.A., RPA

Enclosures: Project Location Map [1]

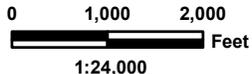


LEGEND

- Project Site
- One Mile Buffer



Township 2.0 S Range 4.0 E, Section 35 and 36, Quad Name: Tracy, San Joaquin County, CA.



GWF TRACY, SAN JOAQUIN, CA

CH2MHILL



CH2M HILL
3 Hutton Centre Drive
Suite 200
Santa Ana, CA 92707
Tel 714.429.2000
Fax 714.429.2050

January 15, 2008

365887.GW.TR.02.04

Dave Singleton
Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814
ds_nahc@pacbell.net

Re: Fontana GWF Tracy Combined Cycle Conversion Project

Dear Mr. Singleton:

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We would appreciate your checking the Sacred Lands Files to see if there are any culturally sensitive areas within the immediate project vicinity. We would also like to receive a list of MLD's appropriate for this area since we will attempt to contact local Indian groups to solicit their written input/concerns about the project.

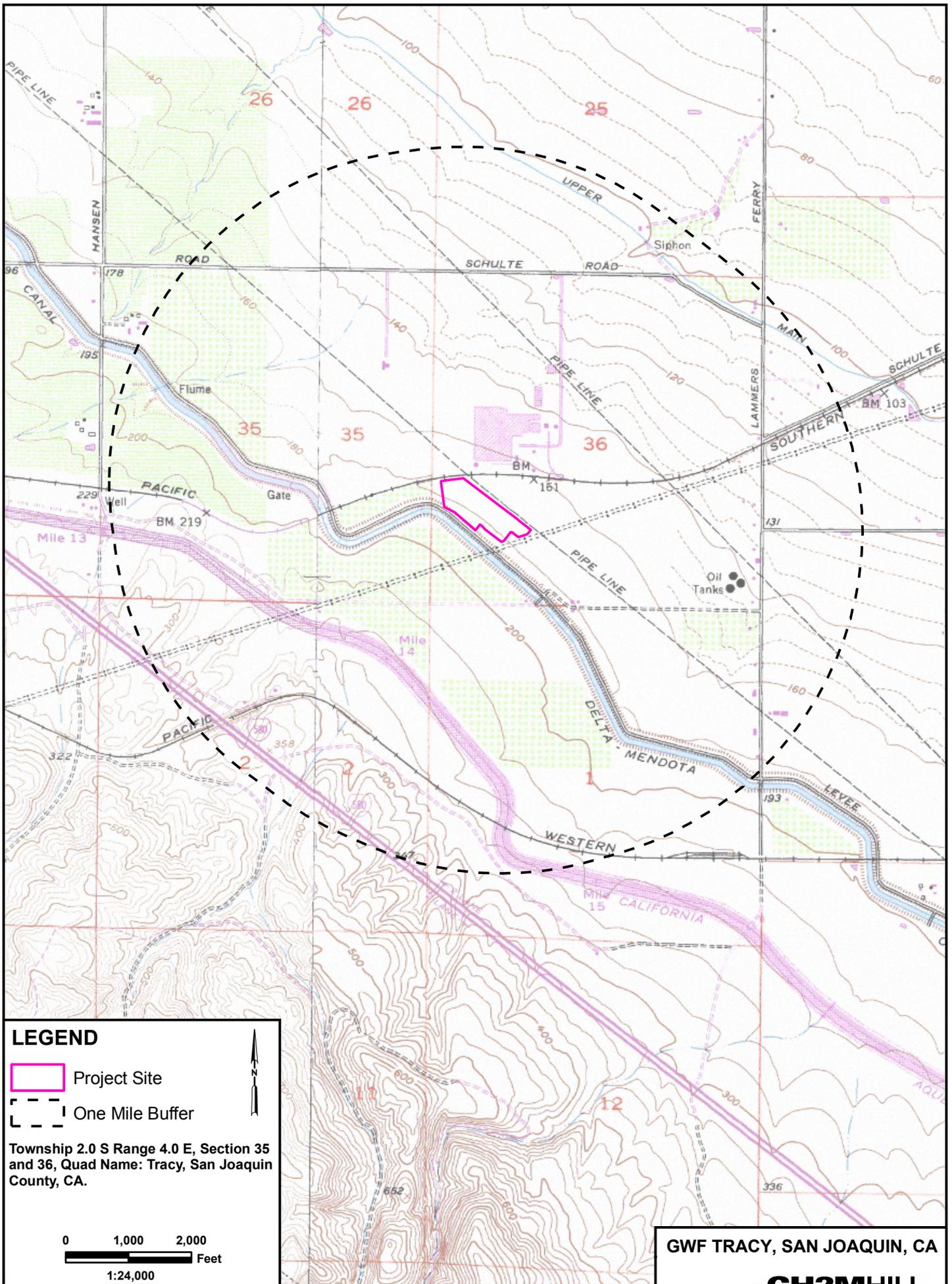
Thanks again for your cooperation and assistance. We look forward to your earliest possible reply.

Respectfully yours,

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Clint Helton, RPA
Project Scientist

cc: File
Enclosure—Map of Project Area



GWF TRACY, SAN JOAQUIN, CA

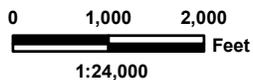
CH2MHILL

LEGEND

- Project Site
- One Mile Buffer



Township 2.0 S Range 4.0 E, Section 35 and 36, Quad Name: Tracy, San Joaquin County, CA.



STATE OF CALIFORNIA

Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
e-mail: ds_nahc@pacbell.net



January 16, 2008

Mr. Clint Hilton, RPA, Project Scientist

CH2MHILL

3 Hutton Center Drive, Suite 200
Irvine, CA 92707

Sent by FAX to: 714-424-2285

Number of Pages: 3

Re: Request for a Sacred Lands File records search for the proposed Fontana GWF Tracy Combined Conversion Project, located near the City of Tracy in San Joaquin County, California

Dear Mr. Hilton:

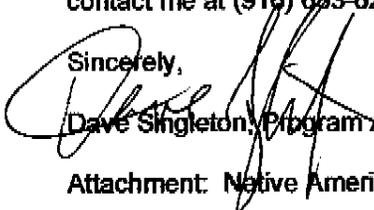
The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any project area. This project site is in close proximity to previously discovered prehistoric burial sites and is believed to hold numerous cultural resources.

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed is the name of the nearest tribes that may have knowledge of cultural resources in the project area. A list of Native American contacts is attached to assist you. It is advisable to contact the persons listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area.

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 15064.5(f) and Section 15097.98 and Health & Safety Code Section 7050.6 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 683-6251.

Sincerely,


Dave Singleton, Program Analyst

Attachment: Native American Contact List

**Native American Contacts
San Joaquin County
January 16, 2008**

Sierra Native American Council
Dwight Dutschke, Chairperson
Box 12045
Ione, CA 95640
(209) 274-2357

Miwok

Randy Yonemura
4305 - 39th Avenue
Sacramento, CA 95824
honortraditions@mail.com
(916) 421-1600

Miwok

Wilton Rancheria
Mary Daniels-Tarango, Chairperson
7916 Farnell Way
Sacramento, CA 95823
(916) 427-2909 Home

Miwok

California Valley Miwok Tribe
Silvia Burley
10601 Escondido Place
Stockton, CA 95212
office@cvmt.net
(209) 931-4197
(209) 931-4333 FAX

Miwok

Katherine Erolinda Perez
PO Box 717
Linden, CA 95236
(209) 887-3415

Ohlone/Costanoan
Northern Valley Yokuts
Bay Miwok

Ione Band of Miwok Indians
Heritage Cultural Committee
PO Box 1190
Ione, CA 95640
billie@ionemiwok.org
(209) 274-6753
(209) 274-6636 Fax

Miwok

Ione Band of Miwok Indians
Matthew Franklin, Chairperson
PO Box 1190
Ione, CA 95640
matt@ionemiwok.org
(209) 274-6753
(209) 274-6636 Fax

Miwok

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed Fontana GWF Tracy Combined Conversion Project located near the City of Tracy in San Joaquin County, California for which a Sacred Lands File search and Native American Contacts list were requested.

<p>GWF TRACY ENERGY CENTER PROJECT</p> <p>CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC</p>					
<i>RECIPIENT</i>	<i>DATE SENT</i>	<i>LETTER MAILED</i>	<i>FAXED</i>	<i>E-MAILED</i>	<i>COMMENTS RECEIVED (FROM LETTER)</i>
Sierra Native American Council Dwight Dutschke, Chairperson Box 12045 Ione, CA 95640 (209) 274-2357	1.17.08	x			None
Wilton Rancheria Mary Daniels-Tarango, Chairperson 7916 Farnell Way Sacramento, CA 95823 (916) 427-2090	1.17.08	x			None
Katherine Erolinda Perez PO Box 717 Linden, CA 95236 (209) 887-3415	1.17.08	x			None
Ione Band of Miwok Indians Matthew Franklin, Chairperson PO Box 1190 Ione, CA 95640 matt@ionemiwok.org (209) 274-6753 (209) 274-6636 fax	1.17.08	x		x	None
Randy Yonemura 4305 – 39 th Ave Sacramento, CA 95824 honortraditions@mail.com (916) 421-1600	1.17.08	x		x	None

GWF TRACY ENERGY CENTER PROJECT CONSULTATION LETTERS TO NATIVE AMERICAN CONTACTS PROVIDED BY NAHC					
RECIPIENT	DATE SENT	LETTER MAILED	FAXED	E-MAILED	COMMENTS RECEIVED (FROM LETTER)
California Valley Miwok Tribe Silvia Burley 10601 Escondido Place Stockton, CA 95212 Office@cvmt.net (209) 931-4197 (209) 931-4333 fax	1.17.08	x		x	Letter received 1/21/08. No issues.
Ione Band of Miwok Indians Heritage Cultural Committee PO Box 1190 Ione, CA 95640 billie@ionemiwok.org (209) 274-6753 (209) 274-6636 fax	1.17.08	x		x	None



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3 Hutton Centre Drive
Suite 200
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January 17, 2008

California Valley Miwok Tribe
Silvia Burley
10601 Escondido Place
Stockton, CA 95212
Office@cvmt.net
(209) 931-4197
(209) 931-4333 fax

365887.GW.TR.02.04

Re: GWF Tracy AFC

Dear Silvia Burley,

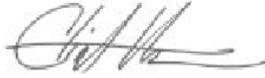
CH2M HILL is assisting GWF Energy LLC with the preparation of an Application for Certification (AFC) before the California Energy Commission (CEC) for conversion of an existing simple cycle power plant to a combined cycle project by adding heat recovery steam generators and a steam turbine. The GWF Tracy Project (Project) site is located near the City of Tracy, in unincorporated San Joaquin County. Please see the enclosed study area map (T2S, R4E, Section 36, Tracy, CA 7.5 Minute USGS quadrangle).

The Project currently consists of an existing 169-megawatt (MW) simple-cycle power plant, with a 230-kilovolt (kV) switchyard, natural gas supply interconnection, an existing 230-kV electric transmission line, and a water supply pipeline. The project is located on a nine-acre fenced site within a 40-acre parcel in an unincorporated portion of San Joaquin County. The property is bounded by the Delta-Mendota Canal to the southwest, agricultural property to the south and east, and the Union Pacific Railroad to the north. Immediately north of the railroad are the Owens-Brockway glass container manufacturing plant and the Nutting-Rice warehouse. The Tracy Biomass power plant is approximately 0.6 miles to the northwest. The power plant area would be accessed via a 3,300-foot, asphalt-paved service road southward from W. Schulte Road to the site. The proposed project will improve the efficiency of the existing simple cycle units, provide needed power efficiently with minimal environmental impact, and will require minimal offsite impact.

If you know of any traditional cultural properties or values (e.g., burial sites, religious sites, or gathering sites) within the Project area shown on the enclosed map, or if you have any concerns regarding issues related to the overall Project, please contact me at (714) 435-6140 or by mail; you may also contact me at clint.helton@ch2m.com.

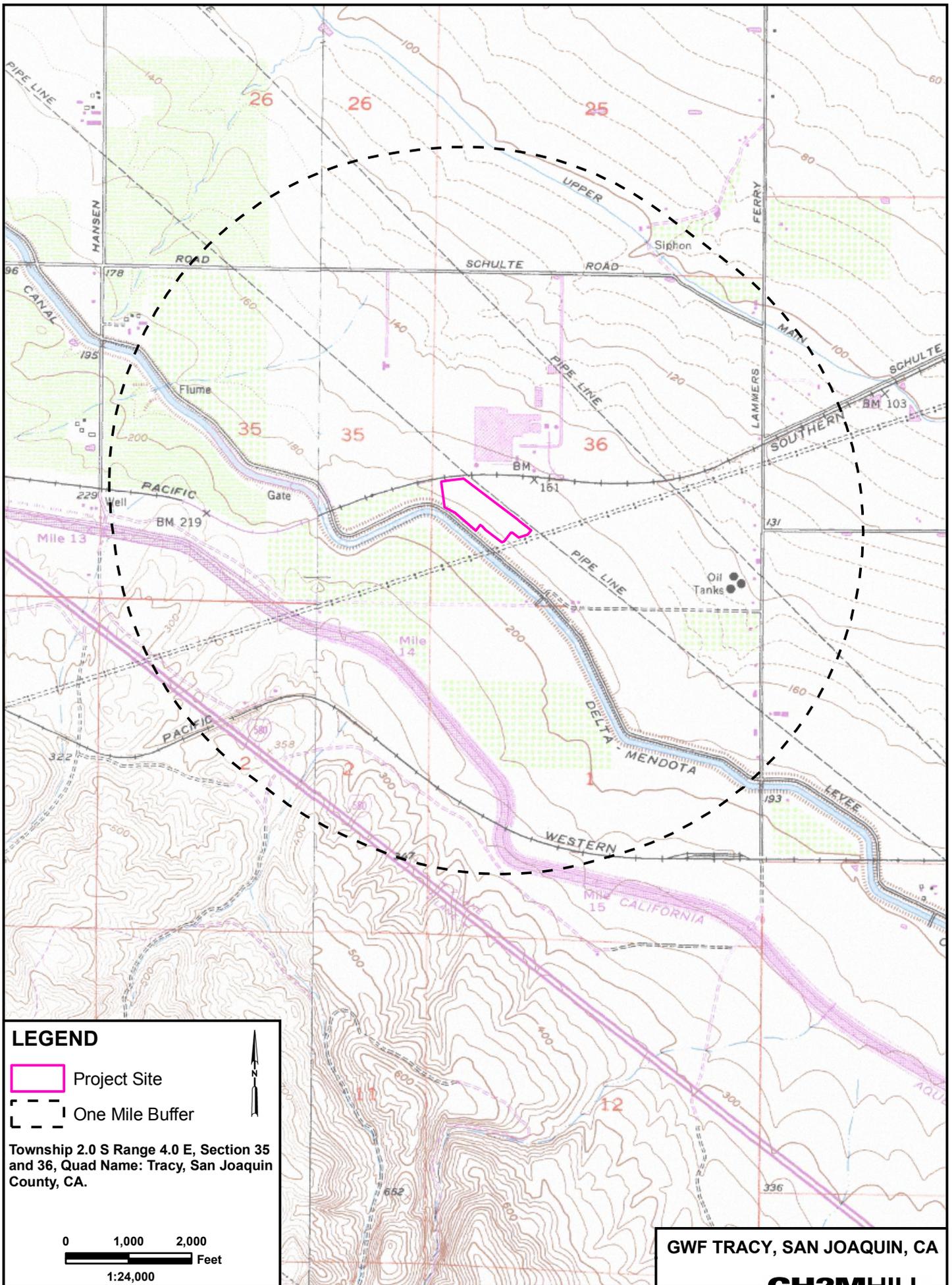
Your project comments and concerns are important to us. I look forward to hearing from you in the near future.

Respectfully yours,

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Clint Helton, RPA
Project Scientist

cc: File
Enclosure—Map of Project Area





CH2M HILL
3 Hutton Centre Drive
Suite 200
Santa Ana, CA 92707
Tel 714.429.2000
Fax 714.429.2050

January 17, 2008

Lone Band of Miwok Indians
Matthew Franklin, Chairperson
PO Box 1190
Lone, CA 95640
matt@ionemiwok.org
(209) 274-6753
(209) 274-6636 fax

365887.GW.TR.02.04

Re: GWF Tracy AFC

Dear Chairperson Matthew Franklin,

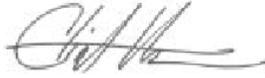
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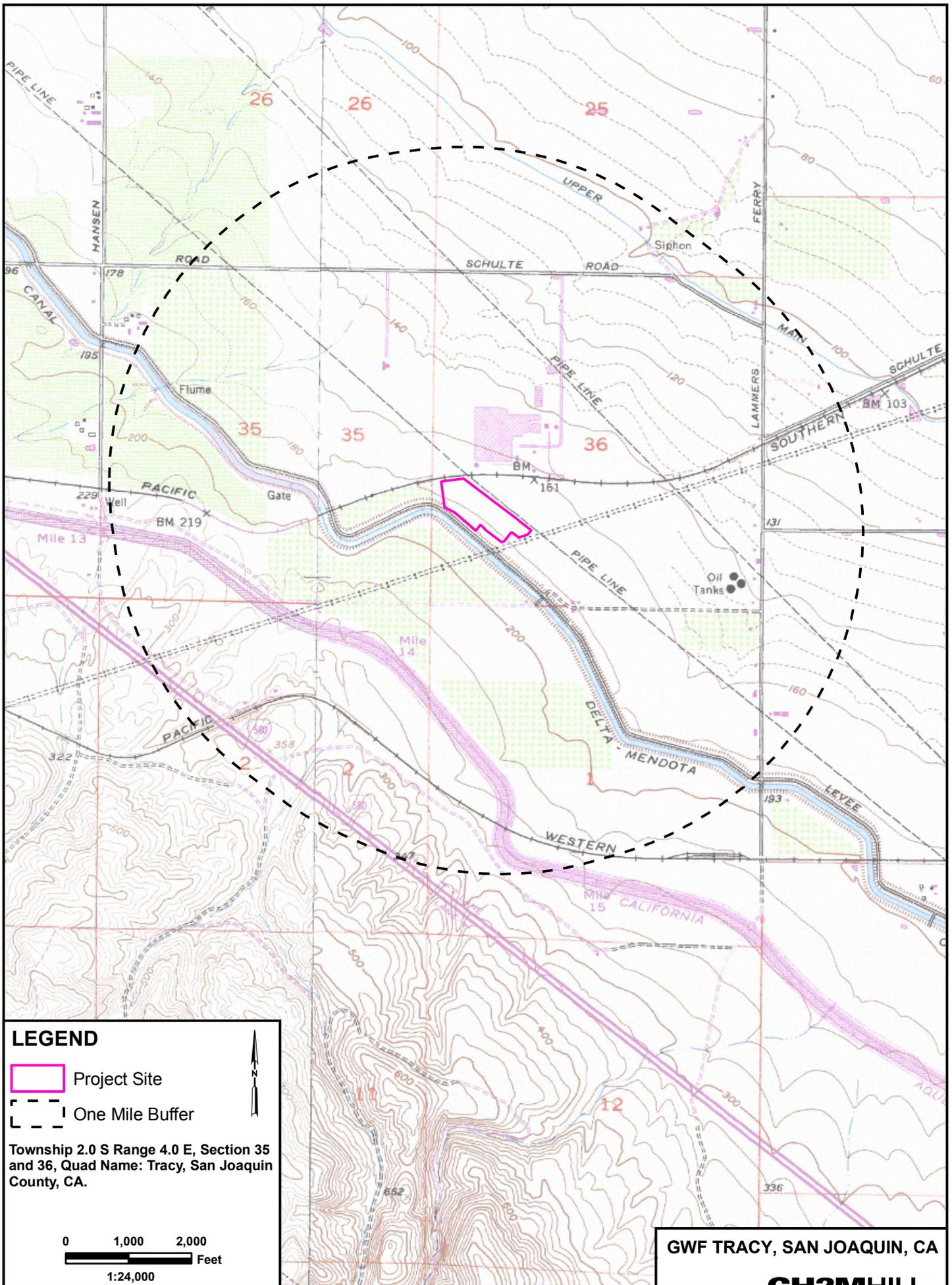
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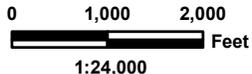


LEGEND

- Project Site
- One Mile Buffer



Township 2.0 S Range 4.0 E, Section 35 and 36, Quad Name: Tracy, San Joaquin County, CA.



GWF TRACY, SAN JOAQUIN, CA

CH2MHILL



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January 17, 2008

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Re: GWF Tracy AFC

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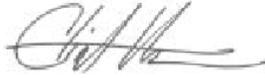
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If you know of any traditional cultural properties or values (e.g., burial sites, religious sites, or gathering sites) within the Project area shown on the enclosed map, or if you have any concerns regarding issues related to the overall Project, please contact me at (714) 435-6140 or by mail; you may also contact me at clint.helton@ch2m.com.

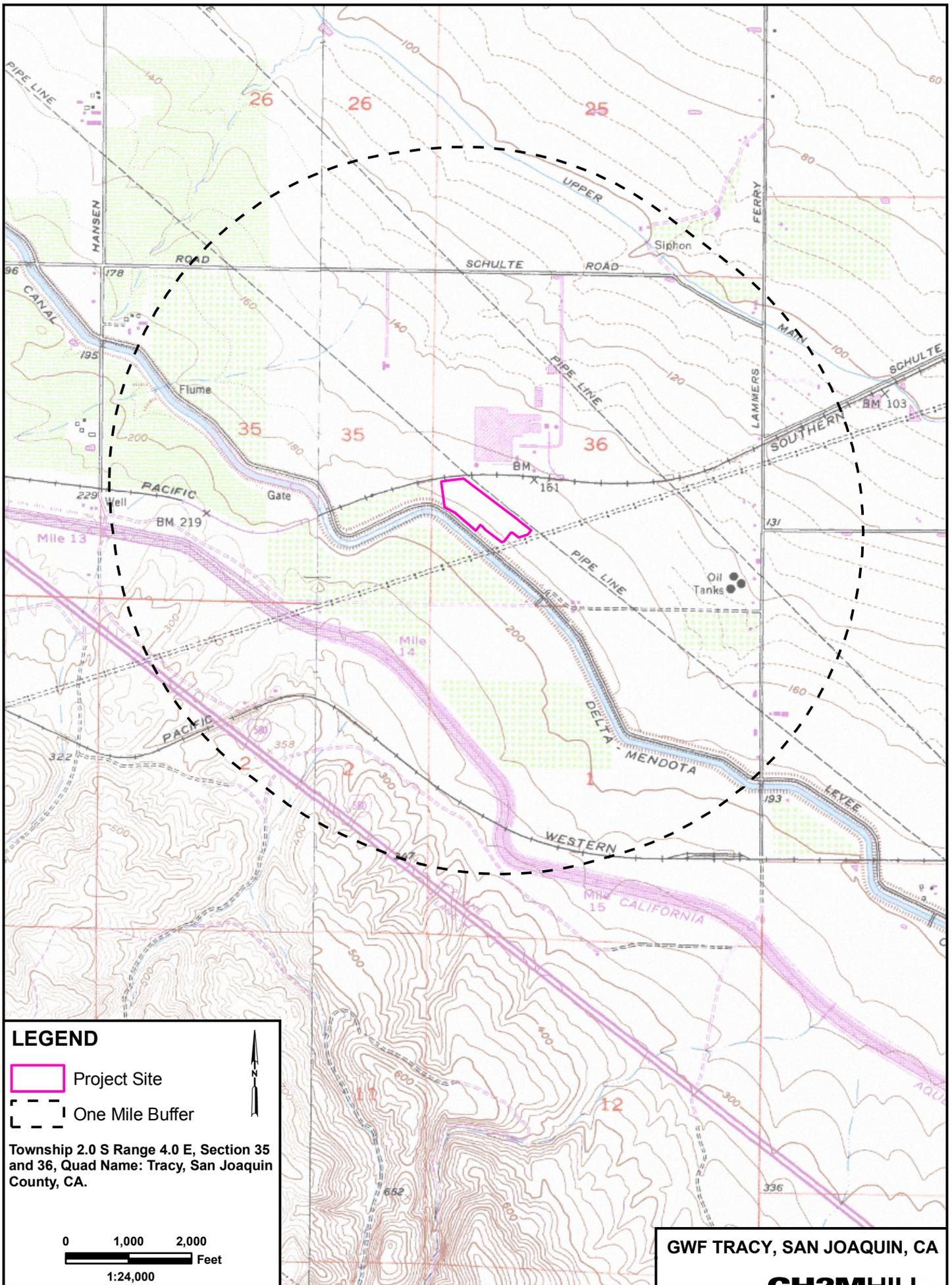
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Clint Helton, RPA
Project Scientist

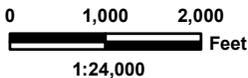
cc: File
Enclosure—Map of Project Area



LEGEND

- Project Site
- One Mile Buffer

Township 2.0 S Range 4.0 E, Section 35 and 36, Quad Name: Tracy, San Joaquin County, CA.



GWF TRACY, SAN JOAQUIN, CA

CH2MHILL



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Tel 714.429.2000
Fax 714.429.2050

January 17, 2008

Katherine Erolinda Perez
PO Box 717
Linden, CA 95236
(209) 887-3415

365887.GW.TR.02.04

Re: GWF Tracy AFC

Dear Katherine Erolinda Perez,

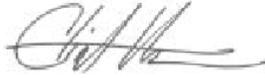
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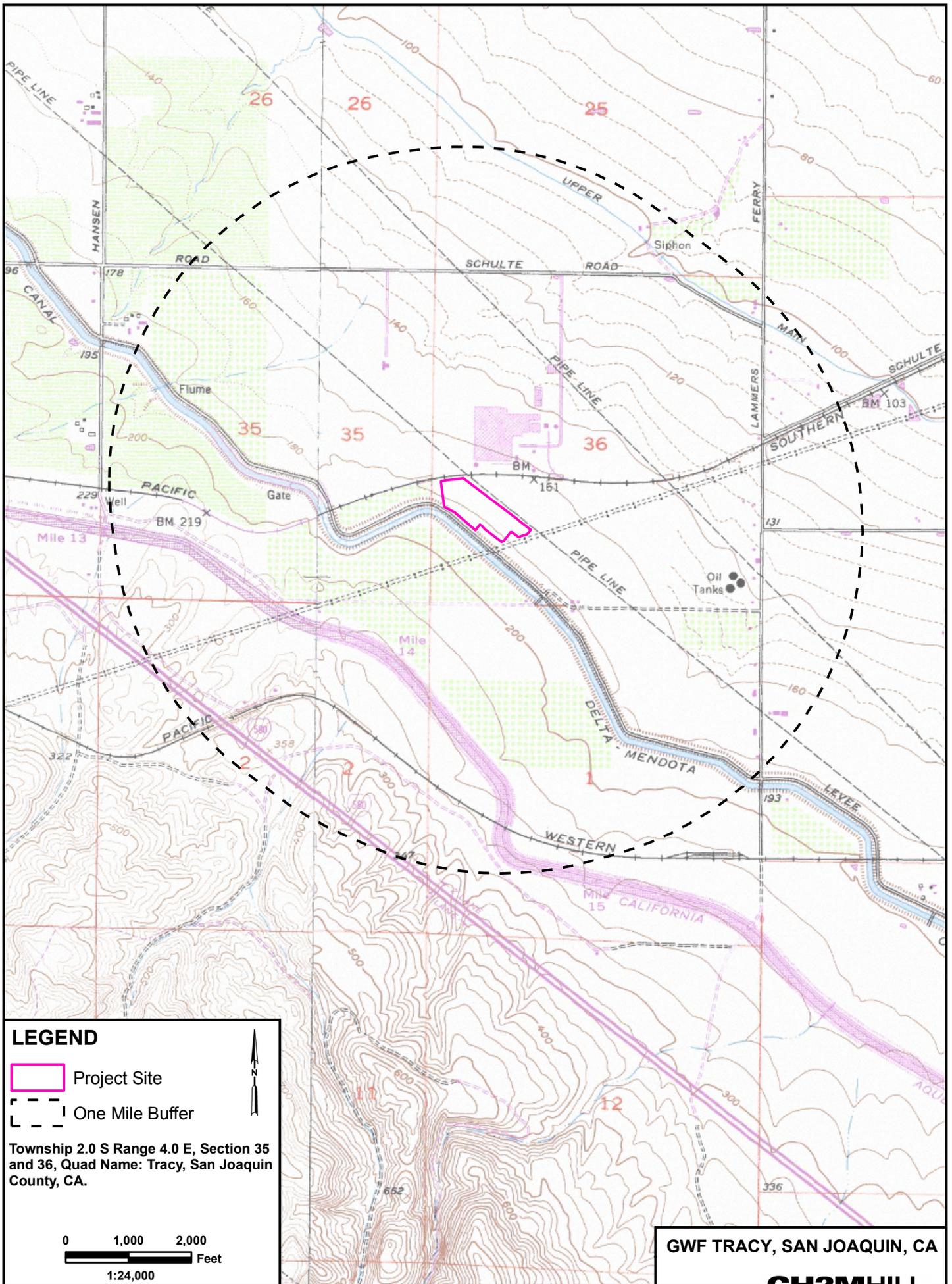
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January 17, 2008

Randy Yonemura
4305 – 39th Ave
Sacramento, CA 95824
honortraditions@mail.com
(916) 421-1600

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Dear Randy Yonemura,

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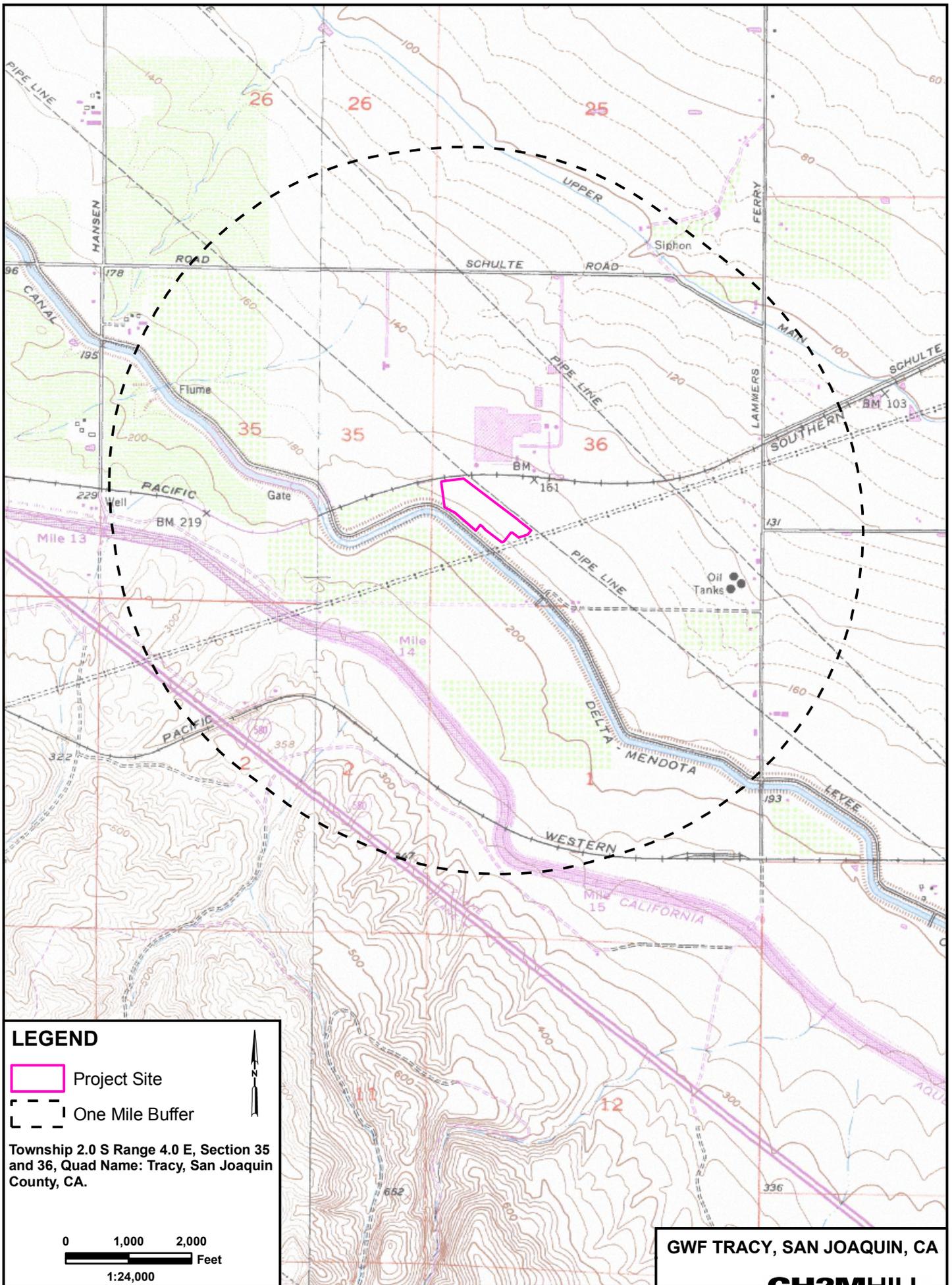
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GWF TRACY, SAN JOAQUIN, CA

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Sierra Native American Council
Dwight Dutschke, Chairperson
Box 12045
Lone, CA 95640
(209) 274-2357

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Re: GWF Tracy AFC

Dear Chairperson Dwight Dutschke,

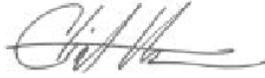
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The Project currently consists of an existing 169-megawatt (MW) simple-cycle power plant, with a 230-kilovolt (kV) switchyard, natural gas supply interconnection, an existing 230-kV electric transmission line, and a water supply pipeline. The project is located on a nine-acre fenced site within a 40-acre parcel in an unincorporated portion of San Joaquin County. The property is bounded by the Delta-Mendota Canal to the southwest, agricultural property to the south and east, and the Union Pacific Railroad to the north. Immediately north of the railroad are the Owens-Brockway glass container manufacturing plant and the Nutting-Rice warehouse. The Tracy Biomass power plant is approximately 0.6 miles to the northwest. The power plant area would be accessed via a 3,300-foot, asphalt-paved service road southward from W. Schulte Road to the site. The proposed project will improve the efficiency of the existing simple cycle units, provide needed power efficiently with minimal environmental impact, and will require minimal offsite impact.

If you know of any traditional cultural properties or values (e.g., burial sites, religious sites, or gathering sites) within the Project area shown on the enclosed map, or if you have any concerns regarding issues related to the overall Project, please contact me at (714) 435-6140 or by mail; you may also contact me at clint.helton@ch2m.com.

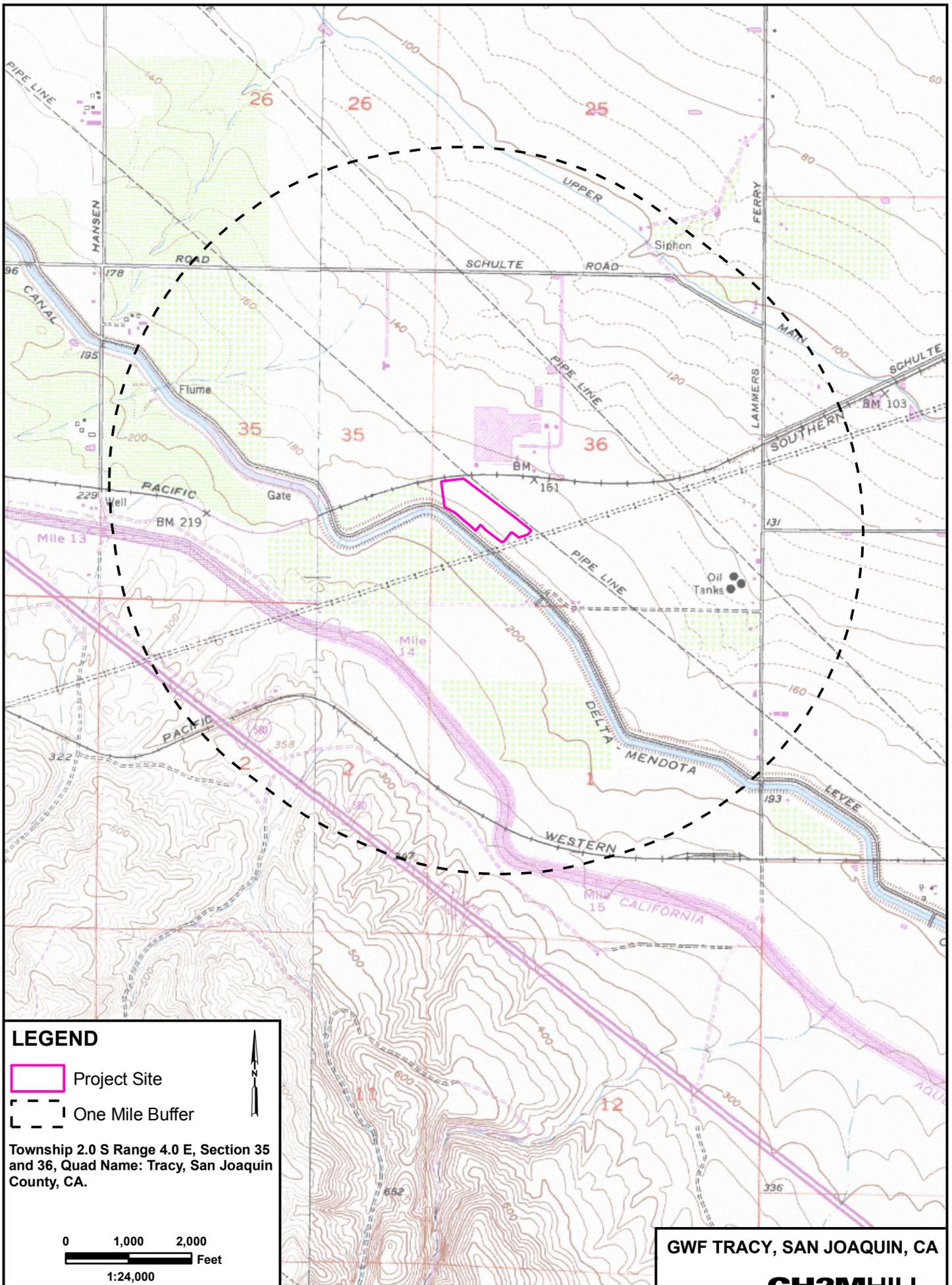
Your project comments and concerns are important to us. I look forward to hearing from you in the near future.

Respectfully yours,

A handwritten signature in black ink, appearing to read "Clint Helton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Clint Helton, RPA
Project Scientist

cc: File
Enclosure—Map of Project Area



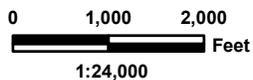
GWF TRACY, SAN JOAQUIN, CA

CH2MHILL

LEGEND

- Project Site
- One Mile Buffer

Township 2.0 S Range 4.0 E, Section 35 and 36, Quad Name: Tracy, San Joaquin County, CA.





CH2M HILL
3 Hutton Centre Drive
Suite 200
Santa Ana, CA 92707
Tel 714.429.2000
Fax 714.429.2050

January 17, 2008

Wilton Rancheria
Mary Daniels-Tarango, Chairperson
7916 Farnell Way
Sacramento, CA 95823
(916) 427-2090

365887.GW.TR.02.04

Re: GWF Tracy AFC

Dear Chairperson Mary Daniels-Tarango,

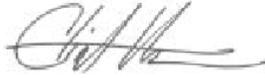
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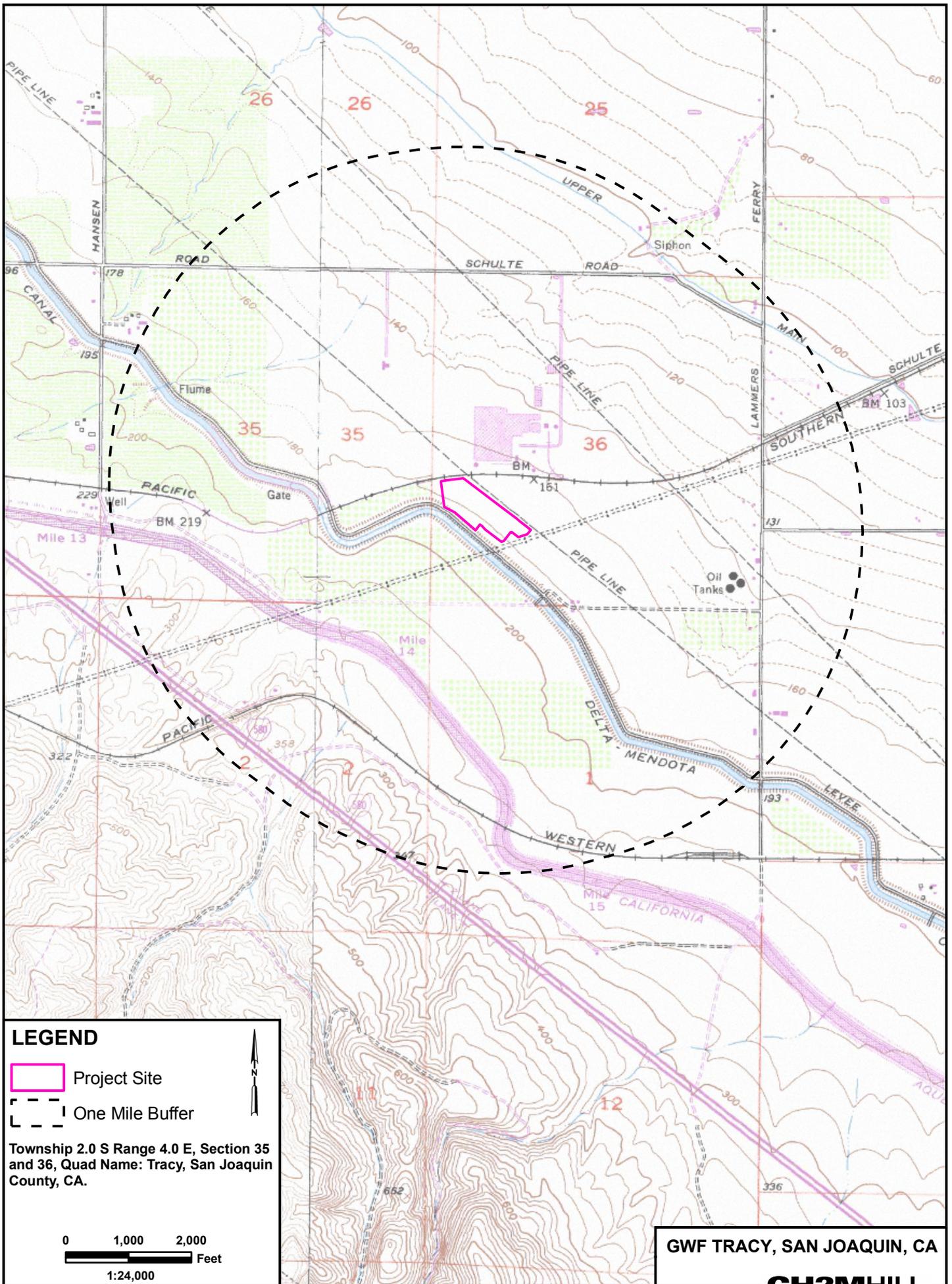
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Clint Helton, RPA
Project Scientist

cc: File
Enclosure—Map of Project Area

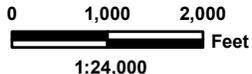


LEGEND

- Project Site
- One Mile Buffer



Township 2.0 S Range 4.0 E, Section 35 and 36, Quad Name: Tracy, San Joaquin County, CA.



GWF TRACY, SAN JOAQUIN, CA

CH2MHILL



GWF ENERGY LLC

February 27, 2008

Ms. Eileen Allen
Energy Facility Licensing Program Manager
1516 Ninth Street, MS-15
Sacramento, CA 95814

Subject: February 8th GWF Energy's Peaker Conversion Projects Prefiling Meeting

Dear Ms. Allen:

GWF Energy appreciates you and your staff taking the time to discuss our plans to convert our Tracy, Hanford, and Henrietta Peaking Power Plants to combined cycle. This letter memorializes these discussions by project site and subject area.

I am also attaching a corrected version of the agenda and emissions summary based on the following (changes are noted in bold underline):

Agenda

- Proposed ammonia slip to 5 ppm for combined cycle operation has been lowered based on feedback we received from Keith Golden. This change has been made to the agenda outline. However both Hanford and Henrietta will need to operate in both simple and combined cycle modes. As a result we will need to retain the proposed 10 ppm slip limit for these simple cycle operation of these two facilities.
- Land Use designation for Henrietta has been corrected from "AG20" to "AX"
- Hanford Visual - reference to HPP has been corrected to HEPP
- Reference to GWF's commitment to construction monitoring that were inadvertently omitted from the key points under "Cultural and Paleontologic Resources" for Henrietta and Hanford have been inserted.

Emissions Summary

- Current emission levels for Henrietta were incorrectly shown as the emissions from a single unit and have been corrected to reflect the 2-unit installation
- Corrections to proposed CO levels have been made based on the commitment to 3 ppm

The following summarizes key points of discussion. Any agreements reached during the prefiling meeting are highlighted in bold.

Tracy

Water/Wastewater

Freshwater use would be primarily for turbine inlet air evaporative cooling, feedwater makeup, service water, and potable water – all utilizing an existing, adequate capacity turnout and pipeline to the site. Use would increase above existing Tracy Peaker Project use but would be within existing water entitlement associated with the 40-acre parcel owned by GWF. An air cooled condensing would reject heat for the steam cycle.

CEC Staff asked about the availability of recycled water from the City of Tracy. GWF indicated that the source of recycled water would be 12-13 miles from the site and would require a pipeline for a relatively small flow. GWF will address the use of recycled water in the AFC alternative analysis.

Wastewater would be stored onsite and periodically hauled off. This is the current practice and there is an existing tank for this purpose. Staff requested that emissions associated with truck traffic for wastewater discharge be included in the air quality analysis.

Air Quality

The original Tracy project was permitted and offset assuming 8,000 hr/yr of operation. Air quality mitigation would rely on the previously surrendered emission offset package based on the permitted operating profile. CEC Staff indicated that the simple cycle plant had operated infrequently over the last five years and higher emissions from 8,000 hr/yr of combined cycle operation may result in some community concern. GWF acknowledged this concern and pointed out that the area had enjoyed an air quality benefit from this excess mitigation and GWF would now be using the full mitigation package to address proposed emission changes in a “full build out” of the mitigation package. GWF also indicated it would be relying on the reduced emissions limit in NO_x associated with lowering NO_x from 5 ppm to 2 ppm to compensate for a proposed higher emission limits for PM_{10/2.5} and VOC. CEC Staff also expressed concern about the 10 ppm NH₃ slip and requested that GWF consider lowering to 5 ppm. GWF informed the CEC Staff that these topics had been discussed with SJVAPCD. A modeling protocol for the projects is in preparation and is expected to be submitted soon to both SJVAPCD and CEC Staff. The modeling will include a discussion of the approach to cumulative impacts, which would include an assessment of projects that are proposed or permitted and unconstructed within 6 miles of the site. Both Tesla and East Altamont are anticipated to be included in the cumulative analysis.

See also under “Water” the note regarding requested inclusion of truck traffic emissions for trucks associated with wastewater disposal.

Staff also requested that the estimates include realistic assumptions regarding commissioning and startup with the goal of avoiding the need for post-license amendments to these estimates. Staff asked whether any rapid start technology was available. GWF indicated that the turbine “rapid start” technology was not available for this unit. Staff

suggested that rapid start be factored into the heat recovery steam generator and steam turbine design. It was mentioned that the auxiliary boiler GWF is proposing would serve this purpose.

Visual

The primary large new structure would be the air cooled condenser. The visual resources analysis would rely upon the original set of KOPs as a starting point with the goal of refining the set down to a smaller group of 3 - 5 locations. Tom Prestley of CH2M HILL will contact Dale Edwards to initiate consultation on the KOP selection.

Land Use

There have been no changes to the basic land uses in the area since the time of original construction. GWF indicated that it had not yet engaged in any discussion with the City of Tracy but intended to do so soon.

Cultural Resources

Since no construction would occur outside of the previously surveyed area, **CEC Staff agreed that a new cultural resources field survey would not be required.** GWF would complete an updated CHRIS records search and would abide by standard license construction monitoring requirements.

Paleontological Resources

Since no construction would occur outside of the previously surveyed area, **CEC Staff agreed that a new paleontological resources field survey would not be required.** GWF would abide by standard license construction monitoring requirements.

Biology

The project would rely on prior mitigation under the San Joaquin Council of Governments HCP. No issues or concerns were raised by Staff with respect to this approach.

Noise

Based on the indication that land use had not changed since the time of the post-certification noise verification measurements, **Staff agreed that a new 25-hr preconstruction noise survey would not be required.** Staff indicated that GWF should design to 5 dBA above background at the nearest receptor based on the original background levels, not current background levels. It was also explained that the air attemperation fans used to maintain the simple cycle SCR inlet temperature are a noise source that would be removed with the combined cycle conversion. The noise modeling will consider removal of these fans.

Reliability

Staff asked about the potential impact on operation on hot days when the air cooled condenser (ACC) capacity may be impacted. GWF described the ACC design philosophy

and that the plant has been studied up to an ambient temperature of 115 °F. The plant will be able to operate although some level of load shedding during the hottest days may occur.

Electric Transmission

Staff requested one-line diagrams showing the interconnection at the PG&E substation.

Henrietta

Project Description

GWF described that in addition to the conversion to combined cycle this project would include a 125 MW solar thermal plant on an adjoining 740 acres. Staff expressed concern about the use on a heat transfer fluid (HTF) heater which had raised fire concerns similar to the HTF heater fire at one of the Luz SEGS facilities. GWF was asked to explain in the AFC what provisions were incorporated into the HTF design to minimize fire risk.

Air Quality

Staff asked about the PM₁₀ increase associated with the simple cycle portion of project. It was explained that the existing SCR and oxidation catalyst would be removed and a new one installed in the once-through steam generator (OTSG). Because the catalysts are a different formulation and would operate at different temperatures than the original application there is a concern about possible ammonium sulfate formation across the catalyst. The PM₁₀ increase is intended to provide requisite operating margin. GWF indicated that the offset package would involve a redistribution of the original mitigation including SJVAPCD-approved interpollutant ratios, similar to what is being proposed with the Tracy project. There was also discussion about the proposed 2-tier air quality permit given GWF's desire to retain simple cycle operation as well as the addition of combined cycle capability. GWF indicated that SJVAPCD had been consulted regarding the viability of the 2-tier approach and had not identified any concerns.

Noise

CEC Staff indicated that given the lack of land use changes since the original construction, it would be acceptable to use the prior noise surveys for establishment of background.

Visual

CEC Staff indicated that given the lack of land use changes it would be appropriate to evaluate only prior KOPs. Tom Priestley of CH2M HILL will coordinate with Dale Edwards on the selection of the appropriate KOPs to evaluate. It was mentioned that the solar field would border the Avenal Cutoff and that it may be appropriate to include a KOP from that vantage point.

CEC Staff also asked whether there might be concerns from the naval base regarding light and glare from the solar field. GWF indicated they had already discussed the project with the Navy. GWF indicated they would be consulting directly with the Navy prior to

submittal of the application to address any concerns they may have regarding the proposed project changes.

Land Use

The solar field property is currently under Williamson Act contract. GWF would like to avoid an early cancellation of the contract that could result in increased tax burden on the landowner that would not be reversible if the solar component of the project did not proceed. Staff indicated that GWF should coordinate this with the County. There should be a way to write the cancellation decision to indicate that it would become effective upon certification and receipt of cancellation payment.

Biology

Kern Water Bank (KWB), the participant in the original biological resources mitigation, has indicated they have about 2,500 acres left in their Habitat Conservation Plan (HCP) and they are reluctant to earmark a substantial portion of the remaining acreage to mitigate the Henrietta Project. GWF is in discussion with KWB regarding the possible assistance with expansion of KWBs current lands. There is some acreage that has been identified as a possible target. GWF has also requested that KWB agree to cover the Henrietta project under its incidental take permit. CEC Staff recommended that GWF coordinate with CDFG Fresno (Annette Tenabo) and USFWS (Susan Jones) on these issues. **Provided these agencies are satisfied, Staff did not identify an issue with this approach.**

Cultural/Paleontological Resources

Surveys would be conducted only on the new acreage to be disturbed. CEC Staff agreed that with this approach to new cultural and paleontological resources field surveys. GWF would complete an updated CHRIS/records search and would abide by standard license construction monitoring requirements.

Water

Additional water use would be nominal and would fall well within entitlements that are assigned to the property. Staff did not identify any water concerns.

Reliability

CEC Staff indicated that they were comfortable with and did not have any concerns regarding the once-through steam generator technology.

Application Process

GWF mentioned the probability that the combined cycle conversion and solar thermal plant components of the project would be implemented as two distinct projects, with separate owners, financing and construction schedules. As a result some consideration was being given as to whether it would make sense to physically separate these two approvals into a separate AFC for the solar thermal component and a post-certification amendment for the combined cycle conversion, which would be approximately 25 MW (less than the 50 MW

applicability threshold). Staff generally discouraged any approach that did not involve a combined filing.

Hanford

General

Since this project would involve a combined cycle conversion that would result in a 25 MW increase, it would not trigger the 50 MW threshold and will be processed as an amendment to the original license. Staff expressed concern that the original project was approved on a 21-day license and that the analysis might need to be enhanced to reflect the less intensive review involved in the 21-day process. GWF indicated that the predecessor project to the Hanford Energy Park Peaker had actually been processed as a Small Power Plant Exemption that was granted by the CEC. Although the SPPE was ultimately withdrawn to accommodate a reconfigured project, much of the environmental analysis for the SPPE still applies. GWF will rely on the prior SPPE analysis to the extent it is reasonable to do so.

Air Quality

There was expanded discussion of the 2-tier permit (which also applies to Henrietta) with respect to tracking of startups. GWF explained that a simple cycle startup would commence with first fire and would end at the point that simple cycle emissions compliance level of 3.6 ppm NO_x was achieved. A combined cycle start would be indicated when there was a start of the OTSG feedwater pump. If the feedwater pump started, then the startup would extend until the lower compliance level of 2 ppm NO_x was achieved.

Noise

CEC Staff indicated that given the lack of land use changes since the original construction, it would be acceptable to use the prior noise surveys for establishment of background.

Biology

There would be a new linear corridor associated with the proposed recycled water and return wastewater discharge lines to/from the City of Hanford sewage treatment plant. The corridor would follow and be within the Burlington Northern Santa Fe (BNSF) right-of-way and would result in approximately 1 acre of additional temporary disturbance. GWF is working with Kern Water Bank on the mitigation for the temporary disturbance. The new linear would be field surveyed. Prior surveys completed for the original application would be relied upon for the remaining analysis. Staff indicated no concern with this approach.

Cultural/Paleontological Resources

GWF would survey the new linear corridor and otherwise rely on prior field survey efforts and an updated CHRIS/records search. Staff remembered a historic fence located adjacent to the BNSF railroad and recommended that the construction impact to this historic structure be specifically discussed. GWF indicated that no construction was planned in the area of the historic fence.

Visual

Tom Priestley is to coordinate with Dale Edwards on the selection of KOPs based on prior SPPE analysis; again it was mentioned that 3 to 5 KOP's is typical with current filings.

Water

The new cooling tower would require approximately 800 acre-ft/yr (AFY) of recycled water from the City of Hanford. GWF would operate the tower at approximately 2 cycles and return approximately 400 AFY of wastewater to the City. GWF would include the cooling tower PM₁₀ emissions to plant totals.

Water supply for remaining in plant applications would come from an existing onsite ground water supply well and would utilize water banked with the Kings County Water District (KCWD) consistent with terms and conditions of a banking agreement between GWF and the Kings County Water District. GWF has banked over 9000 AF of water to date. No concerns with this approach were identified.

We respectfully request that you notify us as soon as possible regarding any concerns you may have with respect to any of the specific agreements or content summarized above. We will assume that if we do not hear otherwise within 2 weeks, that this summary is an accurate reflection of our meeting and the agreements we reached regarding scope of analysis. Please call me (925-431-1443) or Mr. David Stein (510-587-7787) if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'D.W. Wheeler', with a long horizontal line extending to the right.

D.W. Wheeler
Project Manager

C: M. Carroll/L&W
D. Stein/CH2M HILL

CALIFORNIA VALLEY MIWOK TRIBE

10601 Escondido Pl. Stockton, CA 95212 Bus: (209) 931-4567 Fax: (209) 931-4333

<http://www.californiavalleymiwoktribe-nsn.gov>



TRIBAL RESPONSE - PER YOUR REQUEST

January 21, 2008

CH2M HILL
3 Hutton Centre Drive
Suite 200
Santa Ana, CA 92707

365887. GW.TR.02.04

Re: GWF Tracy AFC

Dear Mr. Helton, RPA

This letter is in response to the letter (date posted) January 17, 2008 regarding an application for certification (AFC) before the California Energy Commission for conversion of an existing simple cycle power plant to a combined cycle project by adding heat recovery steam generators and a steam turbine. The project is located on a nine-acre fenced site within a 40-acre parcel in an unincorporated portion of San Joaquin County

Location of Project: is located near the City of Tracy, in unincorporated San Joaquin County
Area Description: (T2S, R4E, Section 36, Tracy, Ca

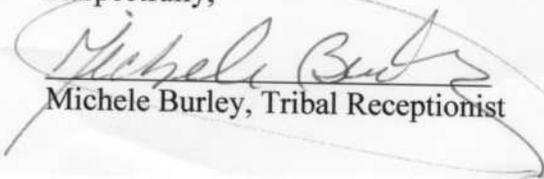
As of this writing, the California Valley Miwok Tribe has no issues on the particular area regarding the project near the City of Tracy, in unincorporated San Joaquin County area description (T2S, R4E, Section 36, Tracy, CA

The Tribe is concerned that since Miwok Indians regularly traveled through this area, there is a heightened possibility that Indian artifacts could be found. We are requesting as a courtesy, that we be kept apprised of Miwok artifacts if any are found at this location.

Thank you for allowing us to participate in your project by voicing any concerns we may have. Our Tribe appreciates your request for our input regarding the proposed project.

Contact our office if we can assist you in any way.

Respectfully,


Michele Burley, Tribal Receptionist

