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GE ENERGY

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March 8, 2007

Ref. No. GE/IEEC-0039

Ms. Connie Bruins
Compliance Project Manager
Systems Assessment & Facility Siting Division
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, CA 95814

RE: REQUEST for ADDITIONAL LAYDOWN INLAND EMPIRE ENERGY CENTER, 01-AFC-17C

Dear Ms. Bruins:

Pursuant to Section 1769 of the California Energy Commission (CEC) Siting Regulations, Inland Empire Energy Center (IEEC), hereby submits the attached Petition for additional lay down space.

Currently the site is already fenced and the soil has been highly disturbed. We have evaluated the site and determined that based on its current condition that we need only apply visual screening to be consistent with applicable LORS and the biological report that was completed. Our sub-contractor, E.J. Meyers intends to store materials and equipment on the site. No digging of any kind will occur so cultural and pale ontological resources will not be affected. Storm water management will be consistent with the state's general permit for storm water discharge associate with construction activities and will require a minor modification to the program.

Please contact Jennifer Gavaldon (951) 928-6963 or myself at (951) 696-6905 if you have any questions regarding this submittal.

Regards,

John Gates
Commerciol Manager

Enclosure (1)

cc: Jennifer Gavaldon

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1.0 INTRODUCTION

1.1 Overview of Amendment

In December 2003, the California Energy Commission (CEC) approved the Inland Empire Energy Center Project, (IEEC). The project is located in Romoland in southern Riverside County. Construction of IEEC began on August 5, 2005, and the project is expected to be available for commercial operation in June 2008.

On June 22, 2005 the CEC approved an amendment for the addition of 11.5 acres of laydown space and parking. On October 10, 2006 the CEC approved an additional 6 acres of laydown yard to meet the demand of the current construction and delivery schedules. Additional land is now necessary in order to support construction activities related to the Non-reclaimable waste water line that will be attached to the Eastern Municipal Water District's brine line. The IEEC has evaluated land available in the area and has identified approximately 2 acres of land available for lease directly to the south east of the project. The lay down area consists of two parcels which will be needed for approximately 6 months.

1.2 Summary of Environmental Impacts

Section 1769(a)(1)(E) of the CEC Siting Regulations requires that an analysis be conducted to address any potential impacts the proposed revisions may have on the environment and proposed measures to mitigate significant adverse impacts. Section 1769(a)(1)(F) requires a discussion of the impact of proposed revisions on the facility's ability to comply with applicable laws, ordinances, regulations, and standards (LORS). Section 3.0 of this document discusses the potential impacts of the Amendment on the environment, as well as a discussion of the consistency of the requested change with LORS. Section 3.0 concludes that there will be no significant adverse environmental impacts associated with this Amendment and that the project, as amended, will comply with applicable LORS.

1.3 Consistency of Amendment with License

Section 1769(a)(1)(D) of the CEC Siting Regulations requires a discussion of the Amendment's consistency with the LORS and whether the modification being sought is based on new information that changes or undermines the assumptions, rationale, findings, or other basis of the final decision. If the project is no longer consistent with the license, an explanation of why the modification should be permitted must be provided. The changes proposed herein are consistent with the project's CEC license and relevant LORS. These proposed changes do not undermine any basis for the CEC's licensing decision.

2.0 DESCRIPTION OF PROJECT AMENDMENT

Consistent with the California Energy Commission Siting Regulations Section 1769(a)(1)(A) and (B), this section includes a complete description of the proposed project modification as well as the necessity for the Amendment.

In its Final Decision, the California Energy Commission approved two construction laydown areas within the 46.8 acre project site. In June 2005, the CEC approved three additional laydown areas located to the west on Antelope Road and a parcel surrounded by the plant site. In October, 2006 the CEC approved an additional 6 acres of laydown yard to the east in order to meet the demand of the construction and delivery schedules.

By this Amendment, IEEC proposes to add another construction laydown area located southwest of the plant site, west of Murrieta Road (hereinafter referred to as the "Murrieta Road Laydown Area"). The Murrieta Road Laydown Area will be used as a storage yard during the construction of the Non-reclaimable waste water line..

2.1 Murrieta Road Laydown Area

The proposed Murrieta Road laydown area is located approximately 4 miles southeast of the IEEC Project site. (See Figure 1.) The laydown area consists of two sites are a total of approximately 2 acres. The parcels are defined by a chain link fence. These two parcels will be leased by our sub-contractor EJ Meyer, from the owner, Mr. Tim Su. (A copy of the lease agreement is included in Attachment A.) The proposed lay down area is bordered by Murrieta Road to the east and Thornton Road to the north. Undeveloped parcels border the south and west sides of the proposed sites. The nearest residence is approximately 350 feet away (north of Thornton Road) and is surrounded by a 6 foot brick wall.

A search of the Riverside County land use database identified the specific assessor's parcel number for these properties as APN 335-440-005 and APN 335-440-006. A zoning map of the project area (see Figure 2) shows that the site is located in an area characterized by commercial and residential use.

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27285 Murrieta Rd, SUn City, CA 92586

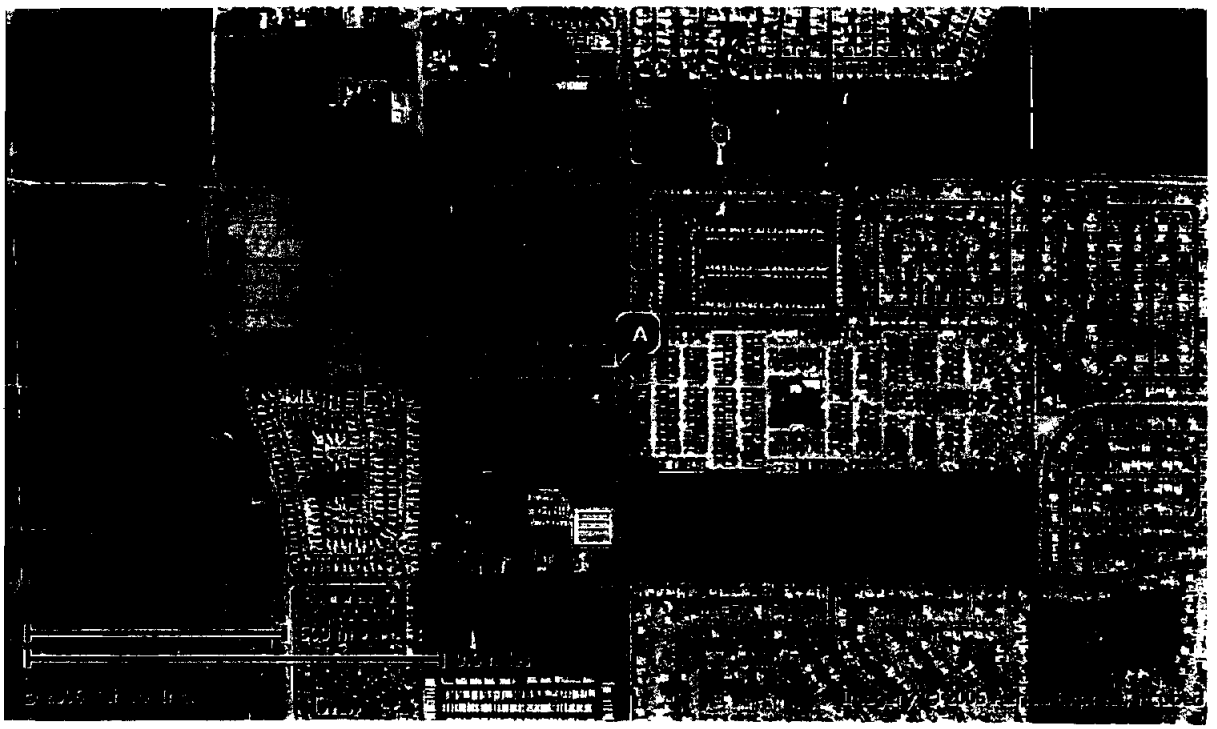
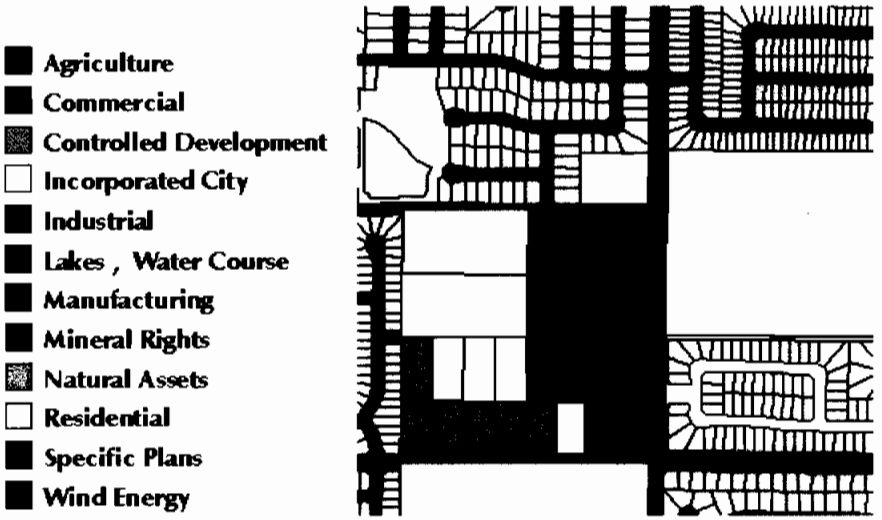


FIGURE 1 Location of Proposed Menifee Road Laydown

GIS inquiry for APN=335440006 MAP=General_Zoning

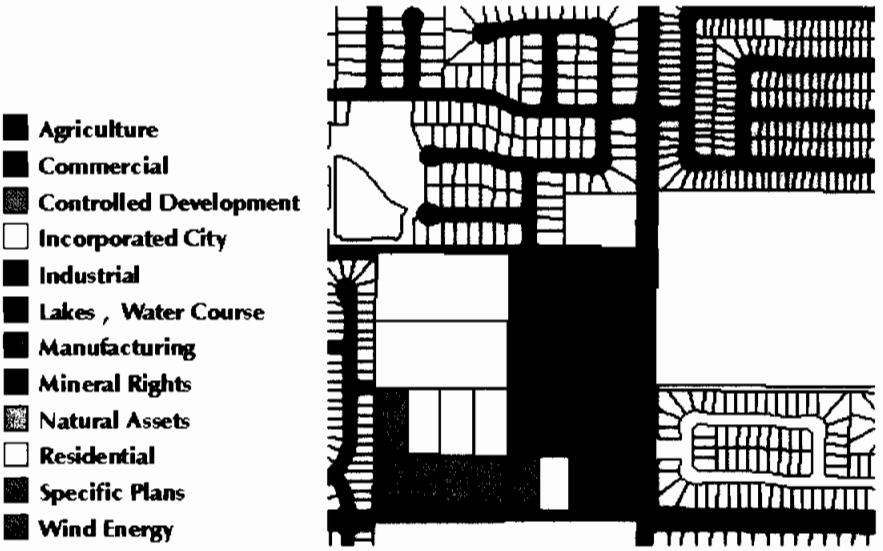
- MAP : 1/2 MILE SQUARE



- GENERAL ZONING : C-P-S

- PARCEL ACREAGE : 0.99 ACRES

GIS inquiry for APN=335440005 MAP=General Zoning
27285 MURRIETA RD, SUN CITY, CA. 92586



- GENERAL ZONING : C-P-S

- PARCEL ACREAGE : 1.42 ACRES

FIGURE 2 Zoning in Vicinity of Proposed Murrieta Road Laydown

Both parcels are currently undeveloped but are regularly tilled by the property owner for weed control. When the property is leased, it will be grubbed as necessary and water will be applied to maintain dust control. Soil will not be removed from the site. Equipment or materials brought to the site for storage will arrive via truck and offloaded onto the property. The construction Storm Water Pollution Prevention Plan for Construction Activities (SWPPP) is in place and will be amended prior to use of the property. Best Management Practices already incorporated into the SWPPP will be utilized on this additional laydown area. The Applicant's approved SWPPP will be implemented pursuant to Condition of Certification S&W-2.

Once this additional laydown area is no longer needed, the area will be returned to its original condition as per VIS-1.

2.2 Necessity of Proposed Amendment

Sections 1769(a)(1)(B) and (C) of the CEC Siting Regulations require a discussion of the necessity for the proposed revisions to the Inland Empire Energy Center Project and whether the revisions are based on information known by the petitioner during the certification proceeding.

At the time the IEEC Application for Certification (AFC) was prepared, it was unknown as to the exact schedules for the delivery of major equipment in relation to the construction schedule. As construction of the power plant has progressed, laydown space continues to be a critical issue, as evidenced by IEEC's request for approval of previous new construction laydown areas. Approval of an additional laydown area that is in close proximity to the Salt Creek Channel service road will allow the project to proceed with construction in a safe and efficient manner that supports commercial operation of the project for summer 2008.

3.0 ENVIRONMENTAL ANALYSIS OF THE AMENDMENT

This section examines whether the project enhancement set forth in this Amendment may result in additional environmental impacts. An environmental analysis for the modification identified in this Amendment is included below. The analysis concludes that with the proposed mitigation measures, there will be no significant adverse environmental impacts associated with this Amendment and that the project, as amended, will comply with all applicable LORS.

3.1 Air Quality

The addition of the proposed Murrieta Road laydown area will not require any construction activities other than to water periodically to control mud and fugitive dust from leaving the site. No excavation will occur and only minor clearing to level the surface will occur. Use of the proposed Murrieta Road laydown area will not result in a cumulative increase in air emissions sufficient to create a significant air quality impact.

3.2 Biological Resources

Steve Jones and Matt Amalong, biological monitors for IEEC, conducted a reconnaissance level survey of the proposed laydown area on February 9, 2006. The reconnaissance survey consisted of walking east-west transects within the proposed laydown area systematically, at 5 meter intervals, closely observing the ground to assess vegetation and other habitat features for special status species.

The monitors found the habitat to be highly disturbed and void of plants and ground dwelling animals. One large eucalyptus tree is present near the midline of the area, and the other trees line the perimeter of the area, outside of the fenced area). No nests were observed in the trees

Daily monitoring of the area will be conducted to search for nests during the avian nesting season, which begins in mid-March and ends at the beginning of October. If a nest is discovered, the tree harboring the nest will be flagged with a 50 ft buffer until the nest hatches and the young have left the nest.

3.3 Cultural Resources

The soil that is on the two parcel sites has been highly disturbed and previously developed. Since the sites will only be used to store equipment, and supplies, ground disturbance will be minimal. Therefore, use of the proposed Murrieta Road laydown area for equipment storage and the construction of the non-reclaimable waste water line will not result in any cultural resource impacts.

3.4 Paleontological Resources

Limited ground disturbing activities will occur to the proposed Murrieta laydown area as a result of storage of equipment and materials. The ground disturbance will not be at levels where paleontological resources are any concern. Use of the proposed laydown area will not result in any impacts to paleontological resources.

FIGURE 3 Views of Proposed Murrieta Road Laydown Area

3.5 Land Use

The proposed Murrieta Road laydown area is located within a general area of mixed uses (see Figure 2 in Section 2.0). As previously mentioned, these properties are located within a residential and commercial zoned area. The land use designation is commercial. The nearest residential area is located approximately 350 feet north of the proposed laydown area. The site is owned by Mr. Tim Lu and will be used on a temporary basis during the construction phase of IEEC non-reclaimable waste water line. The laydown area will be returned to Mr. Tim Lu in its existing condition once construction is complete. Therefore, no impacts to land use would occur and use of the laydown area is consistent with all applicable LORS.

3.6 Noise

The use of the Murrieta Road laydown area will result in temporary and minor noise impacts, mainly resulting from the use of construction equipment loading or offloading equipment for non-reclaimable waste water line construction area. Any additional noise impacts resulting from the use of the laydown area will be short-term and less than significant. Use of the laydown area would comply with all applicable LORS.

3.7 Public Health

Transport of material to and from the laydown area will be done in such a manner as to comply with the LORS. No acutely hazardous materials will be stored onsite during construction.

3.8 Worker Safety & Health

Use of the proposed laydown area would result in a minor short-term increase in construction efforts, primarily related to mobilization as a laydown area. The combined effect of these changes in construction would not result in worker safety and health impacts any greater than those analyzed by the CEC during licensing, since these construction activities would be subject to the same training, plans, and practices as those required for all other construction activities.

3.9 Socioeconomics

Use of the proposed Murrieta Road laydown area would result in only minor construction efforts related to preparing the site for use as a laydown area. Use of the site for equipment storage would not alter the basis of the CEC's decision for the project.

3.10 Agriculture & Soils

The proposed Murrieta Road laydown area would not result in any impacts to agricultural and soil resources, as the entire site is unused and tilled periodically for weed control. No special activities, other than to clearing and grubbing and subsequently return it in its pre-construction condition once the project construction activities are completed. Storm water BMPs and fugitive dust control, consistent with those already in place, will be used for erosion control. Therefore, the activities proposed in this Amendment would not create a significant adverse impact to agricultural or soil resources.

3.11 Traffic & Transportation

Use of the proposed Murrieta Road laydown area will require the transport of materials to and from the site on public roads during the preparation phase of the laydown area. The only increase in overall construction project traffic, manpower, etc. will be to preparation phase of the laydown area. The activities proposed in this Amendment would not create a significant adverse impact to traffic and transportation resources.

3.12 Visual Resources

The Murrieta Road laydown area is similar in nature to the current laydown areas approved in the Final Decision and the two subsequent laydown areas approved in Amendment #1. As is the case for these other laydown areas, use of the Murrieta Road laydown area is temporary and activities in the laydown area (e.g., storage of equipment, and materials) will have little effect on the overall character and quality of the commercial/residential area in which it is located. Primary viewers of the proposed laydown site are motorists traveling on Thornton and Murrieta Roads. These views would be temporary in nature.

The nearest residential area is located north of the laydown approximately 350 feet and surrounded by a 6 foot block wall. The laydown area is intermittently surrounded by Eucalyptus trees. For these reasons, use of this area would not result in any significant impacts to visual resources.

3.13 Hazardous Materials Management

The proposed laydown area will be used for the temporary storage of materials, and equipment, related to construction of the non-reclaimable waste water line. No hazardous materials will be stored at this location. Therefore, use of the Murrieta Road laydown area will not result in any hazardous material impacts different from those analyzed by the CEC during licensing of the project.

3.14 Waste Management

Use of the proposed Murrieta Road laydown area will not result in waste management impacts any different than those analyzed by the CEC during licensing of the project.

3.15 Water Resources

Use of the proposed Murrieta Road laydown area will not result in water resource impacts any different than those analyzed by the CEC during licensing of the project.

3.16 Geologic Hazards and Resources

Use of the proposed Murrieta Road laydown area will not result in geologic impacts any different than those analyzed by the CEC during licensing of the project.

3.17 Cumulative Impacts

The cumulative impact study area associated with the proposed Amendment includes the geographic area south west of the Inland Empire Energy Center site. Because this Amendment focuses on the use of an existing vacant parcel as a temporary additional laydown area, no significant impacts have been identified from the proposed Amendment. Therefore, this Amendment will not change the assumptions or conclusions made in the CEC's Final Decision.

3.18 Laws, Ordinances, Regulations, Standards

The Final Decision certifying the Inland Empire Energy Center found the project to be in compliance with applicable LORS. As described in this Amendment, the use of the proposed laydown area is also consistent with all applicable LORS, and the Amendment will not alter the assumptions or conclusions made in the CEC's Final Decision for the Inland Empire Energy Center.

4.0 Proposed Modifications to the Conditions of Certification

Consistent with the requirements of CEC Siting Regulations Section 1769(a)(1)(A), potential modifications to the project's Conditions of Certification were evaluated. IEEC does not anticipate that any modifications to the Conditions of Certification will be required and that the Conditions of Certification that applied to the previously approved laydown areas will also apply to the proposed Murrieta Road laydown areas.

5.0 Potential Effects on the Public

Consistent with the CEC Siting Regulations Section 1769(a)(1)(G), this section discusses the proposed project modification effects on the public. The proposed project modifications contained in this Amendment are short-term in nature, will have no significant impacts on the environment, and will be in compliance with all applicable LORS and Conditions Certification. Accordingly, there will be no adverse impacts on the public associated with this Amendment.

6.0 LIST OF PROPERTY OWNERS

CEC Siting Regulations Section 1769(a)(1)(H), requires a list of the property owners potentially affected by the proposed addition of the Murrieta Road laydown area. All parcels within 1,000 ft to the west and south of the proposed sites are owned by Mr. Tim Su.

7.0 POTENTIAL EFFECTS ON PROPERTY OWNERS

Consistent with the CEC Siting Regulation Section 1769(a)(1)(I), this section addresses potential effects of the proposed Amendment on nearby property owners, the public, and parties in the application proceeding. Due to the short-term nature of the modification proposed by this Amendment, there will not be any significant impacts to nearby property owners and the public. During the use of the Murrieta Road laydown area, minor amounts of diesel exhaust and additional construction noise will occur. Nearby businesses are not expected to be impacted by use of the laydown area.

Use of the Murrieta Road laydown area will be done in compliance with Condition of Certification AQ-SC3 to mitigate any diesel emissions from the use of construction vehicles and equipment on the laydown area. Any transport of materials to or from the construction site to the laydown area will be conducted in compliance with applicable LORS and practices already in place for current laydown areas on Antelope and San Jacinto Roads.

Inland Empire Energy Center Project
Biological Survey Form

Date (mmddyy) 02-06-07 **Observer** Matt Amalong/Stephen Jones **Start Time** 07:30 **End Time** 08:00	Page 1 of
Visibility (circle one): Good Fair Poor	
Precipitation (circle one) none light rain rain other	

Description of Area Surveyed: Proposed laydown area at SW corner of Murrieta and Thornton.

Observations: The proposed laydown area will be utilized through June 2007. There will be limited activity the area (primarily used as a storage area). It is enclosed by a chain-link fence and has already been clear Plastic construction fencing bisects the area. The habitat is highly disturbed and void of plants and grou dwelling animals. One large eucalyptus tree is present near the midline of the area, and other trees line perimeter of the area (outside of the fenced area). No nests were observed in the trees.

Plants/Trees observed: eucalyptus
Animals observed: mourning dove, black-chinned hummingbird, European starling, house finch, can tracks, abandoned small mammal burrows (rodents, ground squirrels)

Action Required: Daily monitoring of the area should be conducted to search for nests when the avian nest season begins (mid-March) through September or when the area is decommissioned. If a nest is discover Jennifer Gavaldon should be contacted immediately. Trees containing nests should be flagged, and a 50 buffer should be maintained around the tree until the nest hatches and the young have left the nest.

Photographs:

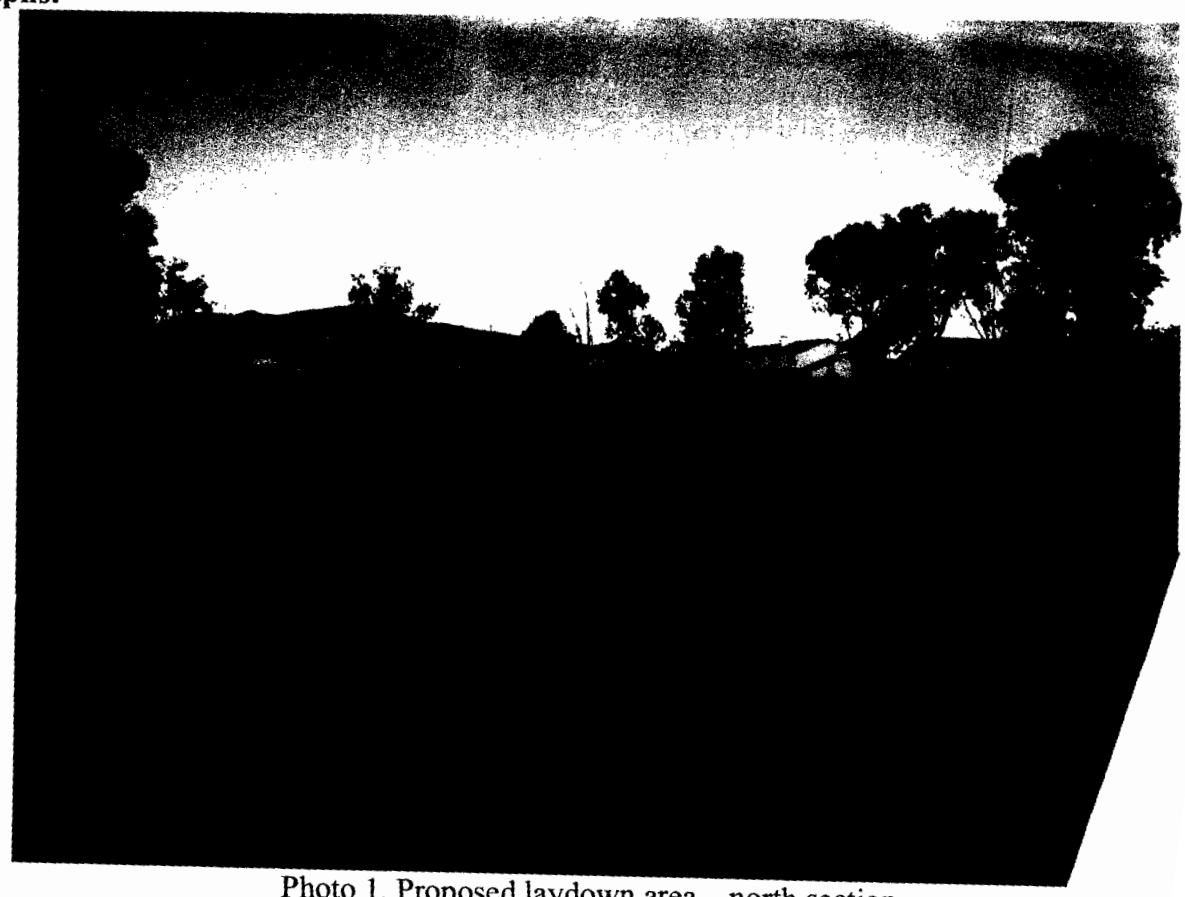


Photo 1. Proposed laydown area – north section

Photo 2. Proposed laydown area – middle section.

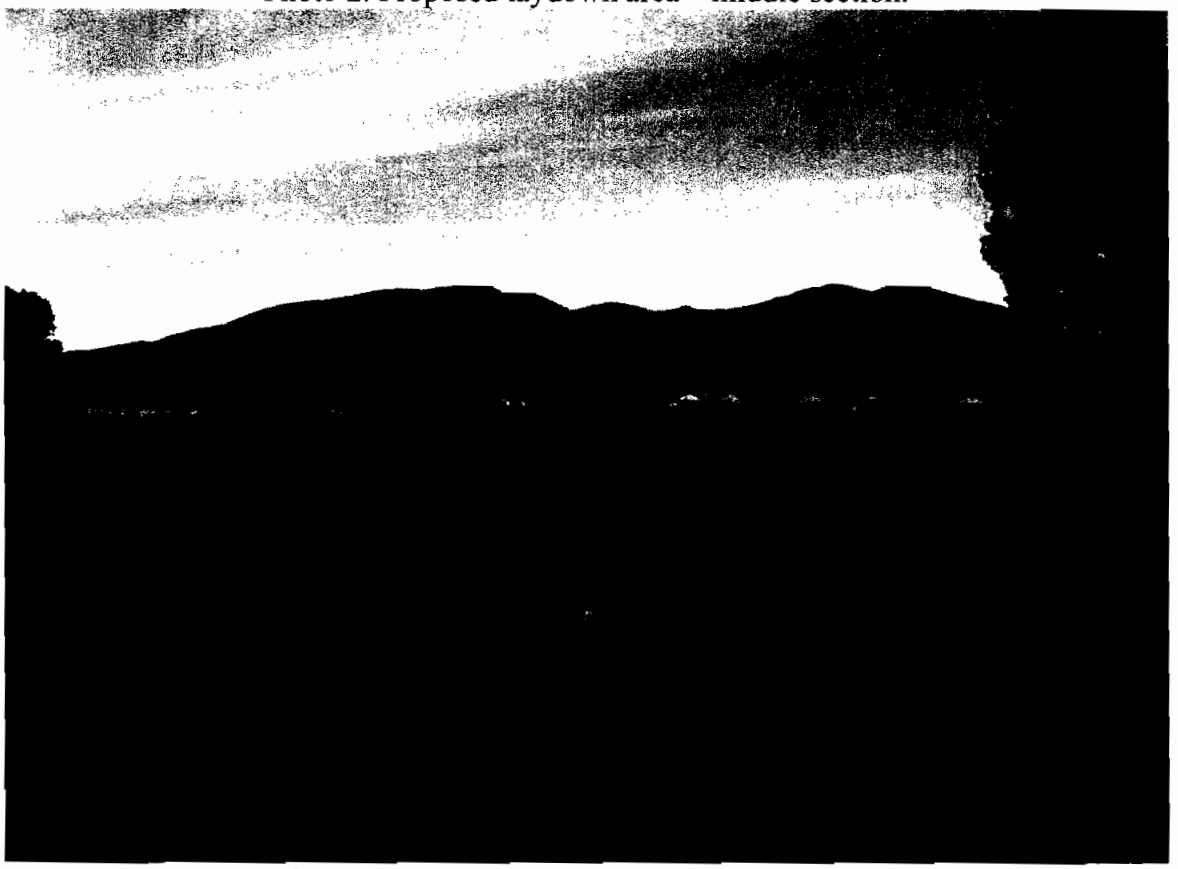


Photo 3. Proposed laydown area – south section.

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27285 Murrieta Rd, SUn City, CA 92586

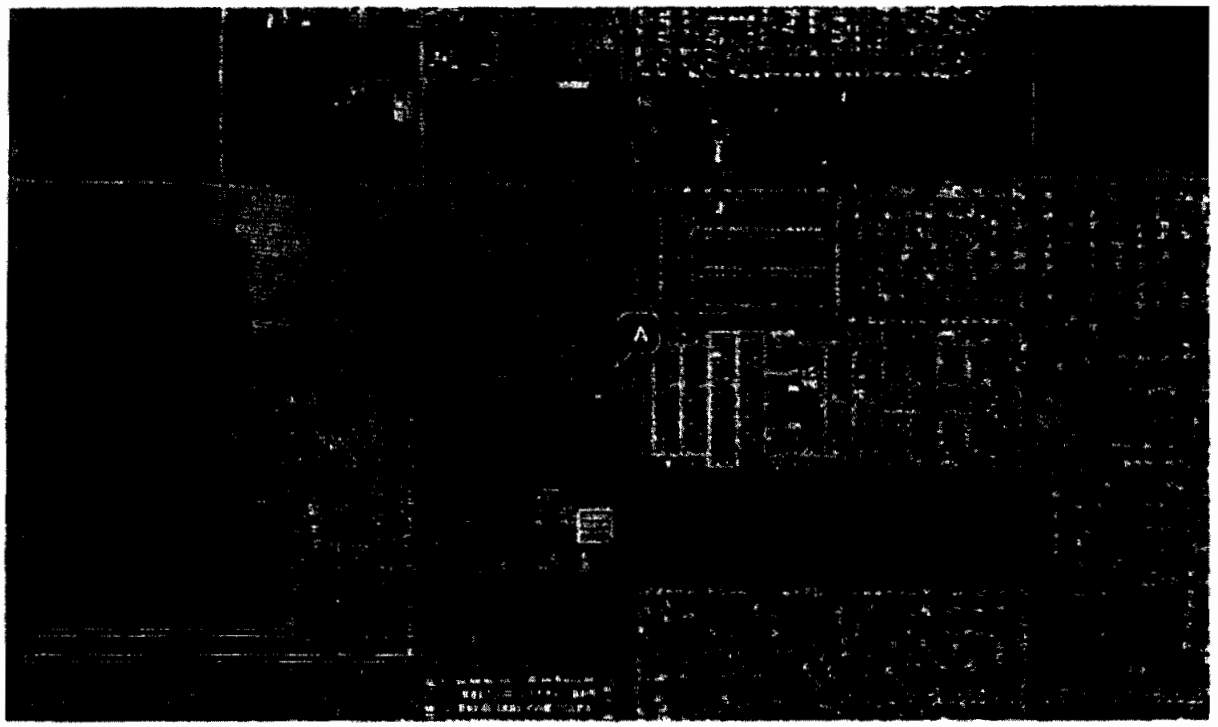

FIGURE 1 Location of Proposed Menifee Road Laydown