

DOCKET
01-AFC-7C

DATE OCT 24 2007
RECD. OCT 26 2007

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Attorneys for Group Petitioners California
5 Pilots Association, Citizens for Alternative Transportation
Systems, San Lorenzo Heritage Association, San Lorenzo
6 Homeowners Association, Skywest Homeowners Association, and
Hayward Democratic Club
7

8 STATE OF CALIFORNIA

9 STATE ENERGY RESOURCES

10 Conservation and Development Commission

11 In the Matter of:

12 Initially noticed as "Petition to Amend the
13 Commission Decision Approving the Application
for Certification for the Russell City Energy
14 Center";

15 Later Noticed as "Modification of the Application
16 for Certification for the Russell City Energy
Center"
17

Docket No.: 01-AFC-7C

DECLARATION OF JAY WHITE IN
SUPPORT OF GROUP PETITIONERS'
PETITION TO INTERVENE, REOPEN THE
ADMINISTRATIVE PROCEEDINGS,
REOPEN THE EVIDENTIARY RECORD
AND FOR RECONSIDERATION

Date: TBD
Location: TBD
Time: TBD

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19
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21 I, Jay White, hereby declare:

22 1. I am an attorney admitted to practice law before the state of California and am the
23 General Counsel for the California Pilots Association ("Calpilots"), a California non-profit, public
24 benefit corporation. It is an association of pilots and other airport supporters throughout California
25 that was formed in 1949. The mission of Calpilots is to promote and preserve California's public
26 airports, of which the Hayward Executive Airport is one. I am also a pilot of over fifty years. I
27

28 Decl. of White CEC 01-AFC-7C

Jay's Dec 10 23 07

1 learned to fly at the Hayward Airport. I have flown more than 25,000 hours as an airline pilot for a
2 major national airline and more than 2,000 hours as a general aviation pilot. I am very familiar
3 with the Hayward Airport and its surroundings, having landed there many times in both Visual
4 Flight Rules (VFR) conditions and Instrument Flight Rules (IFR) conditions.

5 2. I have reviewed the California Energy Commission's FINAL COMMISSION DECISION
6 concerning the Russell City Energy Center Project docketed on October 2, 2007 entitled
7 "Amendment No. 1 (01-AFC-7C) Alameda County." The Final Decision contains certain
8 incorrect information and omits other vital safety information concerning the Hayward Airport.
9 Within the limited opportunity to review the Final Decision which approaches almost 250 pages,
10 these are just some of the important issues and inaccuracies I have initially identified.

11
12 2. Omission of Instrument Flight Rules (or "IFR") flight operations: The most glaring
13 omission is failure to consider flight in IFR conditions when pilots utilize the published
14 Federal Aviation Administration ("FAA") approach procedures for Hayward Airport.
15 References in the Final Decision impliedly assume that *all* flights will be conducted under
16 conditions consistent with Visual Flight Rules when the cloud ceiling is at least 1,000 feet
17 above the ground and visibility is at least three miles.

18
19 3. The Final Decision fails to recognize that when cloud conditions are lower than 1,000
20 feet, or the visibility less than one 3 miles, aircraft must operated in accordance with IFR
21 standards and procedures as adopted and published by the FAA for the Hayward Airport.
22 Attached as Exhibit A is a true and correct copy of the current IFR approach plate for the
23 Hayward Airport. This procedure was adopted through the FAA's official rule making
24 procedure and can be changed only by FAA.

25 5. The IFR approach plate, Exhibit A, includes standards for a circling approach for flights
26 that cannot land straight in. A minimum cloud ceiling of 493 feet above ground and a minimum
27 visibility of one mile are required for a circling approach. A pilot must keep the runway in sight at
28

HAYWARD, CALIFORNIA

AL-5015 (FAA)

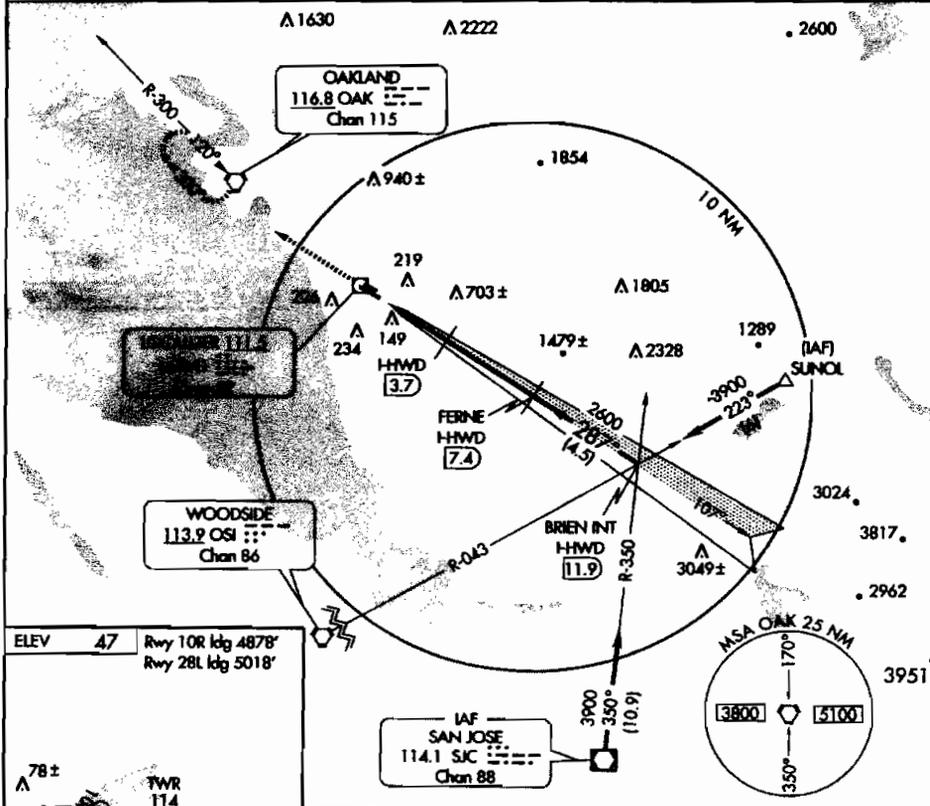
LOC/DME RWY 28L
HAYWARD EXECUTIVE (HWD)

LOC/DME I-HWD 111.5 Chan 52	APP CRS 287°	Rwy ldg TDZE Apt Elev	5018 47 47
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▲ Circling not authorized north of Rwy 10L-28R.

MISSED APPROACH: Climb to 2000 direct OAK VORTAC and hold.

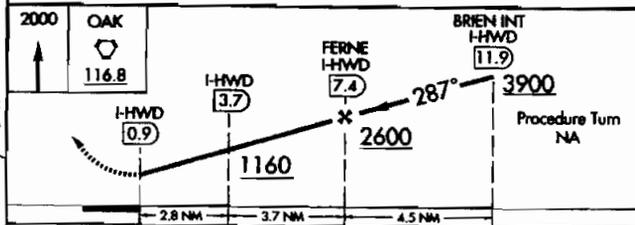
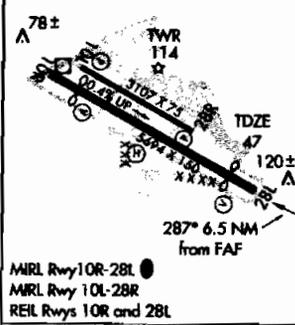
ATIS 126.7	NORCAL APP CON 124.4 351.8	HAYWARD TOWER* 120.2 (CTAF) 257.8	GND CON 121.4	CUNC DEL 128.05	UNICOM 122.95
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SW-2, 30 AUG 2007 to 25 OCT 2007

SW-2, 30 AUG 2007 to 25 OCT 2007

ELEV	47	Rwy 10R ldg 4878'	Rwy 28L ldg 5018'
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Knots	60	90	120	150	180
Min:Sec					

CATEGORY	A	B	C	D
S-28L	400-1 353 (400-1)			400-1½ 353 (400-1½)
CIRCLING	540-1	493 (500-1)	540-1½ 493 (500-1½)	600-2 553 (600-2)

HAYWARD, CALIFORNIA
Amdt 1B

37°40'N - 122°07'W

HAYWARD EXECUTIVE (HWD)
LOC/DME RWY 28L





This is a Back
to Basics,
Aviation Safety
Program Product.

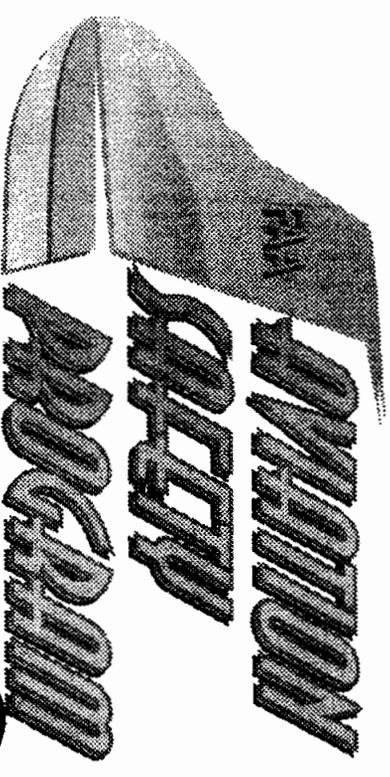
Federal Aviation Administration
Aviation Safety Program (AFS-810)
800 Independence Avenue S.W.
Washington, D.C. 20591

Contact your local FAA Flight Standards District
Office's Safety Program Manager for more safety
information.



U.S. Department of Transportation
Federal Aviation Administration
Washington, D.C.

Descent to the MDA or DH and Beyond



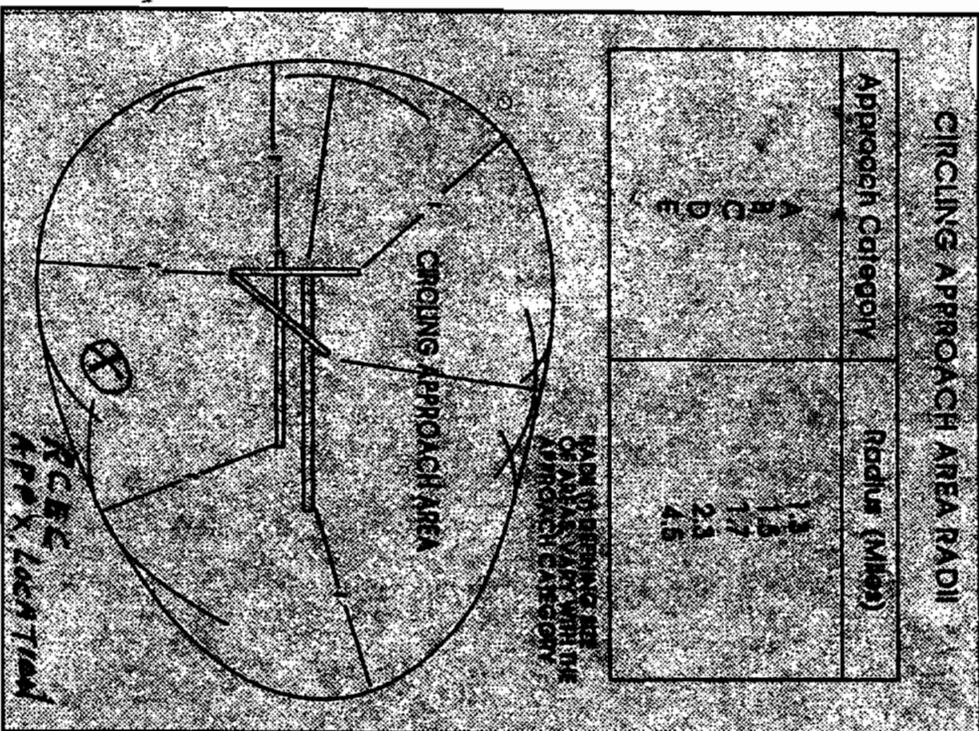
tion, the flying pilot should brief the non-flying pilot, before circling, on the direction to be flown after getting visual contact with the airport, the missed approach procedure and as much else as possible. Use no more than a 30 degree angle of bank in turns while maneuvering and stay at or above (no more than 50 feet) the MDA while circling. Remember, you cannot descend from the MDA until you are in a position from which you can descend to the runway using normal maneuvers and a normal descent rate. Be very careful, you will be circling well below pattern altitude. The airport must remain in view of the flying pilot at all times. After doing the straight-in portion of the approach, you may find it helpful to turn 30 degrees to the runway, if you are landing on the opposite end, then fly a parallel downwind until in proper base turn position. At any point, if you lose visual contact with the airport, you must execute a missed approach. Make a climbing turn towards the landing runway until you are established on the missed approach course. Remember, you must execute the published missed approach procedure for the approach you used to get to the circling point, unless ATC gave you alternate instructions. Tell ATC what your intentions are, i.e., to hold or to execute another approach.

- Remember, circling approach-protected airspace is affected by the approach category you are in. (See Figures 3 and 4)
- Plan your approach to arrive at the MDA prior to reaching the missed approach point.
- Remember, when being vectored for an approach, always know your position relative to the initial/final approach fix. Sometimes ATC may be very busy, and you may get a late turn which might require a steeper bank than you would like. You are the pilot-in-command (PIC), and if things don't feel right, ask for vectors for another approach. If you cannot do what ATC asks you, tell them. If you accept their instructions, you will be expected to comply.

MANEUVERING TABLE

Approach Category	A	B	C	D	E
Speed (kts)	0-40	41-60	61-80	81-100	101-140
Altitude (ft)	1500	1400	1300	1200	1100

Figure 3



(Maneuvering Table)

Figure 4

Circling Approach Area Radii