From: <Doug.Davy@CH2M.com>
To: <margentine@calpine.com>, <misaacs@calpine.com>, <Dratliff@energy.state....
Date: 9/7/2007 4:43 PM
Subject: Russell City Energy Center - Project Owner's Comments on the PMPD Condition of Certification TRANS-10
Attachments: RCEC_TRANS-10_Calpine-markup.doc

Attached are the Project Owner's suggested modifications to the Russell City Energy Center (RCEC) Amendment No. 1 Presiding Member's Proposed Decision Condition of Certification TRANS-10. These modifications reflect several factors and some additional information, as follows:

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1) The Project Owner recognizes that the intent of TRANS-10 is to provide pilots with sufficient information to navigate safely within the Hayward Executive Airport airspace. It is only the FAA, however, that can authorize NOTAMS, notations or comments in Airport Facility Directories, depictions on Aeronautical Charts, and issue Instrument Approach Procedures (IAPs) or changes to existing IAPs. We have therefore suggested the wording that the project owner would "request that the FAA" perform certain actions. We believe that the FAA is very likely to do so.

2) The condition a written required a modification of the San Francisco Sectional Aeronautical Chart. Because this chart is depicted at a scale of 1:500,000, it would not accurately depict the location of the RCEC within Hayward Executive Airport Class D airspace. For this reason, we have suggested deleting this part of the condition and substituted a requirement to depict the plant's location on the San Francisco VFR Terminal Area Chart, which is scaled at 1:250,000.

3) At the request of the City of Hayward, we have added a requirement that the Project Owner fund the necessary modification of the Hayward Executive Airport's 'fly friendly' pilot guides to include the RCEC site.

4) Per Mr. Andy Wilson's comment at the PMPD hearing, we've suggested adding a requirement to notify the Metropolitan Oakland International Airport air traffic control tower in addition to the Hayward Executive Airport tower before commercial operation of the power plant begins.

We will formally docket these suggested modifications on Monday, September 10.

Regards,

Douglas M. Davy, Ph.D.
Senior Project Manager
CH2M HILL
2485 Natomas Park Drive, Suite 600
Sacramento, CA 95833
(916) 286-0278
ddavy@ch2m.com