

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512

August 24, 2010

Gevan Reeves
Director, Origination
Calpine Corporation
4160 Dublin Blvd, Ste 100
Dublin, CA 94568**DOCKET**
01-AFC-7C

DATE AUG 24 2010

RECD. AUG 24 2010

Subject: Russell City Energy Center Project, 01-AFC-7C
Approval of Requested Modification to Verification Language for
Condition of Certification SOIL&WATER-8

Dear Mr. Reeves:

On August 18, 2010, the California Energy Commission (Energy Commission) received your request for a minor verification change to Condition of Certification SOIL&WATER-8 for the Russell City Energy Center project (01-AFC-7C). Your request is to amend the verification of this Condition of Certification to read as follows:

SOIL & WATER 8: Prior to the start of construction, the project owner shall provide the CPM with evidence of a Flood Canal Tie-In Permit to the Alameda County Public Works Agency (Flood Control and Water Conservation District).

Verification: At least thirty (30) days prior to construction, the project owner shall submit to the CPM evidence of submitting an Application for a Flood Canal Tie-In Permit to the Alameda County Public Works Agency, Flood Control and Water Conservation District. **At least thirty (30) days prior to construction of the storm water outfall,** the project owner shall also obtain a Section 401 Clean Water Act certification from the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) or provide a letter from the SFBRWQCB stating that 401 certification is not required.

Energy Commission staff has reviewed your request and has agreed that the change is acceptable and consistent with the intent of the condition. Therefore, your request for the above mentioned verification change is approved as of August 23, 2010.

If you have any questions, please contact me at (916) 651-8891.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Dyas".

Mary Dyas
Compliance Project Manager
Siting, Transmission and Environmental
Protection Divisioncc: Docket Unit (07-AFC-1C)
Allison Bryan, Project Compliance Manager, Calpine Corporation