

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



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06-AFC-10	
DATE	JAN 8 2007
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January 8, 2007

TO: AGENCY DISTRIBUTION LIST

REQUEST FOR AGENCY PARTICIPATION IN THE REVIEW OF THE STARWOOD POWER PROJECT, APPLICATION FOR CERTIFICATION (06-AFC-10)

On December 6, 2006, your agency was sent a copy of the Starwood Power Application for Certification (AFC) with a request for your agency's comments. Enclosed is a supplement to that AFC that was received from Starwood Power–Midway, LLC (applicant), on December 29, 2006. The Starwood Power Project would be a 120 megawatt (MW) peaking power plant to be located on 5.6 acres of land located within a 128-acre parcel in an unincorporated area of western Fresno County approximately 50 miles west of the city of Fresno and approximately 2 miles northeast of the intersection of West Panoche Road and Interstate 5.

On January 3, 2007, the California Energy Commission accepted the AFC with the supplemental information as complete. Energy Commission staff has now begun the data discovery and analysis phases of the project's 12-month review. During this time, staff will conduct a detailed examination of the project's potential for public health and safety and environmental impacts, and its compliance with all applicable laws, ordinances, regulations, and standards (LORS). As part of our review process, the Energy Commission staff works closely with local, state and federal agencies to ensure that all LORS are met and incorporated into the final decision of the Energy Commission. Your agency now has the opportunity to assist Energy Commission staff in identifying significant issues and any additional information necessary for proper analysis and resolution of these issues.

Energy Commission's Facility Certification Process

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications for thermal electric power plants, 50 MW and greater, including all related facilities such as electric transmission lines and natural gas pipelines, proposed for construction in California. The issuance of a certificate by the Energy Commission is in lieu of any local, state, or federal permit (to the extent permitted by federal law). The Energy Commission is the lead agency under the California Environmental Quality Act. As a Certified Regulatory Agency under Public Resources Code section 21080.5, the Energy Commission's process produces several environmental and decision documents rather than an Environmental Impact Report.

Agency Participation

To ensure a timely review of the AFC, we request your cooperation by completing your review and issuing any **draft and final** notices, findings, opinions (such as those contained in a final Determination of Compliance, wastewater discharge requirements, biological opinions, and land use recommendations) **within 120 and 180 days**, respectively, from the

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date the Energy Commission determined the AFC to be complete. Therefore, please provide your agency's preliminary and final determinations and opinions to us by **Thursday, May 3, 2007** (120 days) and **Monday, July 2, 2007** (180 days), respectively.

Over the next several months, the Energy Commission will conduct public workshops and hearings on the proposal to determine whether the project should be approved for construction and operation and, if so, under what set of conditions. These events will provide the public as well as local, state, and federal agencies the opportunity to ask questions about and provide input on the proposed project. The Energy Commission will issue notices for these workshops and hearings at least 10 days prior to the meeting. We encourage your agency to participate in these proceedings.

If you have questions on how to participate in the Energy Commission's review of the project, please contact Che McFarlin, Project Manager, at (916) 651-0965, or by email at cmcfarli@energy.state.ca.us. The status of the project, copies of notices, an electronic version of the AFC, and other relevant documents are also available at the Energy Commission's Internet web site at <http://www.energy.ca.gov/sitingcases/starwood>. You can also subscribe to receive e-mail notification of all notices at <http://www.energy.ca.gov/html/listservers.html>.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger E. Johnson". The signature is fluid and cursive, with a large initial "R" and "J".

Roger E. Johnson, Manager
Energy Facilities Siting and Compliance Office

Enclosure