



# City of Carlsbad

Office of the City Manager

November 20, 2008

<b>DOCKET</b>	
<b>07-AFC-6</b>	
DATE	NOV 20 2008
RECD.	NOV 20 2008

Mr. Michael Monasmith  
Siting Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

### Results of the FAA Feasibility Report Regarding Alternate Sites for the Carlsbad Energy Center Project (07-AFC-6)

Dear Mr. Monasmith:

Attached for your information is a draft feasibility report that the City of Carlsbad requested from the Federal Aviation Administration (FAA). The purpose of this request was to have the FAA assess the ability/permmissibility of the construction a power plant at what is known as the Carlsbad Oaks North industrial property. Due to the existence of McClellan-Palomar Airport, which is located in the middle of Carlsbad, the City felt it prudent to consult with the FAA as part of its process in identifying viable alternate sites for the proposed Carlsbad Energy Center Project. It should be noted that Carlsbad Oaks North is not located in the airport's flight activity zone.

As the attached status report shows, construction of a power plant would be permissible as long as it does not penetrate 560 ft average mean sea level (AMSL). Although the CECP's stack height was only 100 ft at the time of the FAA's analysis, the City anticipated potential stack height changes and requested the FAA consider what impacts a 120 ft emissions stack would have. The FAA results confirm that with minimal site work, Carlsbad Oaks North could accommodate a power plant emissions stack which is equivalent to those currently being proposed for the CECP project (140 ft).

If you have any questions or would like additional information, please contact me at (760) 434-2820.

Sincerely,

Joe Garuba  
Municipal Projects Manager

JG:ad

Attachment

PROOF OF SERVICE (REVISED 11/19/08 ) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 11/20/08  
MF





Federal Aviation Administration  
Air Traffic Airspace Branch, ASW-520  
2601 Meacham Blvd.  
Fort Worth, TX 76137-0520

Aeronautical Study No.  
2008-AWP-2745-OE

Issued Date: 05/22/2008

Joe Garuba  
City of Carlsbad  
1200 Carlsbad Village Dr  
Carlsbad, CA 92008

**\*\* FEASIBILITY REPORT \*\***

The Federal Aviation Administration has conducted a limited aeronautical review concerning the feasibility of a structure described as follows:

Structure:	Feasibility Study Smokestack 4A
Location:	Carlsbad, CA
Latitude:	33-08-41.28N NAD 83
Longitude:	117-15-19.44W
Heights:	120 feet above ground level (AGL) 574 feet above mean sea level (AMSL)

The results of this review can be found on the attached page(s).

NOTE: THE RESULTS OF OUR LIMITED REVIEW IS NOT AN OFFICIAL DETERMINATION OF FINDINGS BUT ONLY A REPORT BASED ON THE GENERAL OR ESTIMATED INFORMATION SUPPLIED FOR THE STRUCTURE. ANY FUTURE, OFFICIAL AERONAUTICAL STUDY MAY REVEAL DIFFERENT RESULTS.

If we can be of further assistance, please contact our office at (310) 725-6557. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2008-AWP-2745-OE.

**Signature Control No: 572880-102141555**

(FSB)

Karen McDonald  
Specialist

Attachment(s)  
Additional Information  
Map(s)

**Additional information for ASN 2008-AWP-2745-OE**

Proposed smokestack penetrates the approach surface at CRQ. VOR-A, raises DME Minimums, Circling MDA CAT a from 860 to 880 with (2C) from 860 to 940 with (4D). NEH 560 MSL with (2C).

Maximum acceptable structure height at this location cannot exceed 560 ft amsl with a 2C-accuracy certified survey.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE **CARLSBAD ENERGY  
CENTER PROJECT**

Docket No. 07-AFC-6  
PROOF OF SERVICE  
(Revised 11/19/2008)

**INSTRUCTIONS:** All parties shall 1) send an original signed document plus 12 copies OR 2) mail one original signed copy AND e-mail the document to the web address below, AND 3) all parties shall also send a printed OR electronic copy of the documents that shall include a proof of service declaration to each of the individuals on the proof of service:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. 07-AFC-6  
1516 Ninth Street, MS-15  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

**APPLICANT**

David Lloyd  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[David.Lloyd@nrgenergy.com](mailto:David.Lloyd@nrgenergy.com)

Tim Hemig, Vice President  
Carlsbad Energy Center, LLC  
1817 Aston Avenue, Suite 104  
Carlsbad, CA 92008  
[Tim.Hemig@nrgenergy.com](mailto:Tim.Hemig@nrgenergy.com)

**APPLICANT'S CONSULTANTS**

\* Robert Mason, Project Manager  
CH2M Hill, Inc.  
6 Hutton Centre Drive, Ste. 700  
Santa Ana, CA 92707  
[robert.Mason@ch2m.com](mailto:robert.Mason@ch2m.com)

Megan Sebra  
CH2M Hill, Inc.  
2485 Natomas Park Drive, Ste. 600  
Sacramento, CA 95833  
[Megan.Sebra@ch2m.com](mailto:Megan.Sebra@ch2m.com)

**COUNSEL FOR APPLICANT**

John A. McKinsey  
Stoel Rives LLP  
980 Ninth Street, Ste. 1900  
Sacramento, CA 95814  
[jamckinsey@stoel.com](mailto:jamckinsey@stoel.com)

**INTERESTED AGENCIES**

Allan J. Thompson  
Attorney for the City  
21 "C" Orinda Way #314  
Orinda, CA 94563  
[allanori@comcast.net](mailto:allanori@comcast.net)

California ISO  
P.O. Box 639014  
Folsom, CA 95763-9014  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

City of Carlsbad  
Joseph Garuba,  
Municipals Project Manager  
Ron Ball, Esq., City Attorney  
1200 Carlsbad Village Drive  
Carlsbad, CA 92008  
[jgaru@ci.carlsbad.ca.us](mailto:jgaru@ci.carlsbad.ca.us)  
[rball@ci.carlsbad.ca.us](mailto:rball@ci.carlsbad.ca.us)

### INTERVENORS

#### **\* California Unions for Reliable Energy ("CURE")**

**Gloria D. Smith & Marc D. Joseph  
Adams Broadwell Joseph & Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[gsmith@adamsbroadwell.com](mailto:gsmith@adamsbroadwell.com)**

Center for Biological Diversity  
c/o William B. Rostove  
EARTHJUSTICE  
426 17<sup>th</sup> St., 5<sup>th</sup> Floor  
Oakland, CA 94612  
[wrostov@earthjustice.org](mailto:wrostov@earthjustice.org)

Power of Vision  
Julie Baker and Arnold Roe, Ph.D.  
P.O. Box 131302  
Carlsbad, California 92013  
[powerofvision@roadrunner.com](mailto:powerofvision@roadrunner.com)

Rob Simpson  
Environmental Consultant  
27126 Grandview Avenue  
Hayward CA 94542  
[rob@redwoodrob.com](mailto:rob@redwoodrob.com)

### ENERGY COMMISSION

JAMES D. BOYD  
Commissioner and Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

KAREN DOUGLAS  
Commissioner and Associate Member  
[kldougla@energy.state.ca.us](mailto:kldougla@energy.state.ca.us)

Paul Kramer  
Hearing Officer  
[pkramer@energy.state.ca.us](mailto:pkramer@energy.state.ca.us)

Mike Monasmith  
Siting Project Manager  
[mmonasmi@energy.state.ca.us](mailto:mmonasmi@energy.state.ca.us)

Dick Ratliff  
Staff Counsel  
[dratliff@energy.state.ca.us](mailto:dratliff@energy.state.ca.us)

Elena Miller  
Public Adviser's Office  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

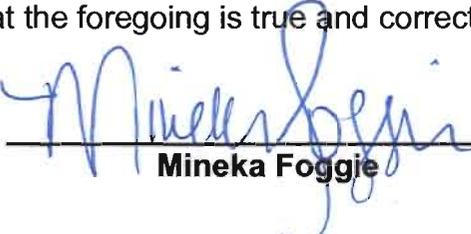
### DECLARATION OF SERVICE

I, Mineka Foggie, declare that on November 20, 2008, I deposited copies of the attached Results of the FAA Feasibility Report Alternate Sites for the Carlsbad Energy Center in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

**OR**

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
**Mineka Foggie**