

CALIFORNIA ENERGY COMMISSION

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March 4, 2008

Jennie Klapperich
433 I Street
Parlier, CA 93648

DOCKET 07-AFC-7	
DATE	MAR 0 4 2008
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Dear Ms. Klapperich:

Thank you for your comments on the Community Power Project which has been proposed by the applicant, the Kings River Conservation District (KRCD), and is currently being considered for licensing by the California Energy Commission. Your letter and this response will be docketed and become part of the public record in the Energy Commission's decision making process for this case.

In response to your comments and concerns it is important to first point out that in 1981 the California Secretary for Resources designated the Energy Commission's power plant siting program as a certified regulatory program under the California Environmental Quality Act (CEQA), California Public Resources Code §21080.5. Consequently, while the Energy Commission is the lead agency for all projects it approves and its process is the functional equivalent of CEQA, it is not required to prepare environmental impact reports. Instead several environmental and decision making documents are prepared. In lieu of an Environmental Impact Report the Energy Commission staff's analysis is presented in two reports, the Preliminary Staff Assessment (PSA) and the Final Staff Assessment (FSA). Staff turns to CEQA and the CEQA Guidelines for guidance on assessing environmental impacts and their significance. The Committee assigned to this case, which is comprised of two of the five Commissioners, will consider the Application for Certification (AFC), the FSA, public comments, and evidence offered during evidentiary hearings. After conclusion of the evidentiary hearings the Committee will produce a draft decision document, called the Presiding Member's Proposed Decision, which will be circulated for public comment and then revised before it is heard by the full Commission. There will be additional public hearings held on those two documents. Depending on the Decision, the AFC is either approved by the full Commission with conditions of certification, or denied.

Energy Commission staff has the responsibility to perform an independent assessment of KRCD's proposed Community Power Plant. The proposed project is being reviewed by Energy Commission technical staff and consultants in more than 20 environmental and engineering disciplines reviewing the proposed project. The technical disciplines include air quality, public health, water resources, geology (including seismic risk), and land use. Staff will carefully examine the public health and safety, environmental, and engineering aspects of the proposed power plant, and its associated facilities (e.g., electric transmission line and natural gas and water pipelines). During its analysis staff will consult with other agencies and review the various federal, state, and local laws, ordinances, regulations, and standards (LORS) that may apply to the subject areas under analysis.