

**CALIFORNIA ENERGY COMMISSION**

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

**DOCKET****07-AFC-7**

DATE NOV 21 2008

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November 21, 2008

**TO:** AGENCY DISTRIBUTION LIST (STATE AND FEDERAL)**DISTRIBUTION OF SUPPLEMENTAL INFORMATION FOR THE APPLICATION FOR CERTIFICATION COMMUNITY POWER PLANT PROJECT (07-AFC-07)**

On September 27, 2007, Kings River Conservation District (KRCD), submitted an Application for Certification (AFC) to construct and operate a base-load combined-cycle power plant, the Community Power Project (CPP), in an unincorporated area of southern Fresno County near the City of Parlier. On December 5, 2007, the Energy Commission accepted the AFC as complete. On October 30, 2008, the Energy Commission received Supplement B to the AFC.

Since the AFC was filed, several changes to the project have been made. These changes consist of the following:

- A different construction staging area.
- A change to the transmission line alignment.
- The addition of construction staging areas along the natural gas pipeline route.

Supplement B identifies the resource analyses from the AFC that are impacted by these changes and revises those analyses. Resource analyses were revised in the following areas: Air Quality, Visual Resources, Cultural Resources, Paleontological Resources, and Biological Resources.

**Energy Commission's Facility Certification Process**

The Energy Commission is responsible for reviewing and ultimately approving or denying all applications to construct and operate thermal electric power plants, 50 MW and greater, in California. The Energy Commission's facility certification process carefully examines public health and safety, environmental impacts, and engineering aspects of proposed power plants and all related facilities, such as electric transmission lines and natural gas and water pipelines. 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 (CEQA), and because the siting process is a Certified Regulatory program, it produces several environmental and decision documents rather than an Environmental Impact Report.

**Agency Participation**

To ensure the timely processing of the AFC and Supplemental, we request your cooperation by providing us with the following information: 1) a list of the laws, ordinances, regulations, and standards that your agency administers and enforces and which are applicable to the project or would be applicable to the project but for the Energy Commission's exclusive jurisdiction, and 2) the action that the applicant must take to meet any requirements administered or enforced by your agency or that would be administered or enforced by your agency but for the Energy Commission's exclusive jurisdiction. (Cal. Code Regs., tit. 20, sections 1714, 1714.3., 1714.5,

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1742, 1743, and 1744.) Please let us know if you need additional information or need to perform analyses or studies in order to resolve any concerns of your agency. (Cal. Code Regs., tit, 20, section 1714.5.) Finally, we want you to be aware that Energy Commission staff will work closely with you to ensure that your concerns and conclusions are described in the Preliminary and Final Staff Assessments. Therefore, any legal determinations (such as those contained in a Determination of Compliance, wastewater discharge requirements, and biological opinion) are due by **January 23, 2009** (preliminary determinations) and **March 23, 2009** (final determinations). Please also be aware that you may be asked to provide a witness to describe those determinations at the evidentiary hearings held for the project. (Cal. Code Regs., tit. 20, sections 1714, 1714.3, 1714.5, 1743, and 1744.5.)

Over the coming months, the Energy Commission will conduct a number of public workshops and hearings on the proposal to determine whether the project should be approved for construction and operation and under what set of conditions. These workshops 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. If you are not currently receiving these notices and want to be placed on the mailing list, please contact Hilarie Anderson, Project Secretary, at (916) 651-0479, or by e-mail at [handerso@energy.state.ca.us](mailto:handerso@energy.state.ca.us).

If you have any questions on how to participate in the Energy Commission's review of the project, please contact Alan Solomon, Energy Commission Project Manager, at (916) 653-8236, or by email at [asolomon@energy.state.ca.us](mailto:asolomon@energy.state.ca.us).

The status of the proposed project, copies of notices, and other relevant documents are also available on the Energy Commission's Internet web site at <http://www.energy.ca.gov/sitingcases/communitypower>. You can also receive email notification of all project related activities and availability of reports by subscribing to the Listserve at <http://www.energy.ca.gov/listservers/index.html>

Sincerely,

Eric Knight, Manager  
Energy Facilities Siting and Docket Office

Enclosure