March 2003
DOE/EA-1411

DEPARTMENT OF ENERGY

Western Area Power Administration

Draft Finding of No Significant Impact

East Altamont Energy Center, Alameda County, California

Summary: East Altamont Energy Center, LLC (EAEC LLC), a wholly owned subsidiary of Calpine Corporation applied to the Department of Energy (DOE), Western Area Power Administration (Western) to interconnect the East Altamont Energy Center (EAEC), a 1100-megawatt (MW) natural gas-fired power plant, to Western's Tracy Substation. EAEC LLC intends to serve competitive regional markets in California with power from the EAEC. Western proposes to make modifications at its Tracy Substation to accommodate the interconnection. The EAEC is a merchant plant which means that it would be independent of other generators and that the power generated would serve the open market rather than any particular utility or load. All financial responsibility for the EAEC would be borne by EAEC LLC.

Western issued an environmental assessment (EA) titled "East Altamont Energy Center" (DOE/EA-1411) jointly with the California Energy Commission's (CEC) Final Staff Assessment (FSA) in September 2002. Following the issuance of the FSA/EA, evidentiary hearings were held by the CEC in October 2002. As a result of this evidentiary hearing process, some conditions of certification in the FSA/EA changed, or new conditions were proposed that will be considered by the CEC in its certification process. Western prepared EA errata that reflects Western's review of the evidentiary hearing transcripts, errata issued by the CEC Staff, and proposed revised conditions included with testimony filed by EAEC LLC. Based on the EA and EA errata, Western has determined that, with the proposed mitigation, the EAEC will not result in any significant environmental impacts, and the preparation of an environmental impact statement will not be required. The basis for this determination is described in this draft Finding of No Significant Impact (FONSI), which is available for a 30-day public review before Western's determination is finalized.

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Additional information and copies of the EA, EA Errata and FONSI are available to all interested persons and the public from the persons named above. For general information on DOE National Environmental Policy Act (NEPA) activities contact:

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Purpose and Need: EAEC LLC has applied to interconnect with Western's transmission system at the Tracy Substation. Western must respond to EAEC LLC's request for an interconnection with its transmission system. In responding to this request, Western must provide transmission service per its Open Access Transmission Policy, address the interconnection application per Western's General Guidelines for Interconnection, protect transmission system reliability and service to existing customers, and consider EAEC LLC's objectives. Western's decision is limited to deciding if the specific power plant proposed by the applicant can be interconnected with Western's transmission system.

Project Description: On March 29, 2001, EAEC LLC, a wholly owned subsidiary of Calpine Corporation, filed an Application for Certification (AFC) with the California Energy Commission for a nominal 1,100 MW power plant called the EAEC. The proposed site lies within a 174-acre parcel of land under the EAEC LLC's control, located in unincorporated Alameda County, approximately 1 mile west of the San Joaquin County line and 1 mile southeast of the Contra Costa County line.

The generating facility would consist of three combustion turbine generators, three heat recovery steam generators (HRSGs) with duct burners, and one condensing steam turbine generator. Additional project facilities at the generating facility would include: one nominal 100,000-pound-per-hour auxiliary boiler to provide steam for auxiliary purposes; a 19-cell mechanical draft evaporative cooling tower to provide cooling water for the steam turbine condenser; a 1,000-kilowatt emergency generator; a 370-horsepower diesel fire pump; a water/wastewater treatment facility; an ammonia storage and loading area; miscellaneous storage tanks associated with the water treatment system; a brine crystallizer; and a maintenance building.

Utility connections would be installed to serve the project, including transmission line facilities (described below), a 1.8-mile 20-inch natural gas pipeline between the EAEC and an existing Pacific Gas and Electric gas pipeline, a 2.1-mile water pipeline between the EAEC and a Byron Bethany Irrigation District (BBID) take-out structure, a 4.6-mile recycled water line between the EAEC and the Mountain House Community Service District (MHCSD) wastewater treatment plant, and a fiber optic cable buried between the EAEC and Western's Tracy Substation.

EAEC LLC applied to Western for an interconnection with Western's Tracy Substation. Based on this application and a review of the Application for Certification, Western determined on September 20, 2001, to prepare an EA based on provisions in the DOE NEPA Implementing Regulation (10 CFR 1021) and to use the results of the EA to support a determination on whether or not to prepare an EIS. For the interconnection, the EAEC would require:

1. A new substation at the south end of the EAEC (this substation would be operated as an extension of the Tracy Substation).

2. Two 0.5 mile double circuit 230-kV lines to intercept the existing Tracy-Westley 230-kV double circuit line (currently operating as a single circuit).

3. Adding bays 13 & 14, with a double bus double breaker configuration, in the existing 230-kV Tracy Substation.

4. Converting existing bays 1 through 12 in the existing 230-kV Tracy Substation to a double bus double breaker.

5. Reconfiguring the existing Tracy-Westley 230-kV double circuit line into two separate circuits that terminate at bays 13 & 14 at the 230-kV Tracy Substation and at new breaker-and-a-half bays at the Westley Substation.

As proposed, new electrical equipment would be installed within the existing boundaries of the Tracy and Westley substations.

Western's action in the EAEC includes defining conditions for interconnection and entering into an interconnection agreement with EAEC and modifying Tracy Substation to accommodate the interconnection (at EAEC LLC's expense). Western anticipates that, upon completion of the EAEC and the installation of the transmission facilities and fiber optic cable, EAEC would transfer ownership of the new substation and one of the transmission lines to Western. Western has analyzed the environmental impacts not only of its action but of the impacts associated with the entire Project before permitting the interconnection.

The CEC has the exclusive authority to certify the construction and operation of thermal electric power plants 50 MW or larger. The CEC certification is in lieu of any permit required by State, regional, or local agencies, and Federal agencies to the extent permitted by Federal law (Pub. Resources Code, section 25500). Because the EAEC, if built, would interconnect with Western's high voltage transmission system, the environmental review and analysis for this project has been completed jointly by the CEC (the lead state agency) and Western (the lead Federal agency). To streamline the review process and eliminate overlap and duplication between the state and Federal governments, this joint California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA) process is the basis for both the CEC's decision as well as for Western's decisions.

The Public Process: Western's notification to prepare an EA was announced on October 30, 2001. In preparing the EA, CEC and Western staff conducted several publicly noticed joint workshops. These workshops served not only to allow discussion between staff and the applicant, but also to hear from intervenors, interested agencies, and members of the public. One of the public meetings was a scoping meeting held in Livermore, California on November 14, 2001. Scoping provided interested parties the opportunity to identify any issues of concern to inform Western and the CEC about potential environmental impacts, offer suggestions to improve the proposal, and suggest

alternative actions. Western has consulted with the U.S. Fish and Wildlife Service and the Native American Heritage Commission, and will complete consultation with the State Historic Preservation Office under its obligations for the National Historic Preservation Act before issuing a final determination on whether or not an EIS is required. Western has met its obligations under the Endangered Species Act and will continue nation-to-nation consultations with interested Native American tribes.

Alternatives: For purposes of the NEPA process, Western has determined that none of the site alternatives analyzed under the CEC alternatives analysis are consistent with Western's purposes and need to provide an interconnection. DOE's NEPA regulations require that an EA include a discussion of the no action alternative (10 CFR 1021.321(c)). Similar to the CEC, Western must either accept the applicant's request for interconnection, or deny the request and choose the no action alternative. The no action alternative provides a baseline against which the effects of the proposed action may be compared. In short, the site-specific and direct impacts associated with the EAEC would not occur at this site if the project does not go forward.

Environmental Impacts: Western's conclusions about the EAEC's environmental impacts are based on information contained in the EA issued in September 2002 and Western's EA Errata issued in March 2003. The EA is available upon request. Western's EA Errata is available at *http://www.wapa.gov/interconn/intaltamont.htm*. In reaching conclusions about the EAEC's environmental impacts, Western has considered the proposed EAEC, including mitigation measures proposed by EAEC; conditions of certification proposed by Western and CEC staff in the FSA/EA; and new or revised conditions proposed by EAEC LLC in response to the issuance of the FSA/EA.

The existing environment and the potential environmental impacts were identified and evaluated for the following resources:

- Air quality
- Biological resources
- Cultural resources
- Hazardous materials management
- Land use
- Noise and vibration

- Public health
- Socioeconomics (including environmental justice issues)
- Traffic and transportation
- Transmission line safety and nuisance (noise, EMF, aviation safety, hazard shocks, etc.)
- Visual plumes
- Visual resources
- Waste management (solid non-hazardous waste)
- Water and soil resources
- Worker safety and fire Protection

An Engineering Assessment included with the EA evaluated facility design, geology and paleontology, power plant efficiency, power plant reliability, and transmission system engineering.

Based on the EA and EA Errata, Western has concluded that, with the measures proposed by the EAEC, the construction and operation of the EAEC would not require mitigation beyond that already proposed by EAEC LLC to further mitigate potentially adverse environmental impacts to public health, socioeconomics, fire protection, or power plant efficiency (energy supplies or resources), thus, the EAEC would not cause any significant impacts related to these topics. Facility design, power plant reliability, and transmission system engineering are topics related to the design and operation of the EAEC and are not addressed in this determination. Information in the EA demonstrates that the EAEC would not have any significant disproportionate adverse socioeconomic impacts on minority or low-income populations.

Western has concluded that mitigation, beyond what was included in EAEC proposal, is needed to reduce potentially significant impacts to air quality, biological resources, cultural resources, hazardous materials, land use, noise and vibration, traffic and transportation, transmission line safety and nuisance, visual plumes, visual resources, water and soil resources, and worker safety. The basis for Western's conclusions about the EAEC's impacts to these resources is summarized below.

Air Quality. Air emissions would result from the operation of the combined-cycle gas turbines, fired HRSGs, cooling tower, gas-fired emergency generator, and emergency diesel fire pump. In addition, air emissions would result from the

construction activities for the EAEC and the utility connections. With these emissions, the EAEC has the potential to cause significant impacts to the state and Federal 1-hour and the Federal 8-hour ozone air quality standards and the state 24-hour PM_{10} and the Federal 24-hour $PM_{2.5}$ air quality standards in both the Bay Area and San Joaquin air basins.

In response to air quality permitting requirements, the EAEC would employ the Best Available Control Technology that would reduce emission levels, and emission reductions from other facilities to offset or mitigate most emission increases. These requirements are reflected in a Final Determination of Compliance issued for the EAEC on July 24, 2002. Also, additional mitigation would be employed to offset ozone and PM_{10} emissions. In the EA, measures were proposed that would complement the San Joaquin Valley Air Pollution Control District Heavy-Duty Diesel Incentive and its proposed Wood Stove Replacement program. The EA Errata reflects mitigation in the form of an agreement between EAEC LLC and the SJVAPCD to fund specific programs that create real time air quality impacts and an additional measure proposing the use of community input in defining what programs would be implemented. Also, the EA Errata reflects a limit of the ammonia slip as permitted to no more than 10 parts per million to lessen the potential impacts of the EAEC. Western has concluded that the EAEC will not cause a direct, indirect, or cumulative significant impact to air quality if the measures proposed in the EA or the EA Errata are implemented.

Biological Resources. The proposed EAEC project would, if not mitigated, result in significant adverse effects to biological resources. These adverse biological impacts include the permanent loss of approximately 45 acres of wildlife habitat for San Joaquin kit fox (and other special status species), as well as temporary habitat impacts that may result during the construction of the facility and utility connections. Western initiated consultation with the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) in February 2002. Consultation included reviews of habitats for a conservation easement to provide suitable mitigation habitat for the loss of habitat at the EAEC. Based on these reviews, the EAEC proposes to establish a conservation easement on the Gomes Farms property, a 151-acre parcel that lies about one mile west of the EAEC site. The FWS issued a biological opinion on July 29, 2002, which stated that the EAEC is not likely to jeopardize the continued existence of the San

Joaquin kit fox or the California red-legged frog, a Federal endangered species and threatened species, respectively. The FWS also concluded that the proposed EAEC would permanently affect 0.5 acres of upland habitat with a gas metering station, temporarily affect 8.2 acres of upland habitat with the gas line, and preserve in perpetuity 151 acres of upland habitat for the California tiger salamander, a Federal candidate species for listing. On March 20, 2002, NMFS concurred with Western's determination that the proposed EAEC, and specifically use of water from the Byron Bethany Irrigation District, may affect, but not likely to adversely affect Federally listed Central Valley steelhead, Central Valley spring-run chinook salmon, and Sacramento River winter-run chinook salmon, or their critical habitats. Based on the FWS opinion and NMFS concurrence and conditions of certification included in the EA, Western has concluded that the proposed EAEC would not have a direct, indirect, or cumulative significant impact on any Federal listed candidate, threatened, or endangered species. In addition, EAEC's landscaping plan has been modified to minimize the area impacted by the landscaping and includes plant species and management practices that will reduce impacts to the kit fox.

Careful selection of linear routes for gas and water pipelines has enabled the EAEC to avoid and minimize adverse biological impacts. The conservation easement, as well as conditions requiring worker environmental awareness program and a biological resources mitigation implementation and monitoring plan, would further ensure that the proposed EAEC would not have significant biological resource impacts. The conservation easement would benefit other special status species. No wetlands are expected to be affected by the EAEC. However, if Western learns that upon final design of the EAEC's utility connections that a wetland(s) would be affected, Western will complete a wetland assessment per the DOE Floodplain/Wetland Review Requirements (10 CFR 1022).

Cultural Resources. Archaeological inventories for the plant site and utility connections did not record any archaeological sites within the EAEC's footprint. Therefore, there are no known impacts to archaeological resources. However, because project-related site development and construction would entail subsurface disturbance, the proposed EAEC has the potential to impact as yet unidentified subsurface cultural resources. The EA includes measures to address any discovered

cultural resources during construction, and with implementation of these measures, Western has concluded that the proposed EAEC would not cause a direct, indirect, or cumulative adverse significant impact to archaeological resources.

Construction of the water line from Mountain House Road to Bruns Road would cross the intake channel portion of the Delta Mendota Canal and Intake Channel. The Delta Mendota Canal, the Westside Irrigation District, and the Tracy Pumping Plant have been recommended as eligible for inclusion in the National Register of Historic Places. Western has determined that there would be no effects to the Westside Irrigation District or the Tracy Pumping Plant and boring under the Delta Mendota Canal would successfully mitigate any impacts. However, the State Historic Preservation Officer (SHPO) under the provisions of the National Historic Preservation Act must concur with Western's findings. Western has not initiated consultation with the SHPO pending the completion of an ethnographic review to determine if any sites of Native American interest would be affected by the proposed EAEC. Western will take into account the results of consultation with the SHPO before finalizing this determination.

The Native American Heritage Commission was contacted and interested tribes were identified. Western met with the Tachi Yokuts/Santa Rosa Rancheria whose ancestral area includes the project. They were unaware of any traditional use areas or sacred sites, but requested an ethnographic study. Western notified EAEC LLC, who contacted Fresno State University to do the study. A full ethnographic study will be completed as a condition of certification included with the EA. Fresno State will interview the Nototomne Yokuts and the Tachi Yokuts.

Geology and Paleontology. The proposed EAEC is located within seismic zone 4 and a number of active faults lie within a 25-mile radius of the project site. Based on the proposed mitigation measures in the EA requiring design and construction in accordance with the latest seismic requirements, seismic hazards would be mitigated to less than a significant level. In addition, the potential for landslides, liquefaction, hydrocompaction, and subsidence is low or nonexistent. Expansive soils would be taken into account during the design of the facility. No mineral resources have been identified at the EAEC site. There are no significant sand or gravel mines in the area. The geologic units in the area have been classified as highly sensitive for paleontological resources. However, with implementation of the mitigation measures

included with the EA, Western has concluded that the proposed EAEC would not cause a direct, indirect, or cumulative adverse significant impact to geologic/paleontologic resources.

Hazardous Materials Management. The proposed EAEC would involve handling or storage of hazardous materials and generate hazardous and non-hazardous wastes during construction and operation. Based on the proposed mitigation measures in the EA, Western has concluded that the management and disposal of hazardous wastes would not result in any significant adverse impacts from the management of wastes generated during construction and operation of the EAEC.

Land Use. The proposed EAEC would cause a loss of prime and unique farmland, which is a potentially significant impact. In addition, the EAEC presents a potentially significant impact due to the conversion of agricultural resources and open space. However, based on mitigation in the EA requiring that the EAEC pay into a farmland mitigation fund, Western has concluded that the proposed EAEC would not cause a direct, indirect, or cumulative significant adverse impact to land use. In addition, based on the EA and input from Alameda County, Western has concluded that the EAEC would be consistent with Alameda County's land use designation and zoning and the current development pattern for the area per Alameda County's Measure D, which protects the county's agricultural and other open space from speculative development. With mitigation, the proposed operation of the EAEC would not cause any significant noise, dust, public health, traffic, or visual impacts to nearby land uses, nor would the EAEC contribute substantially to any cumulative land use impacts.

Noise and Vibration. The construction and operation of the proposed EAEC would create noise or unwanted sound. The character and loudness of the noise, the times of the day that it is produced, and the proximity of the EAEC to sensitive receptors were analyzed as reflected in the EA and EA Errata to determine whether the EAEC would cause significant adverse environmental impacts. Western has concluded that the proposed construction and operation of the EAEC would not cause any significant direct, indirect, or cumulative adverse noise impacts because the nearest residential receptor would be located more than 3,000 feet from the EAEC based on conditions defined in the EA and EA Errata; noise associated with construction activities would be temporary and mitigated per conditions in the EA and EA Errata; and the EAEC would

be constructed in accordance with applicable laws, ordinances, regulations, and standards.

Soil Resources. The proposed EAEC, including the transmission line facilities, would result in both temporary and permanent land disturbance from grading, excavation, and trenching. The EACE would employ best management practices to limit erosion and offsite sedimentation. The EA includes a condition that would require the development and submittal of an erosion control plan. Based on this measure and the EA, Western has concluded that the EAEC would not cause any significant adverse direct, indirect, or cumulative impacts to soil resources.

Traffic and Transportation. The construction of the proposed EAEC and utility connections has the potential to disrupt local traffic patterns due to worker commuting and the delivery of equipment and supplies to the construction site. Unless mitigated, major disruptions to traffic patterns would constitute a significant adverse impact. Based on the development and implementation of a construction traffic control and transportation implementation program and other mitigation measures in the EA, Western has concluded that the construction of the proposed EAEC would not cause any significant adverse direct, indirect, or cumulative impacts to traffic and transportation. During operation, the EAEC would have up to 40 employees. Considering the low number of employees and the adherence to conditions for the delivery of hazardous materials to the EAEC site, there would not be a significant adverse impact to traffic and transportation.

Transmission Line Safety and Nuisance. The EA includes an analysis of the potential impacts of the proposed transmission lines on aviation safety, radio-frequency interference, audible noise, fire hazards, nuisance shocks, hazardous shocks, and electric and magnetic field exposure. Since electric or magnetic field health effects have neither been established nor ruled out for overhead and underground lines, the public health significance of any EAEC-related field exposures cannot be characterized with certainty. The long-term, mostly residential magnetic exposure at the root of the present health concern would be insignificant for the proposed interconnection lines given the general absence of residences along the proposed route. On-site worker or public exposures would be short term and at levels expected for similar Western designs and current-carrying capacity. Such exposures are well understood and have

not been established as posing a health hazard to humans. The potential for nuisance shocks would be minimized through grounding and other field-reducing measures to be implemented in keeping with current Western guidelines reflecting common industry practices. Since there are no major airports or aviation centers in the immediate project area, the proposed lines would not pose a significant aviation hazard. The use of low-corona line design together with appropriate corona-minimizing construction practices would minimize the potential for corona noise and its related interference with radio-frequency communication anywhere in the project area. Based on the above, Western has concluded that the proposed transmission lines would not cause significant adverse impacts on aviation safety, radio-frequency interference, audible noise, fire hazards, nuisance shocks, hazardous shocks, or electric and magnetic field exposure.

Visual Plumes. The operation of the proposed EAEC would create water vapor plumes under certain meteorological conditions from the HRSG stacks and cooling tower. The EA includes the results of a visible plume analysis. Based on this analysis, and conditions of certifications referenced in the EA Errata, Western has concluded that the operation of the EAEC would not cause direct, indirect, or cumulative significant visual impacts from the vapor plumes.

Visual Resources. The proposed EAEC's structures and lighting would create visual impacts in an area currently under agricultural use. Based on information discussed in its EA Errata, Western has concluded that the existing level of visual quality in the project area is moderately low. The project area contains an unusually high concentration of major infrastructure facilities, which are now a highly visible element of the overall landscape pattern, including large-scale agriculture, high levees, Tracy Substation, and wind turbines. The only exception is the view from Byron Bethany Road, which is moderate to moderately high. The project would be large and highly visible, but it would have an orderly appearance. Its surfaces would have colors and finishes that minimize their reflectivity and maximize their visual absorption into the setting. The project would be surrounded by multiple rows of dense landscaping designed to integrate the project facilities into their overall setting. It would not substantially alter the character of the setting, which is a very highly altered landscape of large-scale agriculture and infrastructure. Based on the review of this information, and its own visual inspection of the proposed site and vicinity confirming the presence

of listed facilities, Western has concluded that the project would not have a direct, indirect, or cumulative significant impact on visual resources in the area.

Waste management. Different types of hazardous and non-hazardous wastes would be generated by the construction and operation of the EAEC. Mitigation in the EA would ensure that any contaminated soil discovered during construction would be removed in accordance with applicable laws, ordinances, regulations, and standards. Based on this mitigation and other measures included in the EA, Western has concluded that the construction and operation of the EAEC would not cause a significant direct, indirect or cumulative adverse impact due to the generation of wastes.

Water Resources. As proposed, the proposed EAEC total annual water demand would be 4,616 acre-feet/year (afy) on an average annual basis and up to 7,000 afy on a peak annual basis. EAEC LLC proposes to use a combination of fresh inland (raw) water supplied by the BBID and, increasingly over time, tertiary treated recycled water from the MHCSD wastewater treatment plant. Water would be used for a circulating or cooling water system (99 percent of the EAEC overall water demand), service water for the power plant, demineralized water for makeup to the HRSG and auxiliary boilers, potable water for drinking and lavatory use. The EAEC would use a zero liquid discharge (ZLD) system that uses a brine concentrator and two brine crystallizers or drum-type dryers to eliminate any liquid wastes. Treated water streams throughout the process would be reclaimed for various plant uses. This wastewater treatment process would result in a solid waste consisting of a salt cake, which is hauled off-site for proper disposal at an appropriately licensed landfill.

The EA addressed potential significant adverse cumulative effects to local water supplies based on the lack of specific assurances from EAEC LLC to ultimately use recycled water from the MHCSD. The EA includes conditions of certification that provides assurances that a recycled water supply would be fully implemented, thus mitigating the potential for a significant environmental impact. Based on testimony filed by EAEC LLC and BBID at the evidentiary hearings held after the issuance of the EA, EAEC LLC has proposed revised conditions of certification that require EAEC to accept all recycled water made available by BBID. One condition requires EAEC LLC to enter into a contract specifying that BBID shall develop recycled water supplies to the maximum extent feasible and that EAEC LLC shall use the recycled water that BBID

makes available. The condition requires that the contract shall be executed prior to the construction of any project structures or facilities. The new conditions are reflected in Western's EA Errata. Western has concluded that based on the conditions of certification proposed by EAEC LLC, or the conditions included in the EA and revised by the CEC Staff in its 21 October 2002 errata, the EAEC would not have significant adverse cumulative effects to the local water supply. In addition, based on the wastewater treatment process proposed and conditions of certification addressing storm water runoff and drainage, erosion and sedimentation control, Western has concluded that the proposed EAEC would not cause direct, indirect, or cumulative impacts to water resources.

Worker Safety. The EA includes an analysis assessing whether the proposed worker safety measures proposed by EAEC LLC are adequate to protect the workers during construction and operation of the facility. Based on the EA, including the conditions of certification requiring Construction and Operations and Maintenance safety programs and construction and operations injury and illness prevention programs, Western has concluded that the proposed EAEC would ensure adequate levels of industrial safety.

Determination: The analyses contained in the EA and the EA Errata indicate that the proposed action is not a major Federal action significantly affecting the quality of the human environment. Western has determined that preparation of an EIS is not required.

Comment Due Date: Western is making this draft FONSI available for public review for 30 days prior to issuance of a final determination on whether or not to prepare an EIS for the EAEC pursuant to the regulations of the Council on Environmental Quality at 40 CFR 1501.4(e)(2). Any comments regarding the conclusions in this draft FONSI must be sent by mail, fax or email to Bruce Thomas, Environmental Manager, at the address listed above by 11:59 p.m. PST, April 7, 2003.