

## DOCKETED

<b>Docket Number:</b>	15-AFC-01
<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	205741
<b>Document Title:</b>	Law Enforcement Needs Letter
<b>Description:</b>	Letter to Oxnard Police Department regarding potential law enforcement needs related to the proposed Puente Power Project
<b>Filer:</b>	Lisa Worrall
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	8/14/2015 10:20:42 AM
<b>Docketed Date:</b>	8/14/2015

**CALIFORNIA ENERGY COMMISSION**

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



August 14, 2015

Chief Jeri Williams  
Oxnard Police Department  
251 South "C" Street  
Oxnard, CA 93030

RE: Potential Law Enforcement Needs for the Proposed Puente Power Project (P3)  
(15-AFC-01)

Dear Chief Williams,

The Warren-Alquist Act (Public Resources Code § 25000 et. seq.) gives the California Energy Commission (Energy Commission) the exclusive jurisdiction over the permitting of thermal power plants with a net generating capacity of 50 megawatts (MW) or larger and appurtenant related facilities to serve it. As part of its jurisdiction, the Energy Commission must evaluate a project's conformance with applicable local, state, and federal laws, ordinances, regulations, and standards.

The Energy Commission is considering an application from NRG Oxnard Energy Center, LLC to construct, own, and operate the Puente Power Plant (P3 or project). The project would be located on approximately three acres of the existing 36-acre Mandalay Generating Station (MGS) site at 393 North Harbor Boulevard in Oxnard, Ventura County, California. Construction laydown and parking would be within the MGS site.

If P3 is approved and developed, project construction would occur over a 21-month period, from October 2018 through June 2020. Commercial operation of P3 is expected by June 2020. Existing MGS Units 1 and 2 would be retired by the completion of commissioning of the new facility. Demolition of MGS Units 1 and 2 is not proposed as part of the project. The existing Unit 3 would continue operations.

To assess impacts of the proposed project pertaining to law enforcement, Energy Commission staff requests information on existing law enforcement resources and services in the project area and the estimated need for additional services if the project is approved. Characteristics of the applicant's proposed project that are considered applicable to law enforcement are briefly summarized on the attached form.

From staff's review of the Application for Certification (AFC), staff understands the project site is within the jurisdiction of the Oxnard Police Department. The department has a response goal for priority one calls of less than five minutes and has maintained an average response time of less than five minutes. The project site is located in the Beat 21 patrol division, in the Oxnard Police Department's District Two boundary. Beat 21 is staffed by one sergeant, one senior police officer, one police officer, one

community service officer, and one traffic officer. Patrol work is conducted by other officers 24 hours a day. Staff has the following question:

1. Does the Oxnard Police Department share jurisdiction with the California Highway Patrol (CHP) for portions of CA 1, CA 232, and CA 34 within the city of Oxnard?

The applicant anticipates the construction workforce would most likely be drawn from Ventura and Los Angeles counties. Construction access to the site would be via North Harbor Boulevard. The AFC indicates that upon exiting the project site the majority of vehicles would turn left to travel northbound on Harbor Boulevard, crossing the southbound lane at an uncontrolled intersection. Staff has the following questions:

2. Do you have any concerns about possible vehicular accidents resulting from this turn?
3. Do you have any recommendations to reduce collision hazards at this location?

As local law enforcement officials have expressed concerns about construction site security and increased project-related traffic on proposed projects similar to the P3, staff has included an example of the conditions of certification typically proposed on projects like the P3. These conditions of certification require the preparation of a Construction Site Security Plan and an Operation Security Plan to ensure site security, and require the preparation of a traffic control plan to address the movement of workers, vehicles, and materials, including arrival and departure schedules and designated workforce and delivery routes. Please consider these typical conditions of certification as you review the proposed project and complete the attached needs assessment form.

The project applicant's entire AFC is available on the Energy Commission's website at: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=15-AFC-01>. Section 4.10 Socioeconomics would be the most pertinent section to review, as well as Section 4.5 Hazardous Materials Handling and Section 4.12 Traffic and Transportation.

Please provide your responses to the above three questions and needs assessment form and include any comments you may have regarding law enforcement services for the proposed project by September 14, 2015. If helpful, I can send an electronic copy of the needs assessment form. Send your responses to my attention, and if you have any questions about this request, please contact me via email at [lisa.worrall@energy.ca.gov](mailto:lisa.worrall@energy.ca.gov) or telephone at 916-654-4545. Thank you in advance for your time and assistance.

Sincerely,

Original signed by

Lisa Worrall  
Planner II

Chief Williams  
August 14, 2015  
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Enclosures:

Local Law Enforcement Needs Assessment Form  
Map showing the approximate location of the project site (from the AFC)  
Map showing the project trip distribution (from the AFC)  
Typical Hazardous Materials Conditions of Certification  
Typical Traffic and Transportation Condition of Certification

<b>Law Enforcement Needs Assessment Form</b>	
<b>Project Characteristics, as Proposed by the Project Applicant</b>	
Type, Location, Size, and Site Access:	Power generating facility proposed on the site of the existing and operating Mandalay Generating Station (393 North Harbor Boulevard) in the city of Oxnard, California. Primary access to the site would be through the existing entrance off North Harbor Boulevard, between West Gonzales Road to the north and West 5 <sup>th</sup> Street to the south.
Estimated Schedule:	If approved, construction would begin in October 2018 and conclude in June 2020 (21 months). See Table 2.9-1 on page 2-53 – 2-55 in the AFC, for a list of the project construction workforce and schedule.
Construction (Traffic and Workforce):	There would be an average construction workforce of 48 workers over the 21-month construction period. During peak construction in May 2019, the construction workforce would total about 90 workers. Combined with truck deliveries, an estimated 210 daily trips (105 inbound and 105 outbound) would occur, representing the peak traffic generation period. Peak truck traffic would occur November 2018 – March 2019 with an estimated 24 truck trips per day. Truck deliveries of construction materials and equipment would generally be made on weekdays between 7:00 a.m. and 5:00 p.m. Construction parking would be provided on the project site.
Operation (Staff and Traffic):	The 17 full-time workers needed for the project would be drawn from existing MGS staff. There would be no additional operations workers hired.
Security:	An existing perimeter fence surrounds the Mandalay Generating Station. A guard stationed at designated gates to control access during construction, construction employee training, and work rules round out the applicant's construction site security plans. No security information for project operations was provided in the AFC. An example of two typical site security Conditions of Certification that are applied to projects like the P3 have been included for your consideration.
<b>Existing Law Enforcement Resources and Services in the Project Area</b> (attach additional paper if more room is needed to answer questions)	
Names and addresses of the facilities (e.g., police substations) serving the project area, and distance of closest dispatch facility to the project site:	
Adopted or desired service standard (e.g., one sworn officer per 1,000 population) applicable to the project site:	
Existing staffing levels for facilities serving the project area (including sworn officers and civilians, totals and per shift):	
Estimated response times to the project site: Priority calls:  Non-Priority calls:	
Current needs (e.g., facilities and staff) to maintain or meet existing service levels:  Additional needs beyond those identified above to maintain or meet existing service levels with the project:	
Exchange of general law enforcement responsibilities (e.g., formal and/or informal agreements with local municipalities for provision of services) in the project area:	
Current inventory of specialized equipment (e.g., helicopters or other aircraft):	

<b>Law Enforcement Needs Assessment Form</b>	
<b>Estimated Need for Law Enforcement Services, Equipment, and Facilities</b> (attach additional paper if more room is needed to answer questions)	
Is there a process or formula used by your department to determine the need for additional law enforcement services to serve a new large-scale power plant? Please explain.	
Could the project trigger a need for additional law enforcement services for on-site crimes against persons, theft of materials, and/or vandalism? Please explain. During project construction: During project operation:	
Could increased project-related traffic affect circulation and access on roads near the project site to the extent that an impact to emergency response times might occur? Please explain. During project construction: During project operation:	
Do law enforcement personnel review development site plans for projects to assess potential law enforcement issues (e.g., lighting and other safety factors)? Please explain.	
Are specific measures recommended to reduce the potential for crimes to occur at or near the project site (e.g., specific types of security fencing)? Please explain.	
Please explain any other law enforcement concerns that have not been addressed by this needs assessment form.	
<b>Person Completing This Needs Assessment Form</b>	
Name:	
Title/Position:	
Telephone No:	
E-mail Address:	



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Source: ESRI Basemap

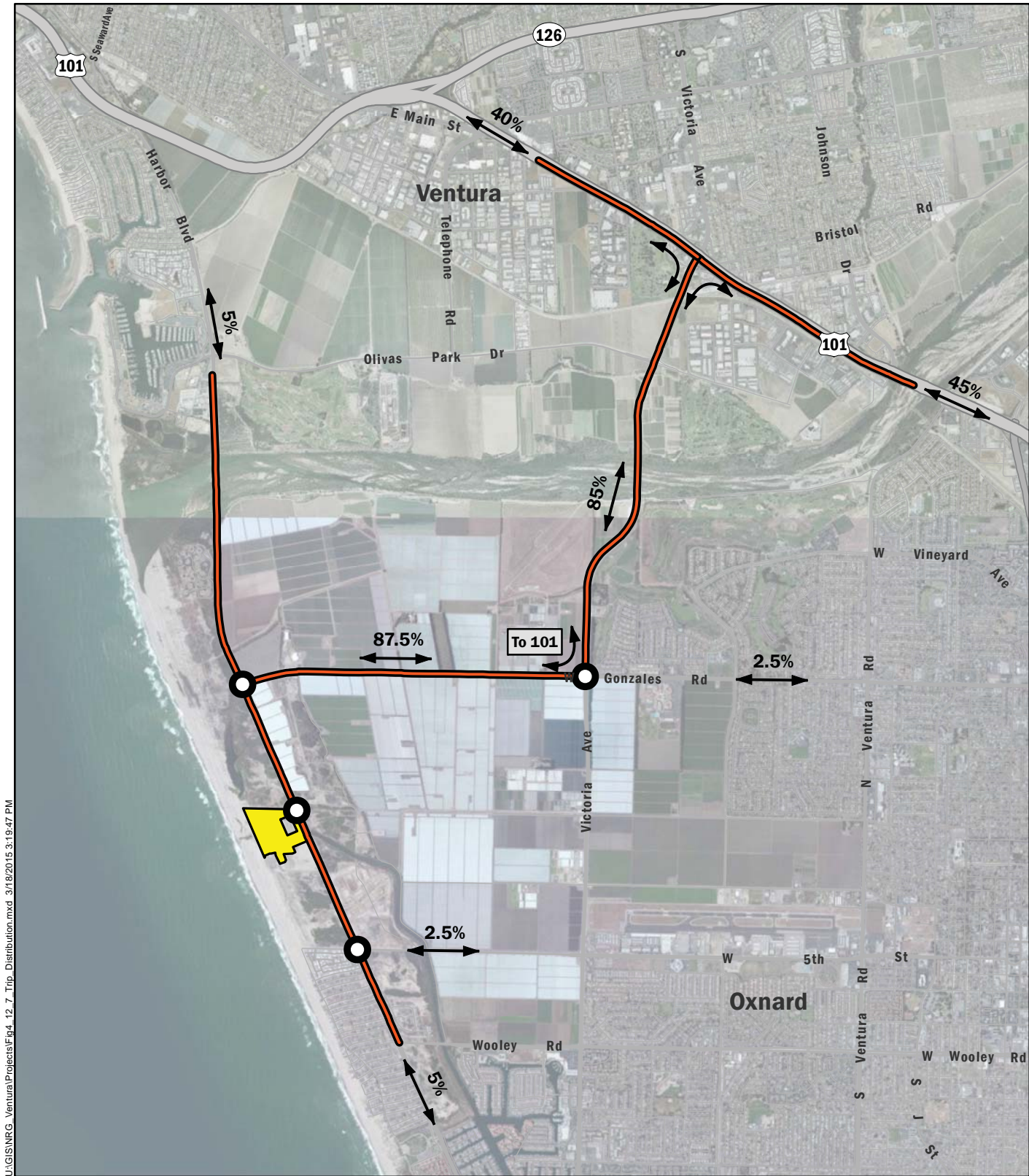
**SITE VICINITY MAP**

Puente Power Project Site

NRG  
Puente Power Project  
Oxnard, California  
April 2015




**FIGURE 1-1**

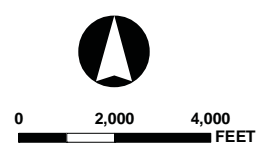




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Source: 2010 population data from U.S. Census Bureau, accessed through American Factfinder 2015; Imagery, ESRI 2013.

-  Study Intersections
-  Project Route
-  Mandalay Generating Station (MGS) Property



**PROJECT TRIP DISTRIBUTION**

NRG  
Puente Power Project  
Oxnard, California

April 2015

**FIGURE 4.12-7**



## Typical Hazardous Materials Conditions of Certification

**HAZ-7** Prior to commencing construction, a site-specific Construction Site Security Plan for the construction phase shall be prepared and made available to the CPM for review and approval. The Construction Security Plan shall include the following:

1. perimeter security consisting of fencing enclosing the construction area;
2. security guards;
3. site access control consisting of a check-in procedure or tag system for construction personnel and visitors;
4. written standard procedures for employees, contractors and vendors when encountering suspicious objects or packages on site or off site;
5. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency; and,
6. evacuation procedures.

**Verification:** At least thirty (30) days prior to commencing construction, the project owner shall notify the CPM that a site-specific Construction Security Plan is available for review and approval.

**HAZ-8** The project owner shall also prepare a site-specific security plan for the commissioning and operational phases that will be available to the CPM for review and approval. The project owner shall implement site security measures that address physical site security and hazardous materials storage. The level of security to be implemented shall not be less than that described below (as per NERC 2002).

The Operation Security Plan shall include the following:

1. permanent full perimeter fence or wall, at least eight feet high and topped with barbed wire or the equivalent (and with slats or other methods to restrict visibility if a fence is selected);
  2. main entrance security gate, either hand operated or motorized;
  3. evacuation procedures;
  4. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency;
  5. written standard procedures for employees, contractors, and vendors when encountering suspicious objects or packages on site or off site;
- A. a statement (refer to sample, **Attachment A**), signed by the project owner certifying that background investigations have been conducted on all project personnel. Background investigations shall be restricted to determine the accuracy of employee identity and employment history and shall be conducted in accordance with state and federal laws regarding security and privacy;
- B. a statement(s) (refer to sample, **Attachment B**), signed by the contractor or authorized representative(s) for any permanent contractors or other technical

contractors (as determined by the CPM after consultation with the project owner), that are present at any time on the site to repair, maintain, investigate, or conduct any other technical duties involving critical components (as determined by the CPM after consultation with the project owner) certifying that background investigations have been conducted on contractors who visit the project site;

6. site access controls for employees, contractors, vendors, and visitors;

7. a statement(s) (refer to sample, **Attachment C**), signed by the owners or authorized representative of hazardous materials transport vendors, certifying that they have prepared and implemented security plans in compliance with 49 CFR 172.880, and that they have conducted employee background investigations in accordance with 49 CFR Part 1572, subparts A and B;

8. closed circuit TV (CCTV) monitoring system, recordable, and viewable in the power plant control room and security station (if separate from the control room) with cameras able to pan, tilt, and zoom, have low-light capability, and are able to view 100% of the perimeter fence, the ammonia storage tank, the outside entrance to the control room, and the front gate; and,

9. additional measures to ensure adequate perimeter security consisting of either:

- A. security guard(s) present 24 hours per day, 7 days per week; **or**
- B. power plant personnel on site 24 hours per day, 7 days per week, and perimeter breach detectors **or** on-site motion detectors.

The project owner shall fully implement the security plans and obtain CPM approval of any substantive modifications to those security plans. The CPM may authorize modifications to these measures, or may require additional measures such as protective barriers for critical power plant components—transformers, gas lines, and compressors—depending upon circumstances unique to the facility or in response to industry-related standards, security concerns, or additional guidance provided by the U.S. Department of Homeland Security, the U.S. Department of Energy, or the North American Electrical Reliability Council, after consultation with both appropriate law enforcement agencies and the applicant.

**Verification:** At least thirty (30) days prior to the initial receipt of hazardous materials on site, the project owner shall notify the CPM that a site-specific operations site security plan is available for review and approval. In the annual compliance report, the project owner shall include a statement that all current project employee and appropriate contractor background investigations have been performed, and that updated certification statements have been appended to the operations security plan. In the annual compliance report, the project owner shall include a statement that the operations security plan includes all current hazardous materials transport vendor certifications for security plans and employee background investigations.

## **Typical Traffic and Transportation Condition of Certification for Traffic Control Plan (From Huntington Beach Energy Project 12-AFC-02)**

### **TRANS-3 Traffic Control Plan, Heavy Hauling Plan, and Parking/Staging Plan**

The project owner shall prepare and implement a Traffic Control Plan (TCP) for the HBEP's construction and operations traffic. The TCP shall address the movement of workers, vehicles, and materials, including arrival and departure schedules and designated workforce and delivery routes. The project owner shall consult with Caltrans, the city of Huntington Beach and other applicable local jurisdictions in the preparation and implementation of the Traffic Control Plan (TCP). The project owner shall submit the proposed TCP to Caltrans and applicable local jurisdictions in sufficient time for review and comment, and to the Energy Commission Compliance Project Manager (CPM) for review and approval prior to the proposed start of construction and implementation of the plan. The Traffic Control Plan (TCP) shall include:

- Provisions for redirection of construction traffic with a flag person as necessary to ensure traffic safety and minimize interruptions to non-construction related traffic flow,
- Placement of necessary signage, lighting, and traffic control devices at the project construction site and lay-down areas;
- A heavy-haul plan addressing the transport and delivery of heavy and oversized loads requiring permits from the California Department of Transportation (Caltrans), other state or federal agencies, and/or the affected local jurisdictions including Los Angeles county, Orange county, city of Long Beach, city of Seal Beach, and city of Huntington Beach;
- Location and details of construction along affected roadways at night, where permitted;
- Temporary closure of travel lanes or disruptions to street segments and intersections during construction activities;
- Traffic diversion plans (in coordination with the city of Huntington Beach and Orange County) to ensure access during temporary lane/road closures;
- Access to residential and/or commercial property located near construction work and truck traffic routes;
- Insurance of access for emergency vehicles to the project site;
- Advance notification to residents, businesses, emergency providers, and hospitals that would be affected when roads may be partially or completely closed;
- Identification of safety procedures for exiting and entering the site access gate;
- Parking/Staging Plan for all phases of project construction and operation to require all project-related parking to be on-site or in designated off-site parking areas.

**Verification:** At least 60 calendar days prior to the start of construction, the project owner shall submit the TCP to the applicable agencies for review and comment and to the CPM for review and approval. The project owner shall also provide the CPM with a copy of the transmittal letter to the agencies requesting review and comment.

At least 30 calendar days prior to the start of construction, the project owner shall provide copies of any comment letters received from the agencies, along with any changes to the proposed development plan, to the CPM for review and approval.