

## DOCKETED

<b>Docket Number:</b>	15-AFC-01
<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	206901
<b>Document Title:</b>	California Energy Commission Staff (P3) Status Report 2
<b>Description:</b>	Project Status Report 2 for the Puente Power Project located in Oxnard, Ventura County (15-AFC-01)
<b>Filer:</b>	Jon Hilliard
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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# Memorandum

**Date:** December 8, 2015  
**Telephone:** (916) 654-3936

**To:** Janea A. Scott, Commissioner and Presiding Member  
Karen Douglas, Commissioner and Associate Member

**From:** California Energy Commission – Jon Hilliard  
1516 Ninth Street Project Manager  
Sacramento, CA 95814-5512

**Subject:** PUENTE POWER PROJECT (P3) STATUS REPORT 2

In accordance with the Scheduling Order issued by the Committee on September 24, 2015, staff is submitting this Status Report 2.

## Project Activities

The following project activities and developments have occurred since the release of Status Report 1:

- On 11/19/15, biology, water, and project management staff attended an on-site meeting with the applicant. The purpose of the meeting was to: 1) receive a brief on a supplement to the AFC (discussed below) that was docketed that morning, 2) more closely examine hydrologic and biologic features on the site and the adjacent beach and coastal dunes, and 3) confer with a biologist from the California Coastal Commission who was also in attendance to look at portions of the P3 site supporting hydrophytic plants, which are a potential wetland indicator. Staff also met with a representative from the city of Oxnard Planning Division to review potential off-site alternatives for the project;
- On the same day (11/19/15), the applicant filed a supplement to the AFC. The supplement expands the project scope to include demolition of the Mandalay Generating Station Units 1 and 2, and includes analysis of this change relative to all of the technical areas in the AFC;
- On 11/20/15 intervenor city of Oxnard filed a Motion to Compel, requesting the Committee require the applicant to release both the original and updated air quality and emissions modeling data. The applicant recently filed the complete updated emissions modeling data set based on revised data from the equipment manufacturer, GE. The applicant has indicated it will be providing the city of Oxnard the complete set of updated modeling data under a non-disclosure agreement. The Application for Confidentiality of the underlying emissions modeling is currently under legal review at the Commission. Because the original data has been superseded, the applicant believes such data is obsolete and not relevant to the proceeding and could result in confusion in the record. Staff concurs that the first data set is no longer relevant to the analysis of the air quality impacts from the project given the updated information from GE. Staff

does support the exchange of the updated data set between the city of Oxnard and the applicant under their non-disclosure agreement.

- On 11/30/15, the applicant submitted Responses to Staff's Data Request Set 2, along with revised air quality/ public health modeling data. The data sets are currently being reviewed by staff, and could impact timing for publication of a Preliminary Determination of Compliance (PDOC) for the project by the Ventura County Air Pollution Control District (VCAPCD) (previously estimated in January 2016); and
- On 12/2/15, intervenor city of Oxnard submitted a Motion to the Committee requesting a 90-day extension of the project discovery period, to allow time for review and response to the AFC supplement and revised modeling data. Staff supports this request in light of the submittal of substantial, new project information.

Staff anticipates the following project activities in the period before the next Status Report scheduled for January 15, 2016:

- Review of the supplement to the AFC, and issue any additional needed Data Requests, provided the Committee grants the city of Oxnard's motion to extend the discovery period;
- Review the applicant's responses to Data Request Set 2;
- Complete review of site alternatives proposed by staff; and
- Regular communication with the VCAPCD regarding the status and timing of the PDOC.

### **Other Activities**

Staff is in regular communication with the city of Oxnard regarding the project relative to local laws, ordinances, regulations and standards (LORS). As noted in Status Report 1, the city has initiated the process to amend their local coastal plan designation and rezone the Mandalay Generating Station property (which includes the P3 site) from Coastal Energy Facility (EC) to Coastal Recreation (RC). On 11/19/15 the Planning Commission reviewed a city staff report and presentation regarding amendments to the local coastal plan designation and changes to the range of permitted uses in the zoning/ subzoning applicable to the Mandalay Generating Station (MGS) and Ormond Beach Generating Station (OBGS) properties. The public hearing on the matter was opened and comments were received from the MGS and OBGS landowner (NRG), and the general public. The Planning Commission took no action and then continued the matter to a future, unspecified date. Should the proposed coastal plan amendment and rezone move forward, staff will address the changes in the Land Use section of the PSA.

### **Project Schedule**

Staff supports intervenor city of Oxnard's request to extend the discovery period for P3 by 90 days. This will afford adequate time to review the AFC supplement and the

applicant's latest Data Responses. The extended discovery period would correspond to an extended timeframe for publication of the PSA, to March of 2016. A revised schedule is attached for the Committee's consideration.

**ENERGY COMMISSION STAFF’S PROPOSED AMENDED AFC SCHEDULE**

**Puente Power Project (15-AFC-01) – as of 12/8/15**

ACTIVITY	DATE
Application for Certification (AFC) submitted	4-15-15
Staff Issues Data Requests Set 1	7-17-15
Staff Files Issues Identification Report	8-10-15
Committee Site Visit and Information and Environmental Scoping Meeting	8-27-15
Committee Issues Scheduling Order	9-23-15
Applicant Provides Responses to Data Requests Set 1	8-18-15 to 10-2-15
Staff Issues Data Requests Set 2	10-14-15
Parties File Status Reports	10-29-15
Applicant Submits Updated Emissions Data to CEC and VCAPCD	11-30-2015
Applicant Provides Responses to Data Requests Set 2	11-30-15
Parties File Status Reports	12-10-15 and 1-15-16
VCAPCD Issues Preliminary Determination of Compliance (PDOC)	2-29-16
Parties File Status Reports	2-15-16 and 3-15-16
Staff Publishes Preliminary Staff Assessment (PSA)	3-29-16
PSA Workshop	4-21-16
VCAPCD Issues Final Determination of Compliance (FDOC)	4-29-16
Comments on PSA are Due	5-17-16
Staff Publishes Final Staff Assessment	6-30-16
* Prehearing Conference/ Evidentiary Hearing	TBD

 Completed Activity

\* The assigned Committee will determine this part of the schedule.