

## DOCKETED

<b>Docket Number:</b>	15-AFC-01
<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	214574
<b>Document Title:</b>	City of Oxnard General Plan Amendment PZ 16-620-01
<b>Description:</b>	N/A
<b>Filer:</b>	Cenne Jackson
<b>Organization:</b>	California Coastal Commission
<b>Submitter Role:</b>	Public Agency
<b>Submission Date:</b>	11/29/2016 9:57:27 AM
<b>Docketed Date:</b>	11/29/2016

**CALIFORNIA COASTAL COMMISSION**

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November 28, 2016

Shawn Pittard  
Project Manager  
Siting, Transmission and Environmental Protection (STEP) Division  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, CA 95814

**RE:** City of Oxnard General Plan Amendment PZ 16-620-01

Dear Mr. Pittard:

Staff of the California Energy Commission has requested the California Coastal Commission staff's opinion as to whether the portion of the City of Oxnard's General Plan Amendment PZ 16-620-01 that affects siting of electrical generating facilities over 50 MW may take effect in the City's coastal zone without certification of a Local Coastal Program Amendment from the Coastal Commission. As explained below, this portion of the General Plan amendment is effective in the coastal zone despite not having been incorporated into the City's LCP.

General Plan Amendment PZ 16-620-01 added Policy SH-3.5 to its chapter on Safety & Hazards. It states:

The City recognizes that authority for new electricity generation facilities of 50 MW or more rests with the California Energy Commission. The City also recognizes that electricity generation facilities are especially susceptible to coastal and other hazards, particularly considering existing and expected sea-level-rise, and the resultant increased risks of tidal inundation, storm wave run-up, beach and dune erosion and retreat, and tsunami inundation. Therefore, in areas where the City has documented that the location of such facilities is threatened by seismic hazards, wildfire, flooding, or coastal hazards including tidal inundation, storm wave run-up, beach and dune erosion or retreat, and/or tsunami inundation, the following uses are prohibited: (1) the construction of new electricity generation facilities of 50 megawatts or more, (2) modifications, including alteration, replacement, or improvement of equipment that result in a 50 megawatt or more increase in the electric generation capacity of an existing generating facility, and (3) construction of any facility subject

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to the California Energy Commission's jurisdiction under Public Resource Code 25500.

Although in most circumstances land use changes that affect the coastal zone must be incorporated into LCPs and certified by the Coastal Commission before they may take effect, new Policy SH-3.5 affects development that does not require a coastal development permit because it is under the exclusive permitting jurisdiction of the California Energy Commission. Thus, this portion of the General Plan only affects development that by statute is outside of the permitting jurisdiction of the City and the Coastal Commission, so it need not be incorporated into the LCP to take effect.

Sincerely,



LOUISE WARREN  
Deputy Chief Counsel

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