DOCKETED	
Docket Number:	15-AFC-01
Project Title:	Puente Power Project
TN #:	214934
Document Title:	Email from Energy Commission Staff Counsel to California Coastal Commission Deputy Chief Counsel
Description:	N/A
Filer:	Sabrina Savala
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	12/20/2016 9:57:25 AM
Docketed Date:	12/20/2016

From:	Chester, Michelle@Energy
To:	Warren, Louise@Coastal
Subject:	RE: Question regarding Puente Power Project
Date:	Friday, November 04, 2016 4:27:20 PM
Attachments:	TN205515 20150724T164226 Letter from California Coastal Commission re Repdf PZ 16-620-01 STAFF REPORT.pdf 2030GeneralPlanGoalsPoliciesOctober2011W.pdf TN213667 20160915T134501 Joseph Street Comments California Coastal Commission 30413d Rep.pdf

Hi Louise,

Would you be willing to submit a letter for the Puente Power Project similar to the one submitted in Redondo Beach (attached for reference)? When we spoke earlier this week, we briefly talked about the language in the Coastal Commission 3041(d) report that spurred our confusion:

"On June 7, 2016, the Oxnard City Council approved an amendment to the City of Oxnard General Plan to prohibit power generation facilities of greater than 50-MW capacity in areas subject to coastal hazards, including the MGS and P3 site. The General Plan amendment became effective on July 7, 2016. The City has indicated that it will seek an amendment to its certified LCP which would incorporate this prohibition. However, no proposed LCP amendment has yet been submitted to or approved by the Coastal Commission. Thus, the proposed P3 generating plant remains a conditionally-permitted use of the Coastal Energy Facilities (EC) sub-zone, and existing LCP policies governing coastal hazards still apply for purposes of the Commission 's review under Coastal Act Section 30413(d)." On page 8 of the *California Coastal Commission 30413(d) Report Final Approved Report* (attached).

The City of Oxnard's General Plan Amendment 16-620-01, which prohibits the construction of power plants under the jurisdiction of the Energy Commission, is practically identical to City of Redondo Beach Ordinance Number 3134-15, which modified the City's municipal code. See page 6 of the attached copy of the City of Oxnard staff report detailing the relevant amendments to the City of Oxnard's General Plan.

Our staff is looking for clarification as to whether the General Plan Amendment has any effect if it is not incorporated into a certified LCP. The City of Oxnard General Plan states, "Land uses in the Oxnard Coastal Zone are governed by the Coastal Land Use Plan (CLUP) and its zoning regulations adopted pursuant to the California Coastal Act and certified by the California Coastal Commission. Selected General Plan land use designations and related policies will not be effective in the Coastal Zone until certified by the California Coastal Commission and are included to indicate the City's intent and direction leading to future CLUP amendments." Page 1-5 of the *City of Oxnard 2030 General Plan* (attached).

If, as you mentioned over the phone, your analysis offered in the Redondo Beach case still stands, a letter for our reference in the Puente case would be greatly appreciated.

Thank you!

Michelle Chester

Staff Attorney Chief Counsel's Office California Energy Commission 1516 Ninth Street, MS-14 Sacramento, CA 95814 (916) 651-2935