

## DOCKETED

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<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	216028
<b>Document Title:</b>	Statement of Issues by Sierra Club Los Padres Chapter, Environmental Coalition of Ventura County, and EDC
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<b>Organization:</b>	Environmental Defense Center
<b>Submitter Role:</b>	Intervenor
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**STATE OF CALIFORNIA**  
**State Energy Resources**  
**Conservation and Development Commission**

In the Matter of:                                 )  
   )  
**APPLICATION FOR CERTIFICATION )**  
**OF THE PUENTE POWER PROJECT    )**

Docket No. 15-AFC-01

**INTERVENORS SIERRA CLUB LOS  
 PADRES CHAPTER,  
 ENVIRONMENTAL COALITION  
 OF VENTURA COUNTY, AND  
 ENVIRONMENTAL DEFENSE  
 CETNER’S STATEMENT OF  
 ISSUES TO BE BRIEFED**

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As noted at the Prehearing Conference and in Intervenor's Prehearing Conference Statement, and confirmed during evidentiary hearings, the issues of Biological Resources, Land Use, and Alternatives are not ready for briefing and adjudication due to the lack of focused surveys performed by the Applicant, the Staff, and the California Coastal Commission. Absent focused surveys, the FSA cannot and does not disclose impacts to biological resources and there is a glaring omission of data necessary to identify the existing biological resources on the Project site. Intervenor again request that the Committee revisit the need for focused surveys on the Project site before going forward with briefing.

Nonetheless, pursuant to the Hearing Officer's invitation for the parties to submit a statement of issues to be briefed after the close of evidentiary hearings, Intervenor Sierra Club Los Padres Chapter, Environmental Coalition of Ventura County, and Environmental Defense Center request that the California Energy Commission receive briefing on the following issues:<sup>1</sup>

1. Whether the Final Staff Assessment complies with the California Environmental Quality Act, particularly with respect to the following issues:

- The Project Description
- Environmental Setting
- Alternatives
- Project Need
- Project Objective
- The failure to disclose and/or mitigate impacts to Biological Resources, Land Use, Air Quality, Environmental Justice, and Soil and Water.

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<sup>1</sup> Intervenor's Statement of Issues is intended to assist the Commission in anticipating the issues on which the parties may submit briefing. Intervenor expressly request and reserve the right to address any issue or contention raised by the Commission or by any party, notwithstanding the following presentation of issues.

2. The Project's Compliance with the Warren Alquist Act and findings, in particular:

**A. LORS Consistency**

- i. Whether the Project conflicts with the California Coastal Act (CCA), the federal Endangered Species Act (ESA), and/or the California Fish and Game Code due to the Project's impacts to environmentally sensitive habitats and species, special status species, and habitat for special status species, and
  - i. whether the FSA adequately analyzes, mitigates, and/or avoids these impacts, and
  - ii. whether the Project's conflicts can be overridden pursuant to Public Resources Code Section 25525.
- ii. Whether the Project conflicts with the City of Oxnard's Coastal Land Use Plan and Local Coastal Policies, and
  - i. whether the FSA adequately analyzes, mitigates, and/or avoids these impacts, and
  - ii. whether the Project's conflicts can be overridden pursuant to Public Resources Code Section 25525.

**B. Findings for approval**

**C. Potential override findings**

Date: February 14, 2017

Respectfully submitted,

/s/ Matthew A. Smith

Matthew A. Smith

Alicia Roessler

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