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Docket Number:	15-AFC-01
Project Title:	Puente Power Project
TN #:	216785
Document Title:	City of Oxnard's April 3, 2017 Status Conference Statement and Response to NRG's Proposed Schedule
Description:	N/A
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Submitter Role:	Intervenor Representative
Submission Date:	4/3/2017 3:51:10 PM
Docketed Date:	4/3/2017

STATE OF CALIFORNIA
ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the matter of:

Application for Certification of the
PUENTE POWER PROJECT

DOCKET NO. 15-AFC-01

**CITY OF OXNARD'S APRIL 3, 2017
STATUS CONFERENCE STATEMENT
AND RESPONSE TO NRG'S PROPOSED
SCHEDULE**

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The City of Oxnard submits the following Status Conference Statement and Response to NRG's proposed revised schedule.

Proceeding Status:

The Commission's March 10, 2017 Order identified a number of different areas requiring additional evidence before a decision could be made on the proposed Puente Project. Pursuant to the March 10, 2017 Order, staff held a workshop on issues related to sea level rise modeling and flood risk at the project site. Following this workshop, staff is to prepare an analysis of coastal hazards at the site that takes into account dune erosion, beach erosion, and the change in beach angle and that identifies measures necessary to address coastal hazards. The March 10, 2017 Order also requires additional surveys of biological resources on the project site, an assessment of impacts to these resources, and additional analysis of alternatives to the Puente Project. On March 27, 2017, NRG submitted a proposed schedule for conducting additional surveys at the project site. The Parties have not yet had an opportunity to respond to this schedule and the protocols for conducting surveys.

NRG's Proposed Revised Schedule:

NRG's suggested schedule for the remainder of the proceedings does not provide adequate time to accommodate the additional work required by the Committee's March 10, 2017 Order. For example, no allowance is made for additional staff analysis of coastal hazards at the Project site or additional analysis of alternative projects at alternative sites. With respect to the surveys for sensitive species and habitats, NRG's schedule proposes the issuance of the final survey protocol just three (3) days after the deadline for comments on the protocol. This timeline does not pretend to allow sufficient time to review and respond to comments on NRG's survey protocol.

At a minimum, any proposed schedule should provide sufficient time to resolve issues regarding the survey protocol and whether the proposed timing of the surveys it is adequate to identify sensitive species on the project site. In addition, the schedule should provide an opportunity for the parties and the resource agencies to comment on the results of the biological surveys. Following completion of the surveys, staff should issue a preliminary supplemental staff analysis of all of the issues identified in the March 10, 2017 Order. The parties and the public should have the opportunity to review and comment the staff's preliminary supplemental assessment, and staff should prepare a final supplemental assessment that represents its testimony. Any schedule for additional evidentiary hearings following the release of staff's final supplemental assessment should ensure that the parties are given an adequate opportunity to present both opening and rebuttal testimony.

Finally, the City requests that the Committee rule on the motion to modify the briefing schedule on the Project's consistency with the City's land use policies and other state and local regulations. Given that the additional biological review is relevant to determining consistency with these policies, it makes no sense to brief this issue twice. Instead, all briefing should be conducted at the same time at the conclusion of the evidentiary hearings.

DATED: April 3, 2017

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