

## DOCKETED

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<b>Project Title:</b>	Puente Power Project
<b>TN #:</b>	220614
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# Memorandum

To: All Parties and Persons Interested in the  
Puente Power Project Proceedings (15-AFC-01)

Date: August 8, 2017

From: Paul Kramer, Hearing Officer  
Puente Power Project AFC Committee

Subject: Summary of Committee Identified Briefing Topics and Briefing Schedule

At the close of the July 27, 2017 Evidentiary Hearing for the proposed Puente Power Project (proposed project), the Committee orally identified topics that it desired the parties address in their post-hearing briefs. As a courtesy, a summary and schedule are below. Note that these topics are in addition to any other topics that the parties desire to brief.

## Land Use

1. Identify the City of Oxnard General Plan and other policies, development standards, zoning ordinance provisions, and any other development regulation(s) or standard(s) that the proposed project does not comply with, including references to the evidence and law supporting that conclusion.
2. Identify and apply the City of Oxnard policies and regulations applicable to the height of the proposed project, including any mechanisms such as a variance that could allow those height limits to be exceeded.

## Biological Resources

3. Address whether any Environmentally Sensitive Habitat Areas (ESHA) exist on or near the proposed project construction, Units 1 and 2 demolition or outfall removal areas. Explain the criteria for determining ESHA existence, the facts that support or refute their existence, and any constraints that the existence of ESHA creates upon the proposed project activities.
4. Address whether any wetlands exist on or near the proposed project construction, Units 1 and 2 demolition or outfall removal areas. Explain the criteria for determining wetlands existence, the facts that support or refute their existence, and any constraints that the existence of wetlands creates upon the proposed project activities.
5. Address any recommended changes to staff-proposed Conditions of Certification BIO-9<sup>1</sup> and BIO-10<sup>2</sup> with specific revised condition language.

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<sup>1</sup> Ex. 2006 (TN 215571), pp. 10 and 77 of the .pdf file. Note that some of the modifications marked on pp. 10-12 are *not* reflected on pp. 77-79.

<sup>2</sup> Ex. 2026 (TN 220168), p. 10.

## Socioeconomics

6. Address the legal requirements of federal and state environmental justice laws, and the application of those laws to this proceeding.

### *Briefing Schedule*

The transcripts of the July 26 and 27 hearings<sup>3</sup> were filed on August 7, 2017.

Opening briefs on all topics, except the California ISO study, must be filed by 5:00 p.m. on September 1, 2017.

Reply briefs on all topics raised in the opening briefs must be filed by 5:00 p.m. on September 19, 2017.

Briefs on issues relating to the California ISO study will be due on September 29, 2017.

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<sup>3</sup> TNs 220582 and 220581