

DOCKETED

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Project Title:	Mission Rock Energy Center
TN #:	212239
Document Title:	Law Enforcement Needs Assessment for Mission Rock
Description:	Law enforcement needs assessment addressed to Ventura County Sheriff Department for the Mission Rock project
Filer:	Lisa Worrall
Organization:	California Energy Commission
Submitter Role:	Commission Staff
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CALIFORNIA ENERGY COMMISSION

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SACRAMENTO, CA 95814-5512
www.energy.ca.gov



July 12, 2016

Sheriff Geoff Dean
Ventura County Sheriff Department
800 South Victoria Ave. #3330
Ventura, CA 93009

RE: Potential Law Enforcement Needs for the Mission Rock Energy Center (Mission Rock) (15-AFC-02)

Dear Sheriff Dean,

The Warren-Alquist Act (Public Resources Code § 25000 et. seq.) gives the California Energy Commission (Energy Commission) the exclusive jurisdiction over the permitting of thermal power plants with a net generating capacity of 50 megawatts (MW) or larger and appurtenant related facilities to serve it. As part of its jurisdiction, the Energy Commission must evaluate a project's conformance with applicable local, state, and federal laws, ordinances, regulations, and standards.

The Energy Commission is considering an application from Mission Rock Energy Center, LLC to construct, own, and operate the Mission Rock Energy Center (Mission Rock or project). The project would be located on a 9.79-acre parcel at 1025 Mission Rock Road in unincorporated Ventura County, approximately 2 miles southwest of the city of Santa Paula. The site is currently used as recreational vehicle and boat storage and is paved with asphalt concrete. Construction laydown and parking would be on a 2.89-acre site immediately north of the Mission Rock site.

If Mission Rock is approved and developed, project construction would occur over a 23-month period, from November 2018 through September 2020. Commercial operation of Mission Rock is expected by September 2020.

To assess impacts of the proposed project pertaining to law enforcement, Energy Commission staff requests information on existing law enforcement resources and services in the project area and the estimated need for additional services if the project is approved. Characteristics of the applicant's proposed project that are considered applicable to law enforcement are briefly summarized on the attached form.

From staff's review of the Application for Certification (AFC), staff understands the project site is within the jurisdiction of the Ventura County Sheriff's Department and the closest responding station would be headquarters, approximately seven miles from the project site. The California Highway Patrol (CHP) is the primary law enforcement agency for state highways and roads. Staff has the following question:

1. Does the Ventura County Sheriff's Department share jurisdiction with the California Highway Patrol (CHP) for portions of State Route 126 (SR-126) and SR-23 within Ventura County?

As local law enforcement officials have expressed concerns about construction site security and increased project-related traffic on proposed projects similar to Mission Rock, staff has included an example of the conditions of certification typically proposed on projects like Mission Rock. These conditions of certification require the preparation of a Construction Site Security Plan and an Operation Security Plan to ensure site security, and require the preparation of a traffic control plan to address the movement of workers, vehicles, and materials, including arrival and departure schedules. Please consider these typical conditions of certification as you review the proposed project and complete the enclosed needs assessment form.

The project applicant's entire AFC is available on the Energy Commission's website at: <http://www.energy.ca.gov/sitingcases/missionrock/index.html>. Section 5.10 Socioeconomics would be the most pertinent section to review, as well as Section 5.5 Hazardous Materials Handling and Section 5.12 Traffic and Transportation.

Please provide your responses to the question above and needs assessment form and include any comments you may have regarding law enforcement services for the proposed project by August 12, 2016. If helpful, I can send an electronic copy of the needs assessment form. Send your responses to my attention, and if you have any questions about this request, please contact me via email at lisa.worrall@energy.ca.gov or telephone at 916-654-4545. Thank you in advance for your time and assistance.

Sincerely,

|s|

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Enclosures:

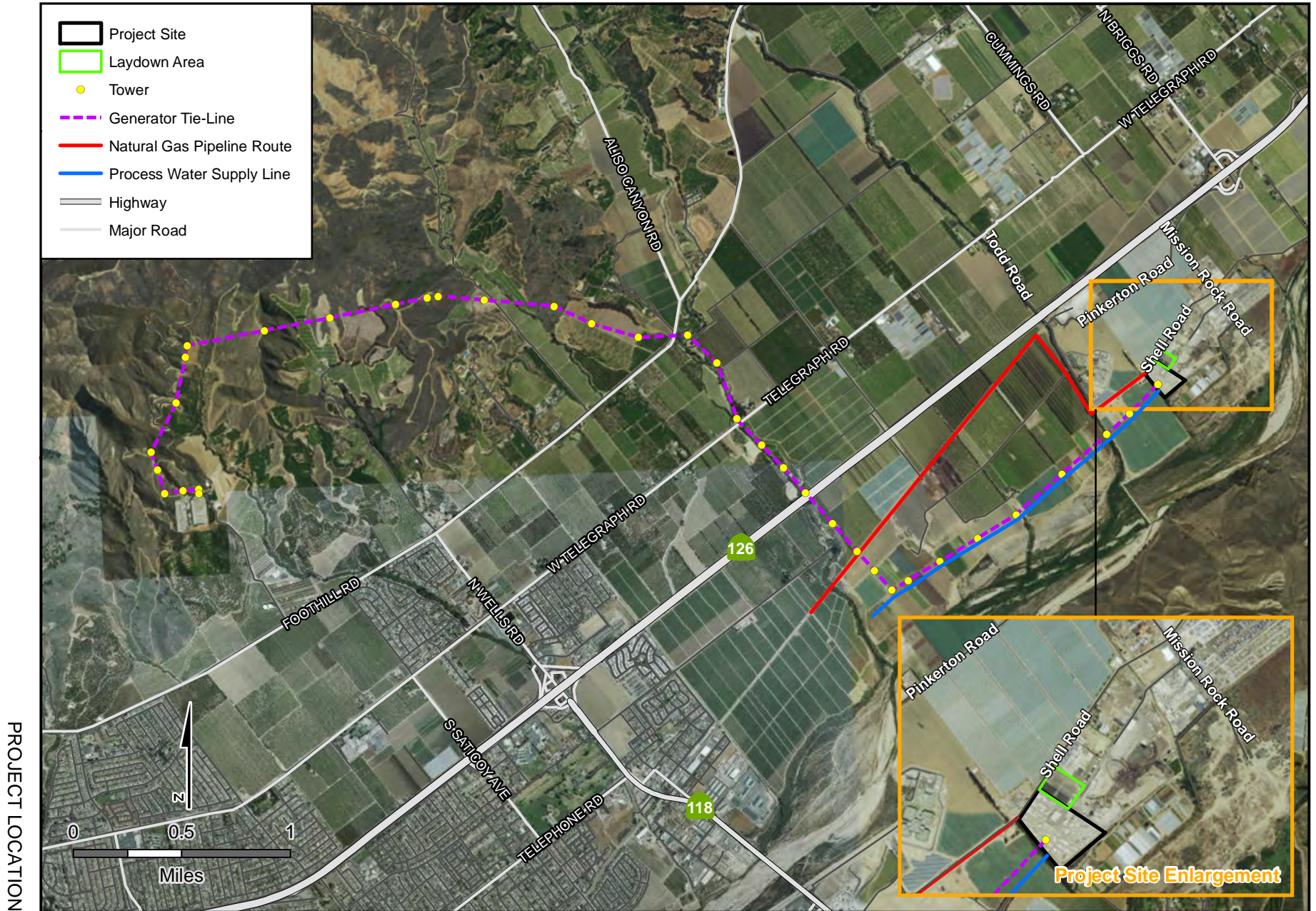
Local Law Enforcement Needs Assessment Form
Map showing the approximate location of the project site (from the AFC)
Typical Hazardous Materials Conditions of Certification
Typical Traffic and Transportation Condition of Certification

Law Enforcement Needs Assessment Form	
Project Characteristics, as Proposed by the Project Applicant	
Type, Location, Size, and Site Access:	Power generating facility proposed on a site currently used as recreational vehicle and boat storage in unincorporated Ventura County, approximately 2 miles southwest of the city of Santa Paula (1025 Mission Rock Road). Primary access to the site would be through the existing entrance off Mission Rock Road. Secondary emergency access would be from Shell Road. Construction of new natural gas pipeline, recycled water pipeline, and generator tie line would be necessary. The 2.4-mile-long new natural gas pipeline would be constructed along Todd Road and the Southern Pacific Railroad right-of-way to Southern California Edison's Lines 404/406 west-southwest of the Mission Rock site. Construction of the natural gas pipeline within existing streets (Shell Road) would not require complete public road closure, but may require periodic lane closures or may affect the available width of travel lanes. The proposed generator tie line and recycled water pipeline would not be constructed along public roads; any roadway impacts would be limited to road crossings.
Estimated Schedule:	If approved, construction would begin in November 2018 and conclude in September 2020 (23 months). See Table 5.10-8 on page 5.10-12 in the AFC, for a list of the project construction workforce and schedule.
Construction (Traffic and Workforce):	There would be an average construction workforce of 87 workers over the 23-month construction period. During peak construction in September 2019, the construction workforce would total about 146 workers. The project applicant estimates 16 percent of the construction workforce would carpool (1.5 passengers/car) for an estimated 123 trips per day. There would be an estimated 308 total delivery/haul truck trips per day with 15 trips estimated during a.m. and p.m. peak hours (30 total) combined with the 123 construction trips per day. The project site would require soil fill to raise the elevation of the site above the 100-year floodplain. It is not yet clear if the 308 delivery/haul trips include the trips for delivery of the soil. Staff has requested clarification from the applicant and is awaiting the response. Therefore, there may be additional truck trips associated with soil delivery. A soil borrow site located at 3500 Grimes Canyon Road was identified as a possible source for soil fill material. State Routes 23 and 126 would be used as the most likely route to the Mission Rock site. Construction laydown and parking would be accommodated on a 2.89-acre site immediately north of the Mission Rock site.
Operation (Staff and Traffic):	There would be 15 workers needed for the project.
Security:	A security plan would be prepared for the Mission Rock that would include a description of site fencing and security gate, evacuation procedures, a protocol for contacting law enforcement in the event of conduct endangering the facility, its employees, its contractors, or the public, a fire alarm monitoring system, measures to conduct site personnel background checks, including employee and routine onsite contractors, consistent with state and federal law regarding security and privacy, a site access protocol for vendors, and a protocol for hazardous materials vendors to prepare and implement security plans and to ensure that all hazardous materials drivers are in compliance with personnel background security check. The plan would also include a demonstration that the perimeter security measures will be adequate. An example of two typical site security Conditions of Certification that are applied to projects like the Mission Rock have been included for your consideration.
Existing Law Enforcement Resources and Services in the Project Area (attach additional paper if more room is needed to answer questions)	
Names and addresses of the facilities (e.g., police substations) serving the project area, and distance of closest dispatch facility to the project site:	
Adopted or desired service standard (e.g., one sworn officer per 1,000 population) applicable to the project site:	
Existing staffing levels for facilities serving the project area (including sworn officers and civilians, totals and per shift):	
Estimated response times to the project site: Priority calls:	

Law Enforcement Needs Assessment Form	
Non-Priority calls:	
Current needs (e.g., facilities and staff) to maintain or meet existing service levels:	
Additional needs beyond those identified above to maintain or meet existing service levels with the project:	
Exchange of general law enforcement responsibilities (e.g., formal and/or informal agreements with local municipalities for provision of services) in the project area:	
Current inventory of specialized equipment (e.g., helicopters or other aircraft):	
Estimated Need for Law Enforcement Services, Equipment, and Facilities (attach additional paper if more room is needed to answer questions)	
Is there a process or formula used by your department to determine the need for additional law enforcement services to serve a new large-scale power plant? Please explain.	
Could the project trigger a need for additional law enforcement services for on-site crimes against persons, theft of materials, and/or vandalism? Please explain. During project construction: During project operation:	
Could increased project-related traffic affect circulation and access on roads near the project site to the extent that an impact to emergency response times might occur? Please explain. During project construction: During project operation:	
Do law enforcement personnel review development site plans for projects to assess potential law enforcement issues (e.g., lighting and other safety factors)? Please explain.	
Are specific measures recommended to reduce the potential for crimes to occur at or near the project site (e.g., specific types of security fencing)? Please explain.	
Please explain any other law enforcement concerns that have not been addressed by this needs assessment form.	
Person Completing This Needs Assessment Form	
Name:	
Title/Position:	
Telephone No:	
E-mail Address:	

PROJECT LOCATION FIGURE

Mission Rock Energy Center - Project Location



PROJECT LOCATION

Typical Hazardous Materials Conditions of Certification

HAZ-7 Prior to commencing construction, a site-specific Construction Site Security Plan for the construction phase shall be prepared and made available to the Compliance Project Manager (CPM) for review and approval. The Construction Security Plan shall include the following:

1. perimeter security consisting of fencing enclosing the construction area;
2. security guards;
3. site access control consisting of a check-in procedure or tag system for construction personnel and visitors;
4. written standard procedures for employees, contractors and vendors when encountering suspicious objects or packages on site or off site;
5. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency; and,
6. evacuation procedures.

Verification: At least thirty (30) days prior to commencing construction, the project owner shall notify the CPM that a site-specific Construction Security Plan is available for review and approval.

HAZ-8 The project owner shall also prepare a site-specific security plan for the commissioning and operational phases that will be available to the CPM for review and approval. The project owner shall implement site security measures that address physical site security and hazardous materials storage. The level of security to be implemented shall not be less than that described below (as per NERC 2002).

The Operation Security Plan shall include the following:

1. permanent full perimeter fence or wall, at least eight feet high and topped with barbed wire or the equivalent (and with slats or other methods to restrict visibility if a fence is selected);
2. main entrance security gate, either hand operated or motorized;
3. evacuation procedures;
4. protocol for contacting law enforcement and the CPM in the event of suspicious activity or emergency;
5. written standard procedures for employees, contractors, and vendors when encountering suspicious objects or packages on site or off site;
 - A. a statement (refer to sample, **Attachment A**), signed by the project owner certifying that background investigations have been conducted on all project personnel. Background investigations shall be restricted to determine the accuracy of employee identity and employment history and shall be conducted in accordance with state and federal laws regarding security and privacy;
 - B. a statement(s) (refer to sample, **Attachment B**), signed by the contractor or authorized representative(s) for any permanent contractors or other technical

contractors (as determined by the CPM after consultation with the project owner), that are present at any time on the site to repair, maintain, investigate, or conduct any other technical duties involving critical components (as determined by the CPM after consultation with the project owner) certifying that background investigations have been conducted on contractors who visit the project site;

6. site access controls for employees, contractors, vendors, and visitors;

7. a statement(s) (refer to sample, **Attachment C**), signed by the owners or authorized representative of hazardous materials transport vendors, certifying that they have prepared and implemented security plans in compliance with 49 CFR 172.880, and that they have conducted employee background investigations in accordance with 49 CFR Part 1572, subparts A and B;

8. closed circuit TV (CCTV) monitoring system, recordable, and viewable in the power plant control room and security station (if separate from the control room) with cameras able to pan, tilt, and zoom, have low-light capability, and are able to view 100% of the perimeter fence, the ammonia storage tank, the outside entrance to the control room, and the front gate; and,

9. additional measures to ensure adequate perimeter security consisting of either:

- A. security guard(s) present 24 hours per day, 7 days per week; **or**
- B. power plant personnel on site 24 hours per day, 7 days per week, and perimeter breach detectors **or** on-site motion detectors.

The project owner shall fully implement the security plans and obtain CPM approval of any substantive modifications to those security plans. The CPM may authorize modifications to these measures, or may require additional measures such as protective barriers for critical power plant components—transformers, gas lines, and compressors—depending upon circumstances unique to the facility or in response to industry-related standards, security concerns, or additional guidance provided by the U.S. Department of Homeland Security, the U.S. Department of Energy, or the North American Electrical Reliability Council, after consultation with both appropriate law enforcement agencies and the applicant.

Verification: At least thirty (30) days prior to the initial receipt of hazardous materials on site, the project owner shall notify the CPM that a site-specific operations site security plan is available for review and approval. In the annual compliance report, the project owner shall include a statement that all current project employee and appropriate contractor background investigations have been performed, and that updated certification statements have been appended to the operations security plan. In the annual compliance report, the project owner shall include a statement that the operations security plan includes all current hazardous materials transport vendor certifications for security plans and employee background investigations.

Typical Traffic and Transportation Condition of Certification for Traffic Control Plan (From Huntington Beach Energy Project 12-AFC-02)

TRANS-3 Traffic Control Plan, Heavy Hauling Plan, and Parking/Staging Plan

The project owner shall prepare and implement a Traffic Control Plan (TCP) for the HBEP's construction and operations traffic. The TCP shall address the movement of workers, vehicles, and materials, including arrival and departure schedules and designated workforce and delivery routes. The project owner shall consult with Caltrans, the city of Huntington Beach and other applicable local jurisdictions in the preparation and implementation of the Traffic Control Plan (TCP). The project owner shall submit the proposed TCP to Caltrans and applicable local jurisdictions in sufficient time for review and comment, and to the Energy Commission Compliance Project Manager (CPM) for review and approval prior to the proposed start of construction and implementation of the plan. The Traffic Control Plan (TCP) shall include:

- Provisions for redirection of construction traffic with a flag person as necessary to ensure traffic safety and minimize interruptions to non-construction related traffic flow,
- Placement of necessary signage, lighting, and traffic control devices at the project construction site and lay-down areas;
- A heavy-haul plan addressing the transport and delivery of heavy and oversized loads requiring permits from the California Department of Transportation (Caltrans), other state or federal agencies, and/or the affected local jurisdictions including Los Angeles county, Orange county, city of Long Beach, city of Seal Beach, and city of Huntington Beach;
- Location and details of construction along affected roadways at night, where permitted;
- Temporary closure of travel lanes or disruptions to street segments and intersections during construction activities;
- Traffic diversion plans (in coordination with the city of Huntington Beach and Orange County) to ensure access during temporary lane/road closures;
- Access to residential and/or commercial property located near construction work and truck traffic routes;
- Insurance of access for emergency vehicles to the project site;
- Advance notification to residents, businesses, emergency providers, and hospitals that would be affected when roads may be partially or completely closed;
- Identification of safety procedures for exiting and entering the site access gate;
- Parking/Staging Plan for all phases of project construction and operation to require all project-related parking to be on-site or in designated off-site parking areas.

Verification: At least 60 calendar days prior to the start of construction, the project owner shall submit the TCP to the applicable agencies for review and comment and to the CPM for review and approval. The project owner shall also provide the CPM with a copy of the transmittal letter to the agencies requesting review and comment.

At least 30 calendar days prior to the start of construction, the project owner shall provide copies of any comment letters received from the agencies, along with any changes to the proposed development plan, to the CPM for review and approval.