

DOCKETED

Docket Number:	07-AFC-06C
Project Title:	Carlsbad Energy Center - Compliance
TN #:	203220
Document Title:	Response from City of Carlsbad RE: Land Use
Description:	Response from city staff in reference to potential override of 35 foot height limitation required by Aqua Hedionda Land Use Plan
Filer:	Michael Baron
Organization:	City of Carlsbad
Submitter Role:	Public Agency
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October 16, 2014

Michael Baron
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Dear Mr. Baron:

You recently asked about the city's position on the NRG's proposal in the CECP Amendment for the exhaust stacks extending above the 35-foot maximum height limitation allowed under the Agua Hedionda Land Use Plan (AHLUP). You specifically wanted to know if we can provide any additional information beyond what was included in the land use table (attached) that we provided at our inter-agency meeting on August 7, 2014. Page 6 of that table noted the City has maintained the 35-foot height limitation in the AHLUP and plans on taking no further action to modify the limitation. It also noted that the Energy Commission overrode the height limitation in the original CECP proceeding.

Based on the information provided by NRG in their Petition to Amend, we understand that the stacks of the amended CECP will also exceed the height limitation and will not be able to comply with the AHLUP. They will, however, be significantly lower than the stack heights of the original CECP. As mentioned during our interagency meeting, our expectation is that the Commission will once again override the height limitation. As opposed to the original proceeding, the City believes a CEC override of the height limitation for the Amended CECP is justified based on actual "extraordinary public benefits" that will result from the amendment including demolition and removal of the Encina Power Station by a date certain; allowing the state to meet its policy goals regarding once-through power plant cooling; a reduction in visual blight and other environmental impacts at the site; and a clearly documented need for additional power in the San Diego region resulting from the premature closure of the San Onofre Nuclear Generating Station .

I hope this responds to your request. If you have additional questions, please feel free to contact me at 760-602-4626 or Barbara.Kennedy@carlsbadca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Kennedy".

Barbara Kennedy, AICP
Associate Planner

c: Gary Barberio, Assistant City Manager

Attachment: City of Carlsbad – Land Use Provisions Related to the Amended CECP, dated 8/2/2014

Community & Economic Development
Planning Division

1635 Faraday Avenue | Carlsbad, CA 92008 | 760-602-4600 | 760-602-8560 fax