

## DOCKETED

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# Memorandum

Date: January 30, 2015  
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To: Commissioner Karen Douglas, Presiding Member  
Commissioner Andrew McAllister, Associate Member  
Paul Kramer, Chief Hearing Officer

From: California Energy Commission – Jon R. Hilliard, Project Manager  
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Subject: **CARLSBAD ENERGY CENTER PROJECT AMENDMENTS (07-AFC-6C)  
STATUS REPORT #5**

Pursuant to the Revised Committee Scheduling Order dated October 30, 2014, staff issues this Status Report #5 for the proposed Carlsbad Energy Center Project (CECP) Amendment, 07-AFC-6C. Since publication of Status Report #4 on January 2, 2015, and the Status Conference held on January 7, 2015, the following project events have transpired:

## Public Workshops

Staff conducted two project workshops on the CECP in Carlsbad on January 12<sup>th</sup> and 13<sup>th</sup>, 2015. Energy Commission staff, the petitioner, intervenors Terramar and Power of Vision, representatives from the city of Carlsbad, the San Diego Air Pollution Control District, and approximately 12 members of the general public attended (either in person or via WebEx). Areas of discussion included:

- Noise from construction activities and ongoing operation,
- Air quality and greenhouse gas emissions,
- Visual impacts of new transmission facilities and potential changes to the berm on the east project boundary,
- Project alternatives and the use of conventional fossil fuels to generate power intended, at least in part, to compensate for lost grid capacity due to the closure of the San Onofre Nuclear Generating Station (SONGS). Intervenors Terramar Association and Power of Vision also questioned why a smaller capacity 400-megawatt (MW) facility on the same (30 acre) footprint was not considered,
- Land use consistency with California Coastal Act and the city's Agua Hedionda Plan,
- Socioeconomics (inclusion of the nearby "Caruso Property" in the cumulative development assumptions),

- Water supply and the availability of potable and recycled water supplies to the project, and
- Traffic impacts and potential turn hazards on Cannon Avenue from trucks travelling to and from the site.

Most of the issues discussed at the workshops were included in the written comments on the PSA submitted by the petitioner, city, intervenors and agencies.

### **Comments on the Preliminary Staff Assessment**

Staff published a Notice of Availability for the PSA on December 17, 2014, with a deadline to file written comments by January 21, 2015. On January 15, the Committee issued an order partially extending this deadline to February 2, 2015, but only for comments on air quality and public health (Committee's Order Following the Preliminary Staff Assessment, TN203527). Written comments on the PSA were received from the petitioner, the city of Carlsbad, the San Diego Department of Environmental Management, intervenor Terramar Association, and intervenor Power of Vision. Staff is in the process of reviewing and responding to the PSA comments, both written and verbal, which will be addressed in the technical sections of the Final Staff Assessment (FSA).

### **Final Staff Assessment**

Staff continues work on completing the FSA, which is scheduled for publication by February 17, 2015, per the Committee's Revised Scheduling Order. On behalf of staff, Applied Earthworks conducted subsurface archaeological testing at the CECP in the vicinity of two cultural resources sites in areas where the petitioner proposes ground-disturbing activities. The site testing began on January 19<sup>th</sup> and concluded on January 23<sup>rd</sup>. Staff appreciates the petitioner's cooperation in granting access to the site for the field work and providing a backhoe and operator for the effort. Staff now has the information needed to complete the Cultural Resources section of the FSA. Publication of the Air Quality and Public Health sections has the potential to be affected by timing of the release of the Final Determination of Compliance (FDOC) by the San Diego County Air Pollution Control District (APCD). The APCD extended the deadline for comments on the Preliminary Determination of Compliance (PDOC) to February 2, 2015, which, depending on the extent of comments received, could impact preparation of the FDOC. Staff will apprise the Committee of any developments in this regard at the February 4<sup>th</sup>, 2015 status conference, if new information is available.

### **Issues of Likely Concern to the Parties**

In the January 23, 2015, Memorandum to the Parties (TN203560), the Committee directed the parties to identify and summarize issues of likely concern and the hearing time needed. At this time, the Final Staff Assessment has not been published; therefore, staff is basing this assessment of issues that remain in dispute on the discussion at the workshops. The parties were concerned about Air Quality, Greenhouse Gas Emissions, Alternatives, Noise, Soil and Water

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Resources, Visual Resources, and Traffic and Transportation. Staff would anticipate no more than two days of hearing time for all issues.

cc: Docket (07-AFC-6C)  
Proof of Service List