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Docketed Date:	8/14/2017



Amended Carlsbad Energy Center
Project
(07-AFC-06C)
Below Grade Conduit Installation
Petition to Amend

August 2017

Submitted by: Carlsbad Energy Center LLC

Date Submitted: 8-11-2017

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References:

Carlsbad Energy Center LLC, Application for Certification, September 2007

Carlsbad Energy Center LLC, Petition to Amend, May 2014

California Energy Commission, Final Staff Assessment, February 2015

California Energy Commission, Final Decision, August 2015

Letter Report, Dudek Engineering, Inc., Subject: Negative Cultural and Paleontological Resource Monitoring Letter Report for the Carlsbad Sea Water Desalination Plant Project, Carlsbad, California, May 27, 2014

Letter Report, Applied EarthWorks, Inc., RE: Summary of Archaeological Subsurface Investigations and Evaluations for the Carlsbad Energy Center Project, Carlsbad, San Diego County, California

Letter Report, Rincon Consultants, Subject: Soil Assessment and Remediation - Phase 4 Area Encina Power Station, Carlsbad, California, Cabrillo Power I LLC. Dated July 30, 2014

Rincon Consultants, Inc., Remediation Closure Report Encina Power Station, Dated April 21, 2016

Letter, San Diego Department of Environmental Health, Voluntary Assistance Program Case #H13941-004, Cabrillo Power, 4600 Carlsbad Boulevard, Carlsbad, CA 92008", No Further Action Approval, Groundwater Monitoring Cessation Request, Dated January 5, 2016

Letter, San Diego Department of Environmental Health, Voluntary Assistance Program Case #H13941-004, Cabrillo Power, 4600 Carlsbad Boulevard, Carlsbad, CA 92008", No Further Action Approval, Remediation Closure Report, Dated August 16, 2016

The Source Group, Inc., Phase I Site ESA Report, Encina Power Station, Dated October 20, 2015

E-mail communication with AT&T concerning scheduling work, Dated July 27, 2017

I. Overview of the Petition

Carlsbad Energy Center LLC ("Project Owner") submits this petition to amend defining the below grade conduit run necessary to complete fiber optic and low voltage copper communication line installations for the Amended Carlsbad Energy Center Project (ACECP) control room. The purpose and necessity of the conduit for communications services have been discussed in the 2007 Application for Certification (AFC) and 2014 Petition to Amend (PTA) Carlsbad Energy Center Project. The provider of these communication services - Cabrillo Power I LLC ("Cabrillo") who is the landlord for ACECP - has also been referenced in the AFC and PTA. A specific conduit run was not defined in the AFC or PTA, but that Cabrillo would provide these communication services to the Project Owner for the ACECP.

During detailed design, which has included a review of the planned demolition of the Encina Power Station ("EPS") and existing administration building and the design of the new administration building/control room for the ACECP, the Project Owner has identified the specific conduit alignment for the ACECP. The Project Owner intends to utilize existing segments that serve Cabrillo's assets and its tenant Poseidon. During detailed design, the Project Owner identified a need to bridge between two existing conduit segments - one that currently serves Poseidon from Carlsbad Boulevard and one that has served the former tank farm area (i.e., future ACECP construction site) from EPS' existing administration building and power block area (Figure 1). The Project Owner recognizes that a portion of an existing segment from EPS' administration building and power block area will be removed during EPS demolition phase of the ACECP and also some of that existing segment from the EPS administration building area had been disturbed and removed during the Poseidon Desalination Plant construction (circa 2014-2015) (See Figure 7). Therefore, the Project Owner is proposing to trench 520 feet between two existing conduit junction boxes and install conduit on behalf of Cabrillo entirely within the EPS property boundary to bridge between two existing conduit For this work, the Project Owner intends to follow the ACECP Conditions of Certification, including abiding by applicable compliance plans.

This filing includes the following subsections associated with the communication line installation work: Project Clarification and Definition; Alternative Route Evaluation; Necessity of Proposed Changes/Clarification; Project Background; Project Modification/Clarification; Schedule; Analysis of Modification/Clarification with respect to Cultural Resources, Soil & Water Resources, and Waste Management; Consistency of Work with Certification; Potential Offsite Impacts; and Conclusions.

a. Information Requirements for Post-certification Amendment

This Petition contains the information required under the CEC's Siting Regulations for post-certification project modifications (California Code of Regulations [CCR] Title 20, Section 1769). This Petition, as summarized in Table 1 below, contains the information necessary for staff to determine that the installation of the below grade conduit onsite will not (a) significantly affect the environment, (b) cause a change or deletion of a Condition of Certification (COC), or (c) cause the project not to comply with applicable laws, ordinances, regulations, and standards (LORS).

TABLE 1 Informational Requirements for Post-Certification Modifications

Section 1769 Requirement	Section of Petition Fulfilling Requirement
(A) A complete description of the proposed	I. Overview of the Petition
modifications/clarifications, including new language for any conditions that will be affected	IV. Analysis of Project Modification/Clarification Environmental Analysis Summary - Table 2
	VI. Conclusions
(B) A discussion of the necessity for the proposed modifications/clarifications	III. Necessity of Proposed Changes/Clarification
(C) If the modification/clarification is based on information that was known by the petitioner during the certification proceeding, an explanation why the issue was not raised at that time	III. Necessity of Proposed Changes/Clarification
(D) If the modification/clarification is based on new information that changes or undermines the assumptions, rationale, findings, or other bases of the final decision, an explanation of why the change should be permitted	Not Applicable – Final Decision would not change
(E) An analysis of the impacts the modification/clarification may have on the environment and proposed measures to mitigate any significant adverse impacts	IV. Analysis of Project Modifications/Clarification and Environmental Analysis Summary - Table 2
	IV. a. Cultural Resources, b. Soil & Water Resources, and c. Waste Management
(F) A discussion of the impact of the modification/clarification on the facility's ability to comply with applicable laws, ordinances, regulations, and standards;	IV. b. Consistency of Work with Certification
(G) A discussion of how the modification/clarification affects the public	V. Potential Offsite Impacts

TABLE 1 Informational Requirements for Post-Certification Modifications

Section 1769 Requirement	Section of Petition Fulfilling Requirement
(H) A list of property owners potentially affected by the modification/clarification	V. Potential Offsite Impacts
(I) A discussion of the potential effect on nearby property owners, the public and the parties in the application proceedings.	V. Potential Offsite Impacts

II. Project Description

The Project Owner requires a communication line to be established and operational by November 2017 in order to start the commissioning of equipment in the control room and communication with the California Independent System Operator (CAISO) and San Diego Gas & Electric (SDG&E) for future ACECP plant operations (i.e., equipment monitoring and testing, RIG and RTU installation). The new conduit segment and the existing conduit segment leading to the eastern ACECP parcel will be owned and maintained by Cabrillo. The Project Owner leases the ACECP site from Cabrillo. Under the landlord-tenant agreement, Cabrillo is to provide certain utilities including communication lines.

The entire communication line installation will be approximately 2,100 feet in length within the EPS property boundary. The administration building will house the control room and will handle all communication of plant operations to SDG&E and CAISO for the ACECP. Routine communication for phone, emergency response, facsimile, and internet communication will also be handled through this connection. CAISO requires that power plant communication be provided specifically by AT&T in the San Diego service area. These communication services need to be established as early in the construction phase as possible to verify service and its reliability and complete the associated programming with the third parties.

Communications for the EPS, SDG&E switchyard, and Poseidon Desalination Plant are currently provided by AT&T from two locations on Carlsbad Blvd (see Figure 1). All of these communications come from Carlsbad Blvd into the western portion of the EPS.

a. Alternate Route Evaluation

AT&T also provides an overhead communication line exclusively to SDG&E to its substation and switch yard on the overhead 230 kV power lines that come from the eastern portion of Carlsbad. The AT&T overhead communication line will be exclusive to SDG&E, and SDG&E will not allow any new communication lines to be installed on the 230 kV poles. Alternate routing from Cannon Boulevard would require crossing private and potentially public right of way distribution.

III. Necessity of Proposed Changes/Clarification

The Siting Regulations require a discussion of the necessity for any revision to a CEC certification and of whether the modification/clarification is based on information that was known by the petitioner during the certification proceeding (Title 20, CCR, Sections 1769 [a][1][B] and [C]). The Project Owner does not believe a revision to the CEC certification is necessary, and we are therefore not seeking a revision.

a. Project Background

At the time of the ACECP licensing and the prior CECP licensing, the communication line was anticipated to be provided by Cabrillo via an existing alignment and associated segments. The ACECP PTA had outlined the need to relocate the administration building (Carlsbad Energy Center PTA, Section 2.1.14.1, May 2, 2014), control room and associated utilities due to the demolition of the EPS, and to correspondingly design and build the specific facilities for the ACECP on the project site, east of the railroad tracks. It was anticipated that existing segments As this is identified as low voltage could be maintained and/or utilized. communication copper and fiber optic lines, specific routing within the EPS property boundary was left for the detailed design phase of the work. This proposed clarification/definition of the below grade conduit alignment is therefore the outcome of the final detailed design phase of work and the now understanding of the current status of existing segments due to site activities/modifications associated with the Poseidon Desalination Plant since the ACECP Decision and the future modifications with EPS demolition/relocation activities. The missing portion of conduit (mid-EPS to Poseidon facility) and the demolition of all above grade portions of the EPS necessitate installation of a conduit run that bridges two existing conduit junction boxes at EPS (Figure 1).

b. Project Detailed Design

A 520-foot section of new below grade conduit will be needed to complete the communication routing from the AT&T connection point (north connection point) to the new administration building/control room. The new conduit section will require excavation of a 1-foot wide by 2.5-foot deep trench for approximately 520 feet between existing utility vaults. The new section of conduit will be installed from an existing vault in the EPS parking lot, through approximately 140 feet of paved parking lot (disturbed soil/fill), and then through approximately 380 feet of engineered fill to another existing vault that connects the western and eastern portions of the EPS via the existing utility tunnel under the North County Transit District (NCTD) railroad corridor (see Figure 1).

c. Project Schedule

The installation of the below grade conduit will require three weeks to complete in total. Trenching for the below grade conduit section will require one week to complete followed by the installation of conduit (one week), and backfill of the trench (one week). Installation of the fiber optic and copper communication lines from Carlsbad Blvd to the east side of the railroad, by AT&T, will require eight weeks.

IV. Analysis of Project Amendment

TABLE 2
Environmental Analysis Summary

Resource Area	Analysis
Air Quality	ACECP construction contractor will only utilize Tier 4 equipment to excavate and backfill the below grade trench. Operation of the conduit section requires no operating equipment. All chemicals used are County of San Diego Air Pollution Control District compliant. Operations and maintenance related and/or installation of the communication line does not trigger air permit thresholds for permitting. Implementation of the Final Decision AQ COC's mitigates any and all potential issues. No Impact.
Biological Resources	Work is not within a habitat area and does not impact local flora or fauna. No Impact
Cultural Resources	See Discussion in the following section. No Impact.
Geology and Paleontology	Ground disturbance is in either engineered fill or disturbed soil. Implementation of the Final Decision PAL COC's mitigates any and all potential issues. No Impact.
Hazardous Materials	No hazardous materials in significant quantities will be required for the installation or operation of the communication line. No Impact.
Land Use	No change to land use will be required for the installation or operation of the communication line. No Impact
Noise and Vibration	Installation of the below grade conduit will require limited equipment to install. Equipment will include a backhoe, service

TABLE 2 Environmental Analysis Summary

Resource Area	Analysis
	trucks and mobile compactor. Work will be performed during normal CEC approved work hours of 7:00 AM to 6:00 PM Monday through Friday and 8:00 AM to 6:00 PM on Saturdays. No work will be performed on Sundays or Holidays. Implementation of the Final Decision NOISE COC's mitigates any and all potential issues. No Impact.
Public Health	The installation of the communication line will have no change to the estimated air emissions from either installation or operation. Implementation of the Final Decision AQ COC's mitigates any and all potential issues. No Impact.
Socioeconomic Resources	The short duration of the installation and low cost of operation of the line will have no impact to socioeconomics of the local area. No Impact.
Soil and Water Resources	See Discussion in the following section. No Impact.
Traffic and Transportation	No offsite work or heavy haul equipment needed. No Impact.
Visual Resources	The installation and operation of the communication line will not be visible from offsite key observation point (KOPs). No Impact.
Waste Management	See Discussion in the following section. No Impact.
Worker Safety and Fire Projection	The installation and operation of the communication line will not require any special permitting for installation or operation. The communication lines are considered low voltage and are considered intrinsically safe and will not present any potential fire hazards. Excavation work will

TABLE 2
Environmental Analysis Summary

Resource Area	Analysis
	require notification to Dig Alert, although Dig
	Alert will not provide clearance of excavation
	work on private property. No Impact.

a. Cultural Resources

EPS site has been heavily disturbed during construction of the EPS and the recent construction of the Poseidon Desalination Plant. Analysis by CEC Cultural Staff, ACECP Cultural Resource Specialist, Applied Earthworks Cultural analysis, and cultural resource monitoring by Rincon Consultants for Poseidon indicate that there would be no impacts from the ACECP for work conducted within the upper few feet of the sit due to the developed nature of the setting. The proposed conduit section is marked on the aerial photos and USGS maps that demonstrate that the area was submerged land in 1939 (also implying a land surface elevation of sea level). Development of the proposed conduit site in the 1950's and redevelopment in the 1980's has also substantially re-graded the land (Attachment C Aerial Photos and USGS Maps Series). The most recent redevelopment onsite was conducted by Poseidon for the desalination plant. The Poseidon development installed intake and outfall pipes in the access ramp that connects the Poseidon facility to the lower EPS plant elevation. The majority of the proposed conduit installation would run above and parallel to the Poseidon pipelines in the access ramp (Attachment D 2014 Poseidon Construction Photos). A portion of the conduit would run from the access ramp to the north to the EPS parking lot area. The EPS parking lot has been redeveloped over time. Comparison of the 1939, 1974, 1980, and finally the 1990 aerial photos demonstrate the land surface changes.

b. Soil & Water Resources

The location of the planned conduit trench would be within engineered fill placed within the past 4 years by the Poseidon Project, or within fill placed as part of the EPS development (Appendix C) or redevelopment. A review of previous Phase I (SGI Inc. and ERM West Inc.) and investigative and assessment reports prepared by Rincon Consultants for Poseidon indicate that the planned work area does not pose a risk to workers for encountering known Recognized Environmental Conditions (ERC's). The San Diego Department of Environmental Health (DEH) approved closure of soil assessment and remediation and ending groundwater monitoring associated with the Poseidon development (DEH January 5, 2016, August 16, 2016).

During trenching, the Project Owner will comply with the Construction Storm Water Pollution Prevention Plan prepared in accordance with SOIL&WATER-1.

c. Waste Management

Asphalt and soil excavated will be reused as backfill to the extent possible. Any asphalt disposed of offsite will be recycled in accordance with the Construction

Waste Management Plan (COC WASTE-5). The soil will be inspected and monitored per the CEC approved Soil Management Plan (SMP) per WASTE-11. Any impacted soil encountered during excavation would be managed according to the SMP. Implementation of the Final Decision WASTE COC's will mitigate any potential impacts.

V. Consistency of Work with Certification

The CEC Siting Regulations require a discussion of the consistency of a proposed project revision with the LORS and whether the modifications/clarifications are based on new information that changes or undermines the assumptions, rationale, findings, or other basis for the final decision (Title 20, CCR Section 1769 [a][1][D]). If any such modification would cause a project to be inconsistent with the certification, the Petition must provide an explanation of why the modification should be permitted.

This filing is consistent with the purpose of ACECP as licensed and amended and is consistent with the applicable LORS and COCs as described in the Final Decision. This Petition is not based on new information that changes or undermines any basis of Final Decision. The findings and conclusions contained in the Final Decision are applicable to the project with the replacement of the fiber-optic line.

Installation and operation of the communications line would be able to comply with all applicable LORS. The communications lines are considered low voltage (intrinsically safe) and are not evaluated or inspected by the Delegate Chief Building Official (according to West Coast Code Consultants). Conduit and conduit routing within private property sites are not considered structural, are not permitted by local jurisdictions, and are not evaluated or approved by the Delegate Chief Building Official. The conduit run will only require a shallow trench (<3 feet in depth) and will not require engineered shoring.

VI. Potential Offsite Impacts

There would be no impact on the public by the installation or operation of the communication line. There will be no impact to the surrounding property owners by the installation or operation of the communication line.

VII.Conclusions

Based on the information contained in this filing, the Project Owner concludes that there will be no significant environmental impacts associated with installing the below grade conduit. The work entails shallow excavation through heavily disturbed fill. The necessity of this work and overall scope of work and potential associated impacts/mitigations were addressed in the AFC and PTA for the ACECP. The project will not result in any changes to Conditions of Certification in the Final Decision. Implementation of the existing COCs during the work activity will ensure that the excavation and construction work will not result in significant impacts.

ATTACHMENT A

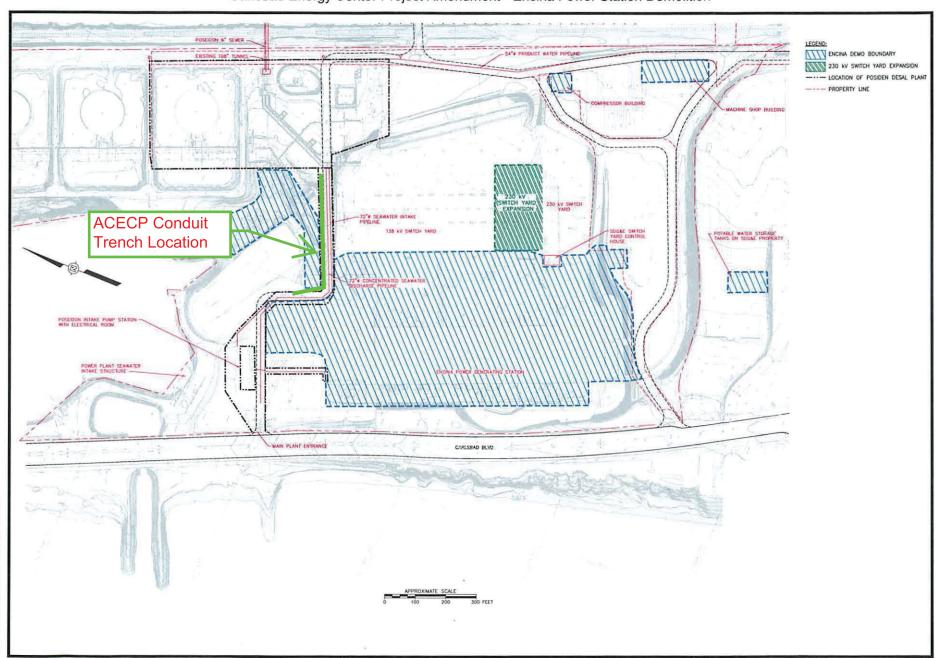
Figure 1
Carlsbad Energy Center Project Communication Line Route



ATTACHMENT B

Figure 7
Project Description Carlsbad Energy Center Project Amendment,
Final Staff Assessment, February 2015

PROJECT DESCRIPTION - FIGURE 7 Carlsbad Energy Center Project Amendment - Encina Power Station Demolition



ATTACHMENT C Aerial Photos and USGS Maps Series

Date EDR Searched Historical Sources:

Aerial Photography August 29, 2014

Target Property:

4600 Carlsbad Boulevard Carlsbad, CA 92008

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
1939	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1939	Fairchild
1953	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1953	Park
1963	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1963 Best Copy Available from original source	Cartwright
1974	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1974 Best Copy Available from original source	AMI
1980	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1980	USGS
1990	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1990	AMI
1994	Aerial Photograph. Scale: 1"=1000'	Flight Year: 1994	USGS
2002	Aerial Photograph. Scale: 1"=1000'	Flight Year: 2002	USGS

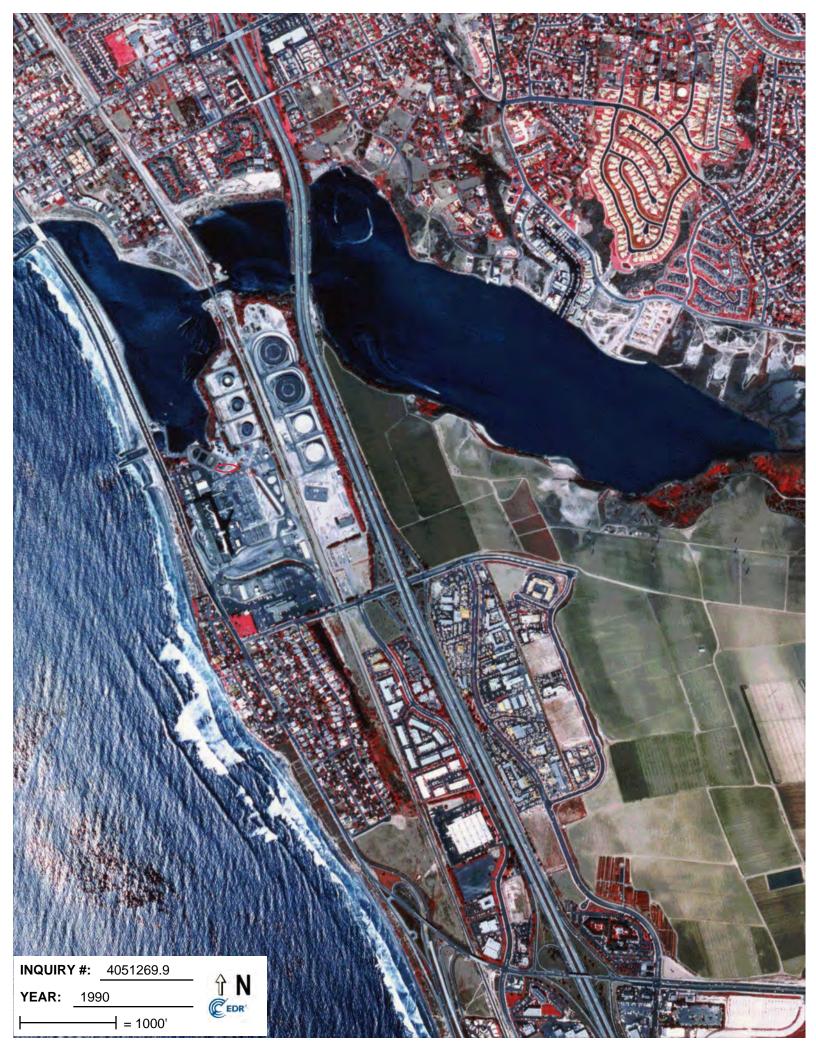
















APPENDIX F EDR HISTORIC TOPOGRAPHIC MAP REPORT

Encina Power Station

4600 Carlsbad Boulevard Carlsbad, CA 92008

Inquiry Number: 4051269.4

August 29, 2014

EDR Historical Topographic Map Report



EDR Historical Topographic Map Report

Environmental Data Resources, Inc.s (EDR) Historical Topographic Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDRs Historical Topographic Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the early 1900s.

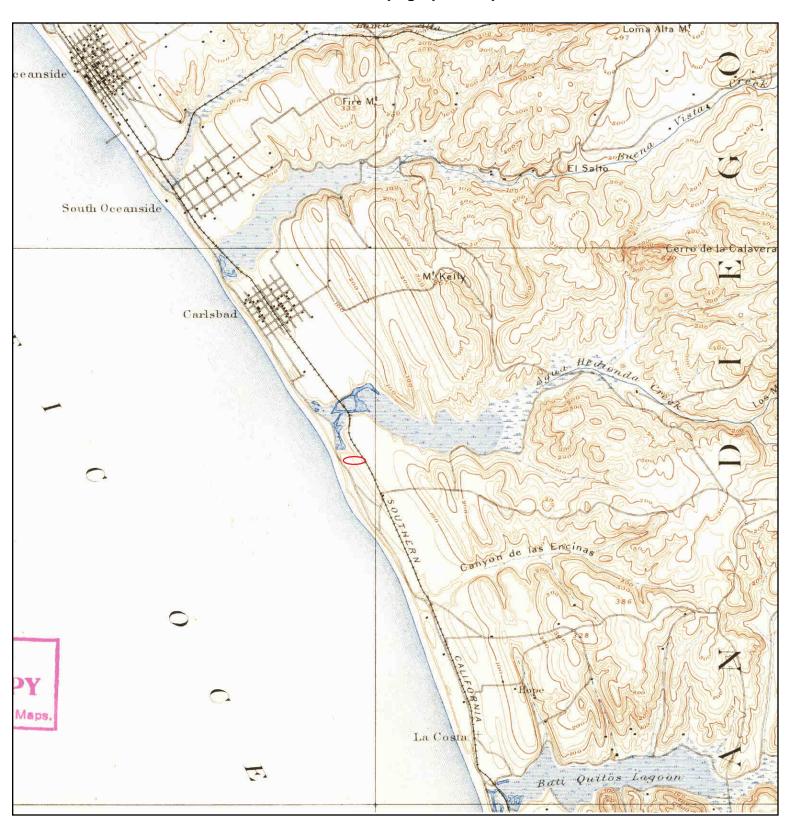
Thank you for your business.Please contact EDR at 1-800-352-0050 with any questions or comments.

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TARGET QUAD

NAME: OCEANSIDE

MAP YEAR: 1893

SERIES: 15 SCALE: 1:62500 SITE NAME: Encina Power Station

ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008

LAT/LONG: 33.1412 / -117.3298

CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel





TARGET QUAD

NAME: SAN LUIS REY

MAP YEAR: 1901

SERIES: 30

SCALE: 1:125000

SITE NAME: Encina Power Station

ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008

LAT/LONG: 33.1412 / -117.3298

CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel





TARGET QUAD

NAME: OCEANSIDE

MAP YEAR: 1901

SERIES: 15 SCALE: 1:62500 SITE NAME: Encina Power Station
ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008

LAT/LONG: 33.1412 / -117.3298

CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel



Unsurveyed Area on the Topographic Map

TARGET QUAD

NAME: SOUTHERN CA SHEET 2

MAP YEAR: 1904

SERIES: 60

SCALE: 1:250000

SITE NAME: Encina Power Station

ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008

LAT/LONG: 33.1412 / -117.3298

CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel

INQUIRY#: 4051269.4

RESEARCH DATE: 08/29/2014





TARGET QUAD

NAME: **OCEANSIDE**

MAP YEAR: 1947

SERIES: 15 1:50000 SCALE:

SITE NAME: Encina Power Station ADDRESS: 4600 Carlsbad Boulevard

LAT/LONG:

Carlsbad, CA 92008

INQUIRY#: 4051269.4 33.1412 / -117.3298 RESEARCH DATE: 08/29/2014

CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel





TARGET QUAD

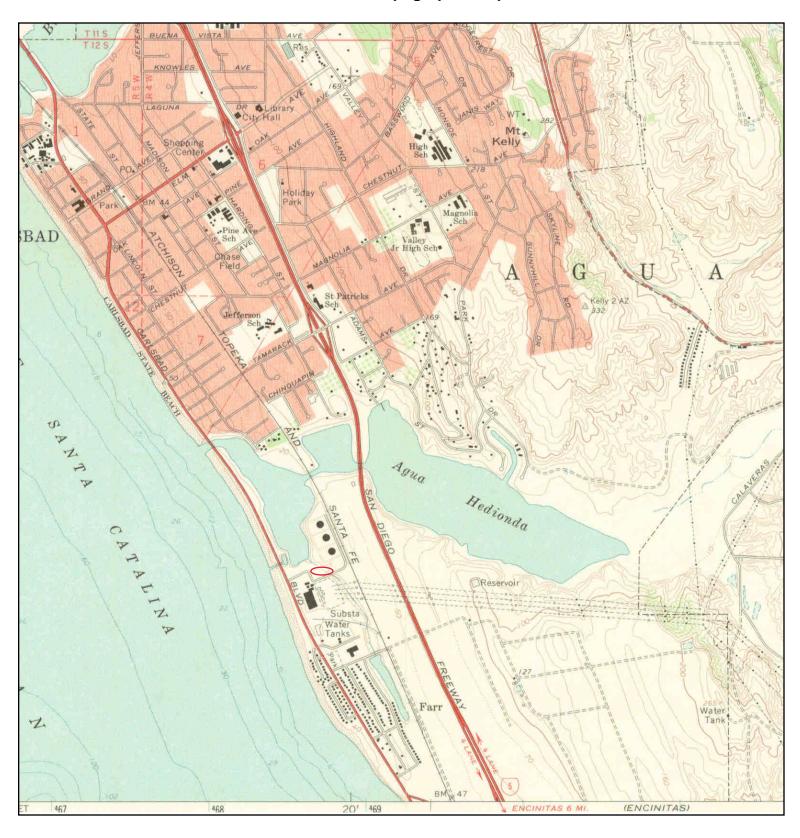
NAME: SAN LUIS REY

MAP YEAR: 1949

SERIES: 7.5 SCALE: 1:24000 SITE NAME: Encina Power Station
ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008 LAT/LONG: 33.1412 / -117.3298 CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel





TARGET QUAD

NAME: SAN LUIS REY

MAP YEAR: 1968

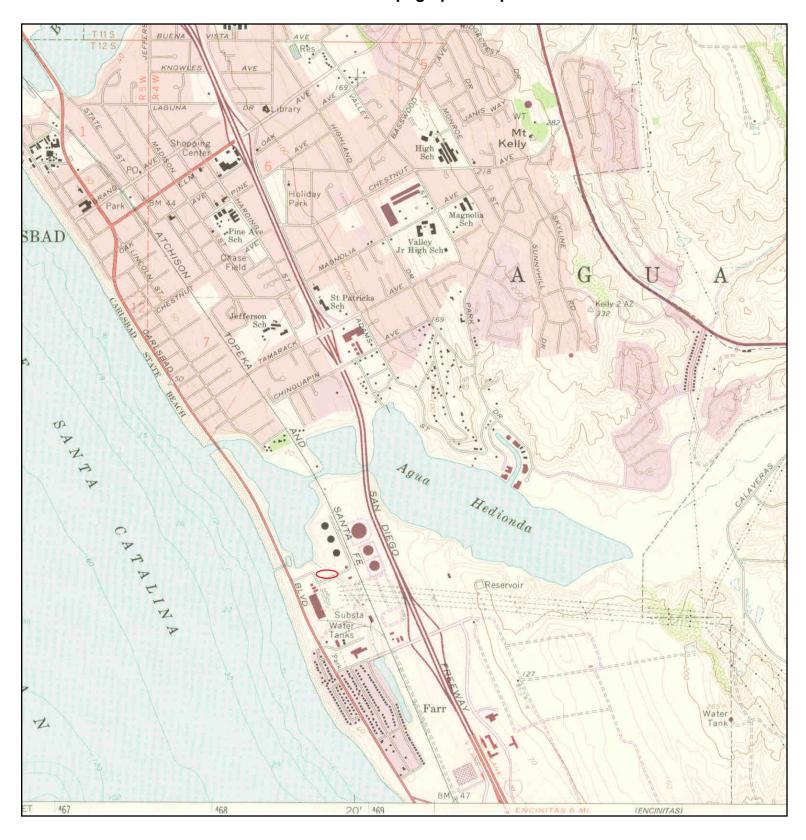
SERIES: 7.5 1:24000 SCALE:

SITE NAME: Encina Power Station ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008

LAT/LONG: 33.1412 / -117.3298 CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel





TARGET QUAD

NAME: SAN LUIS REY

MAP YEAR: 1975

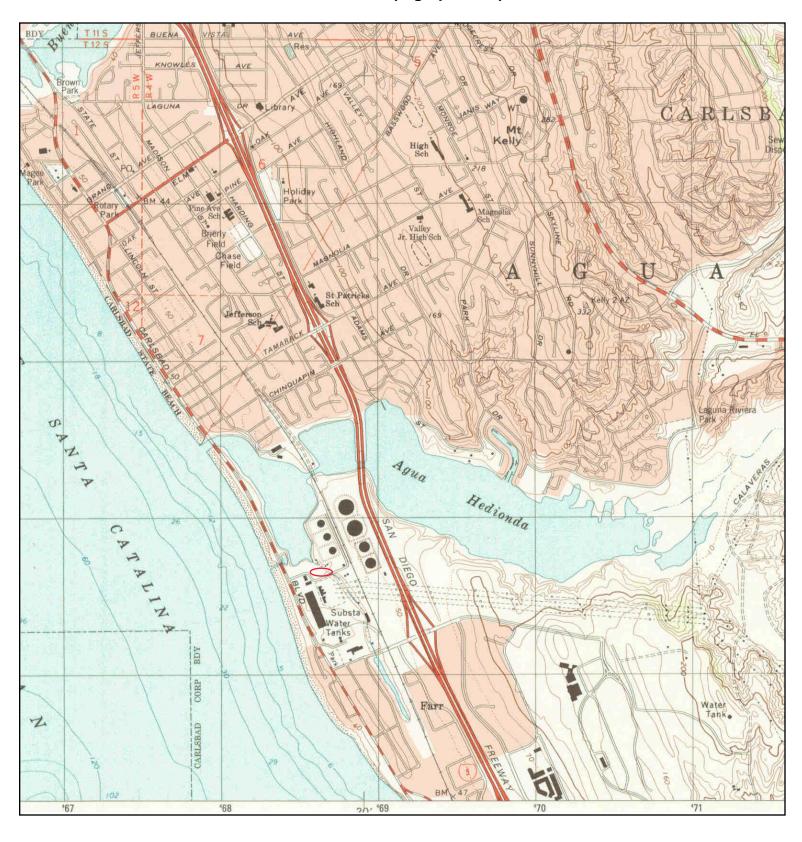
PHOTOREVISED FROM: 1968

SERIES: 7.5 SCALE: 1:24000 SITE NAME: Encina Power Station

ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008 LAT/LONG: 33.1412 / -117.3298 CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel





TARGET QUAD

NAME: SAN LUIS REY

MAP YEAR: 1997

SERIES: 7.5 SCALE: 1:24000 SITE NAME: Encina Power Station
ADDRESS: 4600 Carlsbad Boulevard

Carlsbad, CA 92008

LAT/LONG: 33.1412 / -117.3298

CLIENT: The Source Group

CONTACT: Rachel Fischer/Scott Seipel

ATTACHMENT D 2014 Poseidon Construction Photos







9-10-2014

