

City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271

Building Division

714.536.5241

December 6, 2012

Ms. Felicia Miller
California Energy Commission
Siting Project Manager
1516 Ninth Street,
Sacramento, CA 95814

California Energy Commission

DOCKETED

12-AFC-2

TN # 68804

DEC. 07 2012

**SUBJECT: CITY OF HUNTINGTON BEACH COMMENTS REGARDING
HUNTINGTON BEACH ENERGY PROJECT
DOCKET NO. 12-AFC-02**

Dear Ms Miller:

In your letter dated August 3, 2012, you requested the City of Huntington Beach to conduct a review of the Huntington Beach Energy Project AFC. We appreciate the opportunity to review AES Southland Development, LLC's Application for Certification (AFC) as submitted to the California Energy Commission on June 27, 2012. The proposed project is a request to replace the existing AES power generating station with a natural gas-fired, combined cycle, air-cooled, 939-megawatt (MW) electrical generating facility on the 28.6 acre facility. HBEP would consist of two independently operating, three-on-one, combined-cycle gas turbine power blocks. Each power block will consist of three natural gas-fired combustion turbine generators, three supplemental fired heat recovery steam generators, one steam turbine generator, an air-cooled condenser, and related ancillary equipment.

In addition to a general review, your letter asked the City to provide information on four items. Our general response to these items is:

1. Aspects of the project your agency would have jurisdiction but for the exclusive jurisdiction of the Energy Commission – The City of Huntington Beach would have jurisdiction over all aspects of the project except where preempted by other state or local agencies such as the South Coast Air Quality Management District or the Regional Water Quality Control Board.
2. Completeness of the list in the AFC of the LORS your agency administers or enforces – The LORS administered by the City are discussed in the detailed comments that follow and in the attached list of typical code requirements, standards, and regulations that the City of Huntington Beach would apply toward this project but for the CEC's permitting authority.

PROOF OF SERVICE (REVISED 10/08/12) FILED WITH

ORIGINAL IN SACRAMENTO ON 12/7/12

DLS

3. A description of the requirements the applicant would have to meet to satisfy the substantive requirements of your agency – A discussion of these requirements is included in the detailed comments that follow.
4. An analysis of whether there is a reasonable likelihood that the proposed project will be able to comply with your agency's substantive requirements – To the extent possible, the comments below address the project's ability to comply with the City's requirements. As noted, there are many instances where the AFC does not contain sufficient information for us to make that determination.

General Comments:

1. The City's residents and stakeholders in the vicinity of the proposed power plant have voiced strong opposition to rebuilding the facility in the proposed location. Residents and others have expressed opinions that the elimination of once-through cooling using ocean water eliminates the need to site the power plant at the existing power plant location.
2. Some residents have expressed concern that the proposed location brings the power blocks closer to existing residential properties and that the plant site layout should maintain as much distance as possible from existing residential properties to reduce potential noise, aesthetic, and air quality impacts.
3. The City of Huntington Beach City Council has not yet taken a position on the above two areas of opposition to the proposal. However, it should be noted that the Coastal Act and the City's Coastal Element provides for the location of coastal dependent facilities within the Coastal Zone, subject to certain criteria and limitations. The Coastal Element recognizes that Huntington Beach is a center for important energy-related activities that are coastal dependent, including the currently operating and regionally serving electrical generating plant. Continuation and expansion of this regionally significant energy resource is allowed by Coastal Element policy while ensuring the community's public health and safety, environmental protection and minimization of negative aesthetic impacts to the maximum extent feasible. Clearly, these policies for continuation or expansion apply to coastal dependent facilities and there remains some question as to policies that apply to new construction of the HBEP, which may no longer be considered coastal dependent.

Project Description:

1. The *General Arrangements/Site Plan* does not include customary site plan information such as a scale, north direction arrow, dimensions, property lines, site improvements, adjacent site improvements, etc. Without a fully dimensioned site plan, staff cannot determine compliance with setbacks, landscaping locations and percentage of site landscaping, parking stall sizes, back-up areas, and required number of parking spaces, circulation patterns, driveway widths, buffers to adjacent wetlands, relationship of improvements to property lines, floor area ratios, and wall and fence locations.
2. While *Elevation Views* are provided, the elevations are not adequately dimensioned and do not include total height of the proposed structures as measured from highest adjacent grade.

Staff cannot adequately determine the proposed height of the structures without this information.

3. Page 2-30, Section 2.1.9.2, Sentence 2: Revise to, "Sanitary wastewater discharge from the HBEP will be to the existing sewer line that connects to the existing Orange County Sanitation District sewer main located in Newland Street.
4. Page 2-32, Section 2.1.11.3, Sentence 2: Revise to, "Effluent from the oil/water separator will be combined with other process wastewater and sanitary wastewater and then pumped via a wastewater lift station to an existing Orange County Sanitation District sanitary sewer main located in Newland Street.
5. Section 2.3.1 describes construction hours from 6:00 AM to 6:00 PM Monday through Saturday and potential 24-hour construction, 7 days per week during some critical construction activities. The City of Huntington Beach Municipal Code Section 8.40.090 and typical conditions of approval on development projects limit construction hours to the following: Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. Therefore, the proposed project does not meet the City's LORS with regard to construction hours.
6. Section 2.3.2.2 describes off-site parking for construction workers. Each location within the Coastal Zone requires approval of a Coastal Development Permit according to the City's Local Coastal Program to utilize the site as temporary parking. Loss of beach parking would require replacement or alternative means to provide access to beach open space resources.

Air Quality:

1. Page 5.11-15, Table 5.11-6, *Local Section*, First Entry: Water Quality Management for this site is under the requirements of the State Regional Water Quality Control Board.
2. Page 5.11-15, Table 5.11-6, *Local Section*, Third Entry: Particulate Emissions is regulated under the LORS of the AQMD.

Biological Resources:

1. While Section 5.2.2.8 describes that the California Least Tern has been reported to nest on the open sandy beaches of Huntington Beach State Park, the discussion does not adequately identify that this is a permanent fenced five-acre nesting area established in 1969. According to the City's Coastal Element section on Environmentally Sensitive Habitats, "The nesting sanctuary is maintained by the Department of Parks and Recreation and is considered to be one of the most successful nesting colonies in the State."
2. The description of LORS on Table 5.2-1 does not match the language regarding a required 100 ft. buffer from environmentally sensitive habitat areas as detailed in Section 5.2.6.3 and should be corrected.

3. In Table 5.2-1, *AFC Section Explaining Conformance*, the statement that the site has been designated for industrial uses in the Huntington Beach General Plan is incorrect. The site has been designated Public in the City's General Plan.

Geological Hazards and Resources:

1. See comments under Water Resources regarding the need to address the threat of tsunami with the AFC.

Hazardous Materials and Handling:

1. Please refer to attached Code Requirements letter and communication from the Fire Department regarding standard codes and fire safety.

Land Use:

1. General comment: In many sections of the AFC, the land use is described as industrial. The Land Use section accurately describes the site with a General Plan Land Use designation of Public and a zoning designation of Public-Semipublic. If the City was the permitting authority for development of a new major utility within the Public-Semipublic zoning district, approval of a conditional use permit, coastal development permit, and variance by the City's Planning Commission would be required. The references to industrial land use and zoning designations throughout the document should be corrected.
2. Section 5.6.1 *Setting*, should include a description of a newly constructed multi-family residential project, Pacific Shores, at the northwest corner of Newland Street and Hamilton Avenue.
3. Section 5.6.1 *Setting* includes a description of a future Lot Line Adjustment (LLA) to consolidate parcels. The City's LORS include an LLA application process to determine compliance with minimum lot size, lot frontage, and density/intensity requirements. Is the CEC the permitting authority for future LLA requested by the applicant?
4. Figure 5.6-1 should include existing residential uses noted above and to the north and east of the project site.
5. Section 5.6.2.1.1 *City of Huntington Beach* states that the Poseidon seawater desalination facility is approved. It is more accurate to state that the facility has received entitlement approval from the City of Huntington Beach but approval from other agencies is still pending.
6. Section 5.6.2.1.2 *Residential* states that residential uses have been gradually encroaching on the industrial sites. Residential uses have long been present in the surrounding land use pattern and certainly existed during the 2001 and 2005 re-licensing of the existing power generating station.

7. Section 5.6.2.1.2 *Scenic Land Use* characterizes the area adjacent to the HBEP site as industrial. The City of Huntington Beach disagrees with this characterization and while the existing power generating station and the existing storage tanks have an industrial appearance the area adjacent to the site on three sides is characterized by wide open wetlands to the east, low profile residential to the west, and the iconic Pacific Coast Highway and uninterrupted expansive views of the Pacific Ocean to the south.
8. Section 5.6.2.1.2 *Natural Resource Protection and Natural Resource Extraction Areas* refers to a discussion of conformance with policies in Table 5.6-7. However, Table 5.6-7 provides a discussion of parking.
9. Table 5.6-2: all areas that state "...require a maximum FAR..." should be amended to state "...permit a maximum FAR..." Condominiums should be added as permitted uses in RH and RM categories.
10. Section 5.6.2.2 *Land Use*: the City of Huntington Beach only owns one tank not two.
11. Table 5.6-5 *Major Projects List* No. 20 Wardlow School has been approved for development of 49 homes and No. 21 Lamb School has been approved for development of 81 homes.
12. Section 5.6.3.2.1 *Divide an Established Community* states that the land is designated for industrial uses. This incorrect statement should be corrected here and elsewhere throughout the document to describe the land use as Public (General Plan) or Public-Semipublic (zoning). Land uses allowed in these categories are cultural institutions, government offices, hospitals, park and recreation facilities, public safety facilities, religious assembly, major and minor utilities, etc. Additionally, the conclusions reached in this section seem to describe the implementation of HBEP as a coastal dependent use and should be corrected.
13. Section 5.6.3.2.2 *Conflict with an Applicable Land Use Plan, Policy, or Regulation* should describe that the proposed project would also require approval of a Coastal Development Permit under the City's Local Coastal Program but for the CEC's licensing process. Additionally, the processing of a CUP and CDP are the City's mechanism's to ensure compliance with all General Plan and zoning development standards regarding minimum lot size, lot frontage, setbacks from property lines, floor area ratios, landscape locations and percentage of site landscaping, maximum building height, parking and access, buffer to wetlands and adjacent ESHA, as well as compliance with General Plan goals and policies, Urban Design Guidelines, and Coastal Zone policies. As detailed site plans, floor plans, and elevations were not included in the AFC, the City cannot determine compliance with these LORS.
14. Table 5.6-6 *Goal UD 1* concludes that the existing landscaping complies with this policy. The City of Huntington Beach strongly disagrees that the existing landscaping at the site serves to "...mask...major utilities, such as the SCE generating station." No new landscaping is proposed according to Section 5.13 Visual Resources and the existing landscaping is not adequate to screen neither the existing facility nor the proposed new facility.

15. Table 5.6-6 *Objective UD 2.2* concludes that landscaping and buffering comply with the goals and polices to “Require landscape and architectural buffers and screens around oil production facilities and other utilities visible from public rights-of-way.” The City strongly disagrees with this conclusion as no new landscaping, architectural buffers, or screens are proposed with the project and the existing landscaping is not adequate to mask the view of the utility. As noted in Visual Resources, the public views traveling north and south on Pacific Coast Highway and the public view from the beach to inland areas are highly sensitive and without screening or architectural treatment of the proposed facility the view quality remains low to moderately low.
16. Table 5.6-6 Coastal Element accurately describes the existing HBGS as a coastal dependent use. The City disagrees that the new development can also be characterized as coastal dependent as discharge of stormwater and process water is not dependent on the ocean outfall.
17. Table 5.6-6 *Zoning Ordinance* incorrectly describes maximum building height and provisions for legal non-conforming structures. The maximum building height within the Public Semi-public zoning district is 50 feet. An additional 10 feet may be permitted for chimneys, vent pipes, cooling towers, flagpoles, water tanks, etc. for a maximum of 60 feet height. The Zoning Administrator may approve a greater height for only the specific building and mechanical appurtenances listed, not for the entire proposed structure. Within the coastal zone, exceptions to height limits for these specific items may be granted only when public visual resources are preserved and enhanced where feasible. Therefore, the new proposed HBEP should conform to the maximum building height of 50 feet with an additional 10 feet of height permitted for cooling towers, vent pipes, and similar equipment. A proposal to exceed the City’s maximum height limits would be subject to approval of a Variance by the Planning Commission and compliance with General Plan and zoning code policies to enhance public visual resources.

The existing structure can be considered a legal non-conforming structure due to maximum height limitations. However, the proposal to entirely demolish and reconstruct a new facility is no longer considered an Alteration to a Non-Conforming Structure and must comply with current zoning requirements and development standards. In addition to demonstrating compliance with the current maximum height limitations, staff cannot determine compliance with other zoning code standards listed in Table 5.6-6 as no dimensioned site plan, floor plan, or elevations were submitted.

18. Table 5.6-6 also states that the project will comply with Chapter 8.40 Noise regarding construction hours. However, the construction hours described in the Project Description conflict with the Noise Code requirements.
19. As detailed in Item No. 16 above, the discussion following Table 5.6-7 requires amendment to accurately describe maximum height and legal non-conforming status of the existing facility and proposed new construction.

20. The Land Use Section should include a discussion on compliance with goals, policies, and standards of the Southeast Area Redevelopment Plan available on the city's website http://www.huntingtonbeachca.gov/files/users/economic_development/secrp.pdf.
21. Section 5.6.5 *Mitigation Measures* determines that no mitigation measures are necessary because no significant land use impacts are anticipated. The City of Huntington Beach is currently unable to agree with this conclusion as we believe the proposed project has not met goals, policies and standards as noted above.

Noise:

1. As previously described, the project proposes construction hours beyond the City's limitations on construction activities. The project should comply with local LORS in this regard. Since the City anticipates the need for occasional nighttime activity due to critical construction needs (concrete pours), mitigation measures should be developed to reduce potential impacts to sensitive receptors to the maximum extent feasible. Mitigation measures should strictly limit nighttime activity, no construction staging, warm-up activity, arrival of construction workers on-site, or queuing outside the facility should begin before 7:00 AM, a noise complaint hotline should be established, and notification of nighttime hours should be given to adjacent property owners and tenants.
2. The Noise section does not adequately describe how the proposed plant will comply with the City of Huntington Beach Municipal Code during Operations at the proposed facility. The document states that final design will ensure that noise standards are met; however, the AFC should provide information to determine compliance now so that adjacent residential uses are not impacted by potential adverse noise effects. Specifically, anticipated noise levels at all adjacent residential uses should be provided for construction noise and operational noise.
3. The City understands that AES will be submitting additional noise measurement data in the near future. We are reserving additional comments until the new data can be reviewed.

Socio-Economic:

1. The city of Huntington Beach is working toward converting all street lights to high quality "white" light sources. We have installed several hundred LEDs to date and are in active procurement to convert all street lights into 4200K and >80 CRI LED light sources. Many of the commercial districts in Huntington Beach have already embraced these higher quality white light outdoor sources. We ask that new developments utilize switched or occupancy sensor based bi-level white light exterior lighting sources.

Traffic and Transportation:

1. Page 5.12-2, Section 5.12.1.1.1. Sentence 2: The 35 mph posted speed limit is only applicable on Newland Street between Pacific Coast Highway (PCH) and Hamilton Avenue.
2. Page 5.12-2, Section 5.12.1.1.3. Sentence 2: The 40 mph posted speed limit is only applicable between PCH and Banning Avenue on Magnolia Street.

3. Page 5.12-2, Section 5.12.1.1.4. Sentence 2: The 50 mph posted speed limit is only applicable between PCH and Banning Avenue on Brookhurst Street.
4. Page 5.12-7, Section 5.12.1.1.7. Sentence 2: The 45 mph posted speed limit is only applicable between Newland Street and Magnolia Street on Atlanta Avenue.
5. Page 5.12-7, Section 5.12.1.1.8. Sentence 2: The 45 mph posted speed limit is only applicable between Beach Boulevard and the east City limits on Adams Avenue.
6. Page 5.12-8, Section 5.12.3. Sentence 1: The City of Huntington Beach intersection LOS methodology is Intersection Capacity Utilization (ICU) and for Caltrans facilities HCM methodology.
7. Page 5.12-11, Second Paragraph: The AM Peak hour is a critical period of recurring traffic and should be included as part of the analysis.
8. Page 5.12-11, Section 5.12.1.3.2. The intersection study area should include PCH and Magnolia Street.
9. Page 5.12-13, Table 5.12-5. Based on the latest City LOS analysis, the average control delay at Beach Boulevard/PCH, Newland Street/PCH, and Brookhurst Street/PCH, are 25.5, 16.9, and 31.2 seconds, respectively.
10. Page 5.12-16, Section 5.12.2.1.4. Second Paragraph: The LOS information described in this paragraph should be updated to reflect the correct values based on comment 9.
11. Page 5.12-24, Section 5.12.5.2. Last Bullet: The most recently state adopted edition of the Manual on Uniform Traffic Control Devices is the 2012 edition.
12. Page 5.12-27, Section 5.12.5.3. First Bullet: The end of the sentence should read "...City roadways and intersections."

Visual Resources:

1. An additional KOP from northbound Pacific Coast Highway at Brookhurst Street should be included given the high volume of traffic, visitors to the City, and the location as a gateway and entry node to the City of Huntington Beach.
2. In general, the KOP discussion concludes that the visual sensitivity of each KOP is high or moderately high. However, as the proposed project includes no new landscaping, screen walls, or architectural treatment to improve the appearance of these sensitive visual resources, the AFC concludes that the quality of the key KOPs remain low or moderately low. In accordance with the City of Huntington Beach's myriad goals and policy statements through the General Plan, Coastal Element, and Urban Design Guidelines, the extremely important view of the energy facility from valuable coastal resources requires improvement. The City agrees that the proposed facility is a general improvement over the existing facility

but that perception is mainly due to the modernization of the components and newness of the structure. It is significant that the four units and two towers are being replaced by two large power blocks and six towers with no additional screening, landscaping, or unique architectural treatment proposed. The existing chain link fence should also be replaced as chain link is not permitted within the City. It is the City's opinion that adverse visual impacts remain.

3. Section 5.13.5.4 Summary of Project's Conformity with Applicable Local LORS should be amended in accordance with the comments in Land Use above.
4. Table 5.13-3. The City does not agree that the proposed project meets the Urban Design Goals and Policies as stated above. The table should also be corrected to reflect accurate zoning information.


Water Resources:


1. Figure 5.15-3 is difficult to read and interpret. The flood zone designation on the site is not easily discernable and the flood plain designations should be better labeled.
2. Section 5.15.2.2.4 identifies that the site is located within the tsunami run-up zone of the City of Huntington Beach General Plan but delays possible mitigation measures until the design phase of the project. Given that the State Climate Adaptation Plan contains policies to relocate critical infrastructure away from the coast or armor improvements against rising sea levels, the City believes that the AFC should address the potential impacts now.

Your letter of August 3, 2012 also requested that the City let you know whether additional information is needed to resolve any concerns. The comments above identified some of the additional information the City needs to assist in reaching a conclusion on whether the proposed project complies with the City's LORS. We look forward to receiving the information the City needs in order to reach conclusions on the proposed project and make its recommendations to the Energy Commission.

Thank you for the opportunity to review and provide these initial staff comments on this important project in the City of Huntington Beach. We are committed to participating in the CEC processing of the application to ensure a high quality outcome for the citizens of Huntington Beach. Please do not hesitate to contact Aaron Klemm at 714- 536-5537 or Jane James at 714-536-5596 if you have any questions or need any additional information.

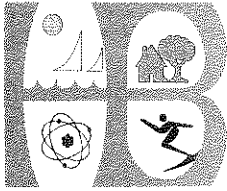
Sincerely,


Aaron Klemm
City Manager's Office
Energy Project Manager


Jane James
Planning and Building Department
Senior Planner

Attachment: Code Requirements letter dated December 6, 2012

cc: Fred Wilson, City Manager
Bob Hall, Deputy City Manager
Scott Hess, Director of Planning and Building
Bill Reardon, Fire Battalion Chief
Joe Morelli, Fire Protection Analyst
Debbie DeBow, Principal Civil Engineer
Steve Bogart, Senior Civil Engineer
Darren Sam, Transportation Division
Mark Carnahan, Permit and Plan Check Manager
Tom Donnelly, Police Lieutenant
Dave Dominguez, Facilities, Development & Concessions Manager



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DEPARTMENT OF PLANNING AND BUILDING

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December 6, 2012

Ms. Felicia Miller
California Energy Commission
Siting Project Manager
1516 Ninth Street,
Sacramento, CA 95814

**SUBJECT: HUNTINGTON BEACH ENERGY PROJECT
DOCKET NO. 12-AFC-02
PROJECT IMPLEMENTATION CODE REQUIREMENTS**

Dear Ms. Miller,

In order to assist CEC with the City's LORS, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. It should be noted that this requirement list is in addition to any "conditions of approval" that might be adopted by the Planning Commission but for the California Energy Commission's permit process. Please note that if the design of the project or site conditions change, the list may also change.

If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to AES' project, and/or you would like to discuss them in further detail, please contact me at 714-536-5596 or jjames@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,

Jane James
Senior Planner

Enclosure: 1. Planning Division Code Requirements dated November 29, 2012
2. Public Works Code Requirements dated September 27, 2012
3. Fire Code Requirements dated December 6, 2012

cc: Aaron Klemm, City Manager's Office – 714-536-5537
Mark Carnahan, Building and Safety Department – 714-374-1575
Joe Morelli, Fire Department – 714-536-5531
Debbie DeBow, Public Works – 714-536-5580
Steve Bogart, Public Works – 714-374-1692
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Project File



HUNTINGTON BEACH PLANNING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: NOVEMBER 29, 2012

PROJECT NAME: HUNTINGTON BEACH ENERGY PROJECT (AES)
PLANNING

APPLICATION NO. N/A

ENTITLEMENTS: 12-AFC-02

DATE OF PLANS: AFC dated June 27, 2012

PROJECT LOCATION: 21730 Newland Street (northeast corner of Newland Street and Pacific Coast Highway)

PLAN REVIEWER: JANE JAMES

TELEPHONE/E-MAIL: 714-536-5596

PROJECT DESCRIPTION: To replace the existing AES power generating station with a natural gas-fired, combined cycle, air-cooled, 939-megawatt (MW) electrical generating facility on the 28.6 acre facility. HBEP would consist of two independently operating, three-on-one, combined-cycle gas turbine power blocks. Each power block will consist of three natural gas-fired combustion turbine generators, three supplemental fired heat recovery steam generators, one steam turbine generator, an air-cooled condenser, and related ancillary equipment.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT /COASTAL DEVELOPMENT/ VARIANCE:

1. The site plan, floor plans, and elevations approved by the California Energy Commission shall be the conceptually approved design (with the following modifications).
 - a. Parking lot striping shall comply with Chapter 231 of the Zoning and Subdivision Ordinance and Title 24, California Administrative Code. **(HBZSO Chapter 231)**

- b. The site plan shall include all utility apparatus, such as but not limited to, backflow devices and Edison transformers. Utility meters shall be screened from view from public right-of-ways. Electric transformers in a required front or street side yard shall be enclosed in subsurface vaults. Backflow prevention devices shall be not be located in the front yard setback and shall be screened from view. **(HBZSO Section 230.76)**
 - c. All exterior mechanical equipment shall be screened from view on all sides. Rooftop mechanical equipment shall be setback a minimum of 15 feet from the exterior edges of the building. Equipment to be screened includes, but is not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, ductwork and transformers. Said screening shall be architecturally compatible with the building in terms of materials and colors. If screening is not designed specifically into the building, a rooftop mechanical equipment plan showing proposed screening must be submitted for review and approval with the application for building permit(s). **(HBZSO Section 230.76)**
 - d. The site plan and elevations shall include the location of all gas meters, water meters, electrical panels, air conditioning units, mailboxes (as approved by the United States Postal Service), and similar items. If located on a building, they shall be architecturally integrated with the design of the building, non-obtrusive, not interfere with sidewalk areas and comply with required setbacks. **(HBZSO Section 230.76)**
 - e. All parking area lighting shall be energy efficient and designed so as not to produce glare on adjacent residential properties. Security lighting shall be provided in areas accessible to the public during nighttime hours, and such lighting shall be on a time-clock or photo-sensor system. **(HBZSO 231.18.C)**
 - f. Project data information shall include the flood zone, base flood elevation and lowest building floor elevation(s) per NAVD88 datum. **(HBZSO Section 222.10.F)**
 - g. Bicycle parking facilities shall be provided in accordance with the provisions of HBZSO Section 231.20 – *Bicycle Parking*. **(HBZSO Section 231.20)**
 - h. Revise the plans to comply with General Plan, Coastal Element, and Urban Design Guidelines.
2. Prior to issuance of demolition permits, the following shall be completed:
- a. The applicant shall follow all procedural requirements and regulations of the South Coast Air Quality Management District (SCAQMD) and any other local, state, or federal law regarding the removal and disposal of any hazardous material including asbestos, lead, and PCB's. These requirements include but are not limited to: survey, identification of removal methods, containment measures, use and treatment of water, proper truck hauling, disposal procedures, and proper notification to any and all involved agencies. **(AQMD Rule 1403)**
 - b. Pursuant to the requirements of the South Coast Air Quality Management District, an asbestos survey shall be completed. **(AQMD Rule 1403)**
 - c. The applicant shall complete all Notification requirements of the South Coast Air Quality Management District. **(AQMD Rule 1403)**
 - d. The City of Huntington Beach shall receive written verification from the South Coast Air Quality Management District that the Notification procedures have been completed. **(AQMD Rule 1403)**

- e. The applicant shall provide a consulting arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. **(Resolution No. 4545)**
 - f. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk). **(CEQA Categorical Exemption Section 15304)**
3. Prior to issuance of grading permits, the following shall be completed:
- a. Prior to submittal of a landscape plan, the applicant shall provide a Consulting Arborist report on all the existing trees. Said report shall quantify, identify, size and analyze the health of the existing trees. The report shall also recommend how the existing trees that are to remain (if any) shall be protected and how far construction/grading shall be kept from the trunk. **(Resolution No. 4545)**
 - b. A Landscape and Irrigation Plan, prepared by a Licensed Landscape Architect shall be submitted to the Planning and Building Department for review and approval. **(HBZSO Section 232.04)**
 - c. Existing mature trees that are to be removed must be replaced at a 2 for 1 ratio with a 36" box tree or palm equivalent (13'-14' of trunk height for Queen Palms and 8'-9' of brown trunk). **(CEQA Categorical Exemption Section 15304)**
 - d. "Smart irrigation controllers" and/or other innovative means to reduce the quantity of runoff shall be installed. **(HBZSO Section 232.04.D)**
 - e. Standard landscape code requirements apply. **(HBZSO Chapter 232)**
 - f. All landscape planting, irrigation and maintenance shall comply with the City Arboricultural and Landscape Standards and Specifications. **(HBZSO Section 232.04.B)**
 - g. Landscaping plans should utilize native, drought-tolerant landscape materials where appropriate and feasible. **(HBZSO Section 232.06.A)**
 - h. The Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree planting plan and approve in writing the selection and locations proposed for new trees and the protection measures and locations of existing trees to remain. Said Arborist report shall be incorporated onto the Landscape Architect's plans as construction notes and/or construction requirements. The report shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. **(Resolution-4545)**
OR A Consulting Arborist (approved by the City Landscape Architect) shall review the final landscape tree-planting plan and approve in writing the selection and locations proposed for new trees. Said Arborist signature shall be incorporated onto the Landscape Architect's plans and shall include the Arborist's name, certificate number and the Arborist's wet signature on the final plan. **(Resolution No. 4545)**
4. Prior to submittal for building permits, the following shall be completed:
- a. The Design Review Board shall review and approve the following:

- 1) Special architectural treatment provided on all four sides of the project.
 - 2) Revised site plan and elevations as modified pursuant to Condition No. 1.
 - 3) Proposed structures and/or building additions for architectural compatibility with existing structures. **(HBZSO Section 244.06)**
5. Prior to issuance of building permits, the following shall be completed:
- a. A tentative parcel map or lot line adjustment consolidating parcels shall be submitted and approved pursuant to Title 25 of the Huntington Beach Zoning and Subdivision Ordinance. Said map shall be recorded prior to issuance of a building permit. **((HBZSO Chapter 251)**
 - b. A gated entryway (access control devices) plan shall be submitted to the Planning Department. The gated entryway shall comply with Fire Department Standard No. 403. In addition, the gated entryway plan shall be reviewed by the United States Postal Service. Prior to the installation of any gates, such plan shall be reviewed and approved by the Planning, Fire and Public Works Departments. **(HBZSO Section 231.18.D.8)**
 - c. A Mitigation Monitoring Fee for shall be paid to the Planning Department pursuant to the fee schedule adopted by resolution of the City Council. **(City of Huntington Beach Planning Department Fee Schedule)**
 - d. All new commercial and industrial development and all new residential development not covered by Chapter 254 of the Huntington Beach Zoning and Subdivision Ordinance, except for mobile home parks, shall pay a park fee, pursuant to the provisions of HBZSO Section 230.20 – *Payment of Park Fee*. The fees shall be paid and calculated according to a schedule adopted by City Council resolution. **(City of Huntington Beach Planning Department Fee Schedule)**
6. During demolition, grading, site development, and/or construction, the following shall be adhered to:
- a. Existing street tree(s) to be inspected by the City Inspector during removal of concrete and prior to replacement thereof. Tree replacement or root/tree protection, will be specified upon the inspection of the root system. **(Resolution No. 4545)**
 - b. All Huntington Beach Zoning and Subdivision Ordinance and Municipal Code requirements including the Noise Ordinance. All activities including truck deliveries associated with construction, grading, remodeling, or repair shall be limited to Monday - Saturday 7:00 AM to 8:00 PM. Such activities are prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
7. The structure(s) cannot be occupied, the final building permit(s) cannot be approved, and utilities cannot be released for commencement of use or issuance of a Certificate of Occupancy until the following has been completed:
- a. The applicant shall re-stripe the parking lot to conform to provisions of Chapter 231 of the Huntington Beach Zoning & Subdivision Ordinance. **(HBZSO Chapter 231)**
 - b. All existing signs which do not conform with Chapter 233 - *Signs* of the Huntington Beach Zoning & Subdivision Ordinance) shall be removed or modified to conform. **(HBZSO Section 233.24)**
 - c. A Certificate of Occupancy must be approved by the Planning Department and issued by the Building and Safety Department. **(HBMC 17.04.036)**

- d. Complete all improvements as shown on the approved grading, landscape and improvement plans. **(HBMC 17.05)**
 - e. All trees shall be maintained or planted in accordance to the requirements of Chapter 232. **(HBZSO Chapter 232)**
 - f. All landscape irrigation and planting installation shall be certified to be in conformance to the City approved landscape plans by the Landscape Architect of record in written form to the City Landscape Architect. **(HBZSO Section 232.04.D)**
 - g. The provisions of the Water Efficient Landscape Requirements shall be implemented. **(HBMC 14.52)**
8. The use shall comply with the following:
- a. Outdoor storage and display of merchandise, materials, or equipment, including display of merchandise, materials, and equipment, shall be subject to approval of Conditional Use Permit. **(HBZSO Section 230.74)**
9. The Development Services Departments (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Planning may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Planning Commission's /Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission /Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**
10. This entitlement (Conditional Use Permit No. ____ and Variance No. __ in conjunction with Coastal Development Permit No. ____) shall become null and void unless exercised within one year of the date of final approval by the City Council, or within one year of the date of final Coastal Development Permit approval by the Coastal Commission if the Coastal Development Permit is appealed, or such extension of time as may be granted by the Director pursuant to a written request submitted to the Planning Department a minimum 30 days prior to the expiration date. **(HBZSO Section 241.16.A)**
11. This entitlement shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
12. The Planning Commission reserves the right to revoke this entitlement pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
13. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
14. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**

15. All landscaping shall be maintained in a neat and clean manner, and in conformance with the HBZSO. Prior to removing or replacing any landscaped areas, check with the Departments of Planning and Public Works for Code requirements. Substantial changes may require approval by the Planning Commission (Zoning Administrator). **(HBZSO Section 232.04)**

16. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**



HUNTINGTON BEACH PUBLIC WORKS DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: SEPTEMBER 27, 2012

PROJECT NAME: AES HUNTINGTON BEACH ENERGY PROJECT (HBEP)

ENTITLEMENTS: 12-AFC-02

PLNG APPLICATION NO: 2012-0152

DATE OF PLANS: AUGUST 2012

PROJECT LOCATION: 21703 NEWLAND STREET

PROJECT PLANNER: JANE JAMES, SENIOR PLANNER

TELEPHONE/E-MAIL: 714-536-5596 / JJAMES@SURFCITY-HB.ORG

PLAN REVIEWER: STEVE BOGART, SENIOR CIVIL ENGINEER *SB*

TELEPHONE/E-MAIL: 714-374-1692 / SBOGART@SURFCITY-HB.ORG

PROJECT DESCRIPTION: To replace the existing AES power generating station with a natural gas-fired, combined cycle, air-cooled, 939-megawatt (MW) electrical generating facility on the 28.6 acre facility. HBEP would consist of two independently operating, three-on-one, combined-cycle gas turbine power blocks. Each power block will consist of three natural gas-fired combustion turbine generators, three supplemental fired heat recovery steam generators, one steam turbine generator, an air-cooled condenser, and related ancillary equipment.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A GRADING PERMIT:

1. A Precise Grading Plan, prepared by a Licensed Civil Engineer, shall be submitted to the Public Works Department for review and approval. (MC 17.05)
2. A detailed soils and geological/seismic analysis shall be prepared by a registered engineer. This analysis shall include on-site soil sampling and laboratory testing of materials to provide detailed recommendations for grading, over excavation, engineered fill, dewatering,

settlement, protection of adjacent structures, chemical and fill properties, liquefaction, retaining walls, streets, and utilities. (MC 17.05.150)

3. The applicant's grading/erosion control plan shall abide by the provisions of AQMD's Rule 403 as related to fugitive dust control. (AQMD Rule 403)
4. The name and phone number of an on-site field supervisor hired by the developer shall be submitted to the Planning and Public Works Departments. In addition, clearly visible signs shall be posted on the perimeter of the site every 250 feet indicating who shall be contacted for information regarding this development and any construction/grading-related concerns. This contact person shall be available immediately to address any concerns or issues raised by adjacent property owners during the construction activity. He/She will be responsible for ensuring compliance with the conditions herein, specifically, grading activities, truck routes, construction hours, noise, etc. Signs shall include the applicant's contact number, regarding grading and construction activities, and "1-800-CUTSMOG" in the event there are concerns regarding fugitive dust and compliance with AQMD Rule No. 403.
5. The applicant shall notify all property owners and tenants within 300 feet of the perimeter of the property of a tentative grading schedule at least 30 days prior to such grading.

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLIED WITH DURING
GRADING OPERATIONS:**

6. An Encroachment Permit is required for all work within the City's right-of-way. (MC 12.38.010/MC 14.36.030)
7. An Encroachment Permit is required for all work within Caltrans' right-of-way.
8. The developer shall coordinate the development of a truck haul route with the Department of Public Works if the import or export of material in excess of 5000 cubic yards is required. This plan shall include the approximate number of truck trips and the proposed truck haul routes. It shall specify the hours in which transport activities can occur and methods to mitigate construction-related impacts to adjacent residents. These plans must be submitted for approval to the Department of Public Works. (MC 17.05.210)
9. Water trucks will be utilized on the site and shall be available to be used throughout the day during site grading to keep the soil damp enough to prevent dust being raised by the operations. (California Stormwater BMP Handbook, Construction Wind Erosion WE-1)
10. All haul trucks shall arrive at the site no earlier than 8:00 a.m. or leave the site no later than 5:00 p.m., and shall be limited to Monday through Friday only. (MC 17.05)
11. Wet down the areas that are to be graded or that is being graded, in the late morning and after work is completed for the day. (WE-1/MC 17.05)
12. The construction disturbance area shall be kept as small as possible. (California Stormwater BMP Handbook, Construction Erosion Control EC-1) (DAMP)
13. All haul trucks shall be covered or have water applied to the exposed surface prior to leaving the site to prevent dust from impacting the surrounding areas. (DAMP)
14. Prior to leaving the site, all haul trucks shall be washed off on-site on a gravel surface to prevent dirt and dust from leaving the site and impacting public streets. (DAMP)
15. Comply with appropriate sections of AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. (AQMD Rule 403)
16. Wind barriers shall be installed along the perimeter of the site. (DAMP)
17. All construction materials, wastes, grading or demolition debris and stockpiles of soils, aggregates, soil amendments, etc. shall be properly covered, stored and secured to prevent

transport into surface or ground waters by wind, rain, tracking, tidal erosion or dispersion.
(DAMP)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
ISSUANCE OF A BUILDING PERMIT:**

18. A Precise Grading Permit shall be issued. (MC 17.05)

**THE FOLLOWING DEVELOPMENT REQUIREMENTS SHALL BE COMPLETED PRIOR TO
FINAL INSPECTION OR OCCUPANCY:**

19. All applicable Public Works fees shall be paid at the current rate unless otherwise stated, per the Public Works Fee Schedule adopted by the City Council and available on the city web site at http://www.surfcity-hb.org/files/users/public_works/fee_schedule.pdf. (ZSO 240.06/ZSO 250.16)



HUNTINGTON BEACH FIRE DEPARTMENT

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: December 6, 2012

PROJECT NAME: AES HUNTINGTON BEACH ENERGY PROJECT (HBEP)

PLANNING APPLICATION NO.: 2012-0152

ENTITLEMENTS: APPLICATION FOR CERTIFICATION (12-AFC-02)

DATE OF PLANS: AUGUST 2012

PROJECT LOCATION: 21730 NEWLAND STREET

PLAN REVIEWER: JOE MORELLI; FIRE PROTECTION ANALYST

TELEPHONE/E-MAIL: 714-536-5531

PROJECT DESCRIPTION: To replace the existing AES power generating station with a natural gas-fired, combined cycle, air-cooled, 939-megawatt (MW) electrical generating facility on the 28.6 acre facility. HBEP would consist of two independently operating, three-on-one, combined-cycle gas turbine power blocks. Each power block will consist of three natural gas-fired combustion turbine generators, three supplemental fired heat recovery steam generators, one steam turbine generator, an air-cooled condenser, and related ancillary equipment.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

PRIOR TO DEMOLITION, GRADING, SITE DEVELOPMENT, ISSUANCE OF GRADING PERMITS, BUILDING PERMITS, AND/OR CONSTRUCTION, THE FOLLOWING SHALL BE REQUIRED:

Applicable Codes: Compliance with the following is required:

- N.F.P.A. Standards, including but not limited to N.F.P.A. 850 Recommended Practice for Fire Protection for Electric Generating Plants and High Voltage Direct Current Converter Stations.

- 2010 California Fire Code and referenced standards (i.e. NFPA 13, NFPA 24 and NFPA 72 [currently adopted editions], etc.)
- Huntington Beach Municipal Code Chapter 17.56 (Huntington Beach Fire Code)
- 2011 Huntington Beach Fire Code
- Huntington Beach Fire Department City Specifications 401, 403, 407, 409, 410, 415, 418, 420, 421, 422, 423, 424, 425, 427, 428, 429, 431-92, and 434.

Fire Protection Consultant: A Fire Protection Consultant qualified to design and prepare Fire Protection plans for power plants, shall submit plans to the H.B.F.D. showing compliance with the above codes and the requirements below.

Inspections: Inspections shall be coordinated with the Huntington Beach Fire Department, and inspection approval obtained by the H.B.F.D., to verify compliance with the approved plans and requirements contained within these Project Implementation Code Requirements and the aforementioned applicable codes.

Fire Apparatus Access

Fire Access Roads shall be provided and maintained in compliance with City Specification # 401, *Minimum Standards for Fire Apparatus Access*. Driving area shall be capable of supporting a fire apparatus (75,000 lbs and 12,000 lb point load). Minimum fire access road width is twenty-four feet (24') wide, with thirteen feet six inches (13' 6") vertical clearance. Fire access roads fronting commercial buildings shall be a minimum width of twenty-six feet (26') wide, with thirteen feet six inches (13' 6") vertical clearance. For Fire Department approval, reference and demonstrate compliance with City Specification # 401 *Minimum Standards for Fire Apparatus Access* on the plans. **(FD)**

Fire Access Road Turns and Corners shall be designed with a minimum inner radius of seventeen feet (17') and a minimum outer radius of forty five feet (45') per City Specification # 401 *Minimum Standards for Fire Apparatus Access*. For Fire Department approval, reference and demonstrate compliance with City Specification # 401 *Minimum Standards for Fire Apparatus Access* on the plans. **(FD)**

No Parking shall be allowed in the designated 24 foot wide fire apparatus access road or supplemental fire access per City Specification # 415. For Fire Department approval, reference and demonstrate compliance with City Specification # 415 *Minimum Standards for Fire Apparatus Access* on the plans. **(FD)**

Fire Lanes, as determined by the Fire Department, shall be posted, marked, and maintained per City Specification #415, *Fire Lanes Signage and Markings on Private, Residential, Commercial and Industrial Properties*. The site plan shall clearly identify all red fire lane curbs, both in location and length of run. The location of fire lane signs shall be depicted. No parking shall be allowed in the designated 24 foot wide fire apparatus access road or supplemental fire access per City Specification # 415. For Fire Department approval, reference and demonstrate

compliance with City Specification # 401 *Minimum Standards for Fire Apparatus Access* on the plans. (FD)

Secured Vehicle Entries shall utilize KNOX® activated access switches (Knox switches for automated gates, Knox padlocks for manual gates), and comply with City Specification #403, *Fire Access for Pedestrian or Vehicular Security Gates & Buildings*. Reference compliance in the plan notes. (FD)

Hazardous Materials

- a. **Flammable or Hazardous Materials Storage.** The storage of hazardous materials requires disclosure. Quantities of flammable liquids and other chemicals may be regulated by the Fire Code. Contact the Huntington Beach Fire Department Hazardous Materials Division (714-536-5676) regarding:

- Disclosure of on-site chemicals. Detail volume and types of materials.
- Compliance with HBFD Fire Code Chapter 27 – Hazardous Materials.
- Compliance with HBFD Fire Code Chapter 6 – Stationary Lead-Acid Battery Systems.
- Request information for the proper NFPA 704 signage and postage requirements.

For Fire Department approval, reference compliance with the following in the plan notes:

- Disclosure of on-site chemicals,
- HBFD Fire Code Chapter 27 – *Hazardous Materials*,
- NFPA 704 signage and postage requirements,
- HBFD Fire Code Chapter 6 – *Stationary Lead-Acid Battery Systems*.

(FD)

Environmental

Environmental

- a. **Methane Mitigation District Requirements.** The proposed construction is within the City of Huntington Beach Methane Mitigation District and compliance with City Specification 429 is required. Soil gas testing for methane gas is required. A methane sample plan shall be submitted to the fire department for review and approval, prior to the commencement of sampling.

If methane gas is discovered in the soil, the following City Specification would be applicable and the grading, building, and methane plans must reference that a sub-slab methane barrier and vent system will be installed per City Specification # 429, *Methane District Building Permit Requirements* prior to plan approval. Additional methane mitigation measures may be required by the fire department.

Methane safety measures per *City Specification # 429, Methane District Building Permit Requirements* shall be detailed on a separate sheet titled "METHANE PLAN" and three copies submitted to the Fire Department for approval. **(FD)**

- b. ***City Specification # 431-92 Soil Clean-Up Standards testing is required.*** Based on site characteristics, suspected soil contamination, proximity to a producing/abandoned oil well, or Phase I, II, or III Site Audit, soil testing conforming to City Specification # 431-92 Soil Clean-Up Standards is required.

All soils shall conform to City Specification # 431-92 Soil Clean-Up Standards prior to the issuance of a building permit. Building plans shall reference that "All soils shall conform to City Specification # 431-92 Soil Clean-Up Standards" in the plan notes.

Note: Grading Plans must be approved by the Fire Department prior to issuance of a Public Works grading permit. Standard Fire Department notes are required to be on the plans on oil industry impacted sites.

Soil testing results must be submitted, and approved by the Fire Department prior to issuance of a building permit. **(FD)**

- c. ***"Remediation Action Plan"*** If contamination is identified, provide a Fire Department approved Remediation Action Plan (RAP) based on requirements found in Huntington Beach *City Specification #431-92, Soil Cleanup Standard*. Upon remediation action plan approval, a rough grading permit may be issued. **(FD)**
- d. ***Discovery of soil contamination/pipelines***, etc., must be reported to the Fire **THE FOLLOWING CONDITIONS SHALL BE COMPLETED PRIOR TO ISSUANCE OF A BUILDING PERMIT:**
- e. ***CURRENT or FORMER GAS STATION OR UST SITE (Underground Storage Tanks)*** Based on site characteristics, suspected soil contamination, hydraulic hoists, or proximity to former gas station, or underground storage tanks, the following is required:

"Soil Testing"

- A soil testing plan conforming to *City Specification #431-92 Soil Clean-Up Standards* shall be submitted and approved by the Fire Department.
- All soils shall conform to *City Specification #431-92 Soil Clean-Up Standards*, and testing results must be submitted, and approved by the Fire Department prior to issuance of a grading or building permit.
- Reference that all soils shall be in compliance with *City Specification #431-92 Soil Clean-Up Standards* in the plan notes. **(FD)**

“Remediation Action Plan” If contamination is identified, provide a Fire Department approved Remediation Action Plan (RAP) based on requirements found in Huntington Beach *City Specification #431-92, Soil Cleanup Standard*. Upon remediation action plan approval, a rough grading permit may be issued. **(FD)**

- f. **Proof of OCHCA Site Closure or Corrective Action Plan.** Removal of flammable or combustible liquid underground storage tanks (UST) requires the applicant to submit one of the following to the Huntington Beach Fire Department:
- i. An approved Orange County Health Care Agency UST **Site Closure Letter**, or
 - ii. Provide an Orange County Health Care Agency UST **Corrective Action Plan** and written permission for co-existence.

If OCHCA requires on-going remediation and co-existence with the proposed development is permissible, a copy of the approved Orange County Health Care Agency plan and written permission for co-existence must be submitted in order to obtain Huntington Beach Fire Department approval. Each site will be evaluated on an individual basis.

Prior to building construction, all soils shall conform to *City Specification #431-92 Soil Clean-Up Standards*, and testing results must be submitted, and approved by the Fire Department prior to issuance of a grading permit. **(FD)**

- g. **Proof of South Coast Regional Water Quality Control Board Site Closure or Corrective Action Plan.** Removal of flammable or combustible liquid underground storage tanks (UST) requires the applicant to submit one of the following to the Huntington Beach Fire Department:
- a. An approved South Coast Regional Water Quality Control Board UST **Site Closure Letter**, or
 - b. Provide a South Coast Regional Water Quality Control Board UST **Corrective Action Plan** and written permission for co-existence.

If SCRWQCB requires on-going remediation and co-existence with the proposed development is permissible, a copy of the approved SCRWQCB plan and written permission for co-existence must be submitted in order to obtain Huntington Beach Fire Department approval. Each site will be evaluated on an individual basis.

California Regional Water Quality Control Board – Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348
Phone: (951) 782-4497

FAX: (951) 781-6288

(FD)

Conformance to City Specifications **DOES NOT** relieve the developer's responsibility regarding other concerned agency notification and/or approval (South Coast Regional Water Quality Control Board, South Coast Air Quality Management District, Department of Toxic Substance Control, County of Orange Health Care Agency, etc.).

SITE DEVELOPMENT

Fire Hydrants and Water Systems

Fire Hydrants are required. Hydrants must be portrayed on the site plan. Hydrants shall be installed and in service **before** combustible construction begins. Installation of hydrants and service mains shall meet NFPA 13 and 24, Huntington Beach Fire Code Appendix B and C, and City Specification # 407 Fire Hydrant Installation Standards requirements. Maximum allowed velocity of fire flow in supply piping is 12 fps. Plans shall be submitted to Public Works and approved by the Public Works and Fire Departments. For Fire Department approval, portray the fire hydrants and reference compliance with NFPA 13 and 24, Huntington Beach Fire Code Appendix B and C, and City Specification #407 Fire Hydrant Installation Standards in the plan notes. (FD)

Private Fire Service Piping (FSP) Application for permit shall be made for private on-site Fire Service Piping (FSP), including but not limited to, private fire service mains and underground sprinkler laterals. Maximum allowed velocity of fire flow in supply piping is 12 fps. Additionally, application for permit shall be made for fire protections systems (sprinklers, alarms, chemical, fire pumps, etc.) as applicable.

Permits may be obtained at the City of Huntington Beach Department Fire Department by completing a Fire Permit Form (available at Fire Administration) and submitting such plans and specifications as required by the bureau of fire prevention. A permit constitutes permission to begin work in accordance with approved plans and specifications. The permit fee includes plan checking and inspections by an authorized fire prevention inspector. Development reviews/approvals by the bureau of fire prevention during planning do not constitute approval to perform FSP or fire protection system work, unless otherwise noted. (FD)

Private Fire Service Connection to the Public Water Supply - Separate plans shall be submitted to the Public Works Department detailing the connection, piping, valves and back-flow prevention assembly (DDCA) for approval and permits. Approval by Public Works and the Fire Department must be completed prior to issuance of a grading permit. The dedicated private fire water service off-site improvements shall be shown on a precise grading plan, prepared by a Licensed Civil Engineer. (FD)

Fire Protection Systems

Fire Alarms

Fire Alarm System is required per the California Fire Code. For Fire Department approval, shop drawings shall be submitted to the Fire Department as separate plans for permits and approval. For Fire Department approval, reference and demonstrate compliance with the California Fire Code and referenced standards. A C-10 electrical contractor, certified in fire alarm systems, must certify the system is operational annually. **(FD)**

Fire Sprinklers

Automatic Fire Sprinklers and Special Extinguishing Systems are required in accordance with NFPA13, the California Fire Code (and referenced Standards), N.F.P.A. 850, and other applicable codes..

Separate plans (two sets) shall be submitted to the Fire Department for permits and approval. The system shall provide water flow, tamper and trouble alarms, manual pull stations, interior and exterior horns and strobes, 24-hour central station monitoring, and other components deemed necessary for fire and life safety.

Automatic fire sprinkler systems and Special Extinguishing Systems must be maintained operational at all times, with maintenance inspections performed in accordance with the California Fire Code (and referenced standards) and other applicable codes.

NOTE: When buildings under construction are more than one (1) story in height and required to have automatic fire sprinklers, the fire sprinkler system shall be installed and operational to protect all floors lower than the floor currently under construction. Fire sprinkler systems for the current floor under construction shall be installed, in-service, inspected and approved prior to beginning construction on the next floor above. **(FD)**

Annual and Five Year Certification. Automatic fire sprinkler systems must be maintained operational at all times, with Inspection, Testing, and Maintenance performed in accordance with the California Fire Code, NFPA 25, and other applicable codes.

Class 1 Standpipes (2 ½" NFH connections) are required at each stairway. The standpipe system in stairwells cannot protrude into, impede, or compromise the H.B.B.C. "Exit Width" requirements. For Fire Department approval, reference and portray Class 1 standpipes at each stairway in the plan notes. **(FD)**

Fire Sprinkler Supply

Fire Department Connections (FDC) to the automatic fire sprinkler systems shall be located to the front of the building, at least 25 feet from and no farther than 150 feet of a properly rated fire hydrant. **(FD)**

NPFA 13 Commercial Fire Sprinkler Systems Supply shall be from a dedicated fire water service installed per Fire Department, Public Works, and Water Division Standards. The dedicated fire water service connection shall be a minimum of four inches (4") in size. Depending on fire sprinkler system demands, larger water service may be required. Separate plans shall be submitted to the Public Works Department for approval and permits, and must be completed prior to issuance of a grading permit. The dedicated fire water service off-site improvements shall be shown on a precise grading plan, prepared by a Licensed Civil Engineer. Contact Huntington Beach Public Works Department (714-536-5431) for offsite water improvement requirements. **(FD)**

Fire Sprinkler Underground

On-Site Fire Service Piping (FSP) Application for permit shall be made for on-site Fire Service Piping (FSP), including but not limited to, private fire service mains and underground sprinkler laterals. Maximum allowed velocity of fire flow in supply piping is 12 fps. Additionally, application for permit shall be made for fire protections systems (sprinklers, alarms, chemical, fire pumps, etc.) as applicable.

Permits may be obtained at the City of Huntington Beach Department Fire Department by completing a Fire Permit Form (available at Fire Administration) and submitting such plans and specifications as required by the bureau of fire prevention. A permit constitutes permission to begin work in accordance with approved plans and specifications. The permit fee includes plan checking and inspections by an authorized fire prevention inspector. Development reviews/approvals by the bureau of fire prevention during planning do not constitute approval to perform FSP or fire protection system work, unless otherwise noted. **(FD)**

Connection to the Public Water Supply - Separate plans shall be submitted to the Public Works Department detailing the connection, piping, valves and back-flow prevention assembly (DDCA) for approval and permits. Approval by Public Works and the Fire Department must be completed prior to issuance of a grading permit. The dedicated private fire water service off-site improvements shall be shown on a precise grading plan, prepared by a Licensed Civil Engineer. **(FD)**

Fire Protection Systems

Fire Extinguishers shall be installed and located in all areas to comply with Huntington Beach Fire Code standards found in *City Specification #424*. The minimum required dry chemical fire extinguisher size is 2A 10BC and shall be installed within 75 feet travel distance to all portions of the building. Extinguishers are required to be serviced or replaced annually. **(FD)**

Fire Master Plan: Provide a Fire Master Plan showing the location of the following:

1. Buildings
2. Hydrants (public and private) and FDC's (and actual travel distance for a person between)

3. DCDA's and Sprinkler Risers
4. Horizontal Exits and other exits
5. Standpipe Hose Connections (with dimensions shown)
6. All Fire Protection Systems (reflect what areas each serves)
7. FACP (Fire Alarm Control Panel)
8. Knox box and key switches
9. Electrical Rooms
10. Elevator Machine Rooms
11. Gate locations
12. Fire lane dimensions, lengths, signage and striping, turning radii at corners and turn-arounds.
13. Fire Department Access paths (for hose pulls and access in and around building) called out
14. Stair locations, and floors served called out
15. Fire Extinguishers
16. Any hazardous materials
17. Fire Lane Signage (no parking), red curbing, any proposed Fire Lane Striping, etc.

Addressing and Street Names

Structure or Building Address Assignments. The Planning Department shall review and make address assignments. The individual dwelling units shall be identified with numbers per City Specification # 409 Street Naming and Address Assignment Process. For Fire Department approval, reference compliance with City Specification #409 Street Naming and Address Assignment Process in the plan notes. **(FD)**

Commercial Building Address Numbers shall be installed to comply with City Specification #428, Premise Identification. Building address number sets are required on front and rear of the structure and shall be a minimum of six inches (6") high with one and one half inch (1 ½") brush stroke. Note: Units shall be identified with numbers per City Specification # 409 Street Naming and Address Assignment Process. Unit address numbers shall be a minimum of four inches (4") affixed to the units front and rear door. All address numbers are to be in a contrasting color. For Fire Department approval, reference compliance with City Specification #428 Premise Identification in the plan notes and portray the address location on the building. **(FD)**

GIS Mapping Information

- a. **GIS Mapping Information** shall be provided to the Fire Department in compliance with GIS Department CAD Submittal Guideline requirements. Minimum submittals shall include the following:
 - Site plot plan showing the building footprint.
 - Specify the type of use for the building
 - Location of electrical, gas, water, sprinkler system shut-offs.
 - Fire Sprinkler Connections (FDC) if any.

- Knox Access locations for doors, gates, and vehicle access.
- Street name and address.

Final site plot plan shall be submitted in the following digital format and shall include the following:

- Submittal media shall be via CD rom to the Fire Department.
- Shall be in accordance with County of Orange Ordinance 3809.
- File format shall be in .shp, AutoCAD, AUTOCAD MAP (latest possible release) drawing file - .DWG (preferred) or Drawing Interchange File - .DXF.
- Data should be in NAD83 State Plane, Zone 6, Feet Lambert Conformal Conic Projection.
- Separate drawing file for each individual sheet.
In compliance with Huntington Beach Standard Sheets, drawing names, pen colors, and layering convention. and conform to *City of Huntington Beach Specification # 409 – Street Naming and Addressing*.

For specific GIS technical requirements, contact the Huntington Beach GIS Department at (714) 536-5574.

For Fire Department approval, reference compliance with *GIS Mapping Information* in the building plan notes. **(FD)**

THE FOLLOWING CONDITIONS SHALL BE MAINTAINED DURING CONSTRUCTION:

- a. Fire/Emergency Access And Site Safety shall be maintained during project construction phases in compliance with HBFC Chapter 14, Fire Safety During Construction And Demolition. **(FD)**

OTHER:

- a. Discovery of additional soil contamination or underground pipelines, etc., must be reported to the Fire Department immediately and the approved work plan modified accordingly in compliance with City Specification #431-92 Soil Clean-Up Standards. **(FD)**
- b. Outside City Consultants The Fire Department review of this project and subsequent plans may require the use of City consultants. The Huntington Beach City Council approved fee schedule allows the Fire Department to recover consultant fees from the applicant, developer or other responsible party. **(FD)**

Fire Department City Specifications may be obtained at:
Huntington Beach Fire Department Administrative Office
City Hall 2000 Main Street, 5th floor
Huntington Beach, CA 92648
or through the City's website at www.surfcity-hb.org

If you have any questions, please contact the Fire Prevention Division at (714) 536-5411.



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION FOR THE
HUNTINGTON BEACH ENERGY PROJECT**

Docket No. 12-AFC-02
(Revised 10/08/12)

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DECLARATION OF SERVICE

I, Diane L. Scott declare that on December 7, 2012, I served and filed a copy of the attached **City of Huntington Beach Comments Regarding the Huntington Beach Energy Project (12-AFC-02)**, dated December 6, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at: http://www.energy.ca.gov/sitingcases/huntington_beach_energy/index.html.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses marked **"hard copy required"** or where no e-mail address is provided.

AND

For filing with the Docket Unit at the Energy Commission:

- by sending one electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 12-AFC-02
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.



Diane L. Scott, *Project Assistant*
Siting, Transmission and Environmental Protection Division