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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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HUNTINGTON BEACH ENERGY PROJECT

Docket No. 12-AFC-02

ERRATA TO THE REVISED PRESIDING MEMBER'S PROPOSED DECISION

After reviewing the comments submitted by the parties and members of the public, we incorporate the following changes to the October 9, 2014, Revised Presiding Member's Proposed Decision (RPMPD). In the RPMPD, additions to the September 3, 2014, Presiding Member's Proposed Decision are shown in **underline** and deletions are shown in strikeout shown. In this Errata, additions to the RPMPD are shown in **double underline** and deletions are shown in ~~double strikeout~~.

FACILITY DESIGN

1. On page 3.1-7, under the heading, "Proposed Condition of Certification GEN-9", revise as follows::

The July 2014 Report requests that we add Condition of Certification GEN-9 that would preclude the project owner from constructing a shoreline protective device in the tsunami run-up zone. The Coastal Commission cites the LCP as the basis for requiring it. (Ex. 4026, pp. 3, 23-25.)

In its rebuttal testimony, applicant states that it has neither proposed nor does it contemplate the construction of any shoreline protective devices. Applicant argues that, in the absence of any such plan, it is redundant and unnecessary and would seemingly invite us to identify every Local Coastal Plan policy and include such as a condition of certification. (Ex. 1137, p. 26.)

~~We agree with applicant. In the absence of any basis in the administrative record for the need to address an impact not caused by the project (the construction of a shoreline protective device), we find that proposed Condition of Certification GEN-9 is infeasible.~~

While we agree with the applicant that the condition appears to be unnecessary, the LCP appears to require that permitting agencies impose the condition as part of all permits. We thus impose Condition of

Certification GEN-9, precluding construction of a shoreline protective device.

2. On page 3.1-7, under the heading, “Public Comment”, revise as follows:

There were no public comments on FACILITY DESIGN during the evidentiary hearings on the HBEP. After publication of the RPMPD, Robert Simpson/Helping Hand Tools questioned our rejection of Condition of Certification GEN-9, as proposed by the Coastal Commission in the July 2014 Report. As requested, we have added Condition of Certification GEN-9 to preclude the project owner from building a shoreline protective device (e.g., a seawall).

GREENHOUSE GAS EMISSIONS

3. On page 4.1-16, under the heading, “Public Comment”, revise the text as follows:

There were no comments on the topic of greenhouse gases during the evidentiary hearings on the HBEP. However, after publication of the PMPD, comments were received from Claire Broome, Charles Ashley, Kim F. Floyd, and Jennifer Wilder that touched on GHG emissions from a fossil-fuel fired plant like HBEP.

Robert Simpson/Helping Hand Tools also submitted comments on GHG. Mr. Simpson’s comments concerned the Best Available Control Technologies (BACT) for GHG emissions and GHG alternative emission limits. Mr. Simpson questioned the approval of the HBEP when compared with both combined-cycle and single-cycle projects recently approved by the CEC. Mr. Simpson also questioned approval of the HBEP due to its heat rate exceeding the WECC average, as created by the *Avenal* decision. Mr. Simpson also stated that the federal “New Source Performance Standard” would require the HBEP to operate fewer hours. Mr. Simpson was also concerned with BACT for CO, VOC, and PM₁₀, as well as the HBEP’s ability to meet District Rule 1325, regarding the amount of PM_{2.5} that may be generated by the project.

Regarding comparisons between HBEP and both combined- and single-cycle projects, the RPMPD, at pages 3.2-1, 3.2-3 through 3.2-5, and 4.1-13 through 4.14, described the comparative efficiency of these projects. The operation of the HBEP will balance thermal efficiency with facility flexibility (that is, rapid start and fast ramping capabilities) across a wide range of operating load points, including coordination with the integration of renewables. The conclusions reached by this Decision—that the HBEP’s selected project configuration (rapid response combined cycle) and generating equipment (M501DA gas turbines and associated cooling systems) represent a reasonably efficient feasible combination—are

supported by the record. (See, e.g., Ex. 2000, pp. 4.1-90 – 4.1-93, 4.1-95- 4.1-105, 6.12.) Accordingly, Mr. Simpson’s concerns on this topic have been addressed.

Regarding HBEP and the system-wide heat rate, the discussion of Avenal, as well as the more up-to-date requirements of the CEQA Guidelines, can be found on pages 4.1-6 through 4.1-9 of this Decision. As pointed out on page 4.15 of this decision, the potentially higher heat rate is balanced against the overall reduction in gas-fired generation and GHG emissions that will naturally occur as HBEP displaces energy generated from other, less efficient gas-fired generation.

Turning to the HBEP’s compliance with the new federal performance standards, the project will be required to meet any new law, ordinance, regulation, or standard (LORS) during its life. However, as pointed out at page 4.1-5 of this Decision, this standard is still in draft form so its full effect on this project cannot be quantified. However, power producers have a long history of responding to evolving regulatory and customer requirements, and the HBEP should be no different.

As it relates to BACT for CO, VOC, and PM₁₀, Mr. Simpson contends that the incorrect BACT limits for CO, VOC and PM₁₀ were used to determine the project’s impacts, citing various projects, including Russell City Energy Center, the Palmdale Hybrid project, and Virginia Electric and Power Company’s Warrant County Facility. However, the Final Determination of Compliance issued by the South Coast Air Quality Management District lists the same standards as used in the Decision (Ex. 1046, pp. 2-12, 34 (Tables 4.1 and 4.2).) Contrary to Mr. Simpson’s statement, a top-down analysis was conducted by the SCAQMD for NO₂, CO, SO₂, and PM₁₀. (Ex. 1046, pp. 41-43.) Therefore, the Commission has applied the appropriate standards in addressing the potential impacts of the HBEP in this area.

Finally, Mr. Simpson raises the project’s emission of PM_{2.5} as being violative of District Rule 1325. However, in the FDOC, the SCAQMD determined that the HBEP would not result in an increase in emission above the 100 ton/year threshold and that, therefore, it would not be subject to the requirements of Rule 1325. (Ex. 1046, p. 40.) Furthermore, Condition of Certification AQ-1 both imposes the 100 ton/year limit and sets forth a detailed process for the determination of compliance with the condition. Accordingly, this concern regarding PM_{2.5} has been fully analyzed.

AIR QUALITY

4. On page 4.2-22, before the heading, "Findings of Fact", insert the following text:

During the comment periods on the PMPD and RPMPD, Robert Simpson/Helping Hand Tools argued that the amount of secondary particulate formation from ammonia emissions (so-called "ammonia slip") was significant, requiring mitigation. Mr. Simpson also questioned the effectiveness of a street sweeping program to control fugitive dust from the project. The comments also question the failure to quantify the impacts of the Poseidon desalination plant. Finally, the commenter stated that AES was in violation of air quality permits for Redondo Beach and that such violations should serve as a justification for denying the license for HBEP.

Ammonia slip is discussed at page 4.2-18 to 4.2-19 of the RPMPD. In that discussion, we limited ammonia slip to 5 ppm at 15 percent oxygen. This limitation was echoed in the Final Determination of Compliance issued by SCAQMD (Ex. 1046, pp. 68, 76) and is contained in Condition of Certification AQ-18. Thus, the potential impact of ammonia slip has been adequately analyzed.

Regarding construction emissions of fugitive dust, the RPMPD contained Condition of Certification AQ-SC 6 that requires the project owner to prepare and implement a construction particulate matter mitigation plan, subject to the approval of the Energy Commission's Construction Project Manager (CPM) that will provide the equivalent of at least 8.26 lbs/day PM10 and 0.79 lbs/day PM2.5 of emissions reductions during the construction phase of the project through a variety of measures. Street sweeping is one of a suite of options available to meet this standard.

The Poseidon desalination plant was considered as a cumulative impact in several sections of this Decision (See, e.g., BIOLOGICAL RESOURCES, LAND USE, NOISE and VIBRATION, and VISUAL RESOURCES.) Regarding air quality, the SCAQMD has principal responsibility for addressing cumulative air quality impacts. (Ex. 2000, p. 4.1-33.)

As it relates to AES's alleged violation of other air quality permits, the FDOC finds that, as it relates to operations at Huntington Beach, AES is in compliance and thus compliant with Rule 1303(b)(5). (Ex. 1046, p. 16.) The other areas cited by the commenter are outside the evidentiary record for this proceeding.

HAZARDOUS MATERIALS

5. Revise the text under “Response to Agency and Public Comments” on page 4.5-12 as follows:

In comments on the PMPD, Robert Simpson/Helping Hand Tools questioned the use of aqueous ammonia when the HBGS uses urea pellets. Mr. Simpson also cited the potential for seismic activities to create additional impacts due to the presence of aqueous ammonia on site. The commenter also discussed the potential security risks from terrorists due to the presence of aqueous ammonia. Finally, in comments on the RPMPD, Mr. Simpson commented that workers could also be harmed in the event of a tank failure, resulting in exposure to aqueous ammonia.

As to the use of urea pellets instead of aqueous ammonia, The the AFC concluded that the current urea to ammonia convertor was incompatible with the HBEP because of its inability to accommodate fast starts and rapid load changes. (Ex. 1001, p. 2-31.).

In addition, Condition of Certification HAZ-1 limits the amount of aqueous ammonia that may be stored on site, addressing concerns about safety.

The risk of tank failure was analyzed on page 4.5-10 of this Decision. We stated that seismically-induced failures to the ammonia tank were unlikely to occur because of the implementation of standards from the 2010 California Building Code. The risk of tank failure during an earthquake was analyzed in the FSA, where staff modeled the “worst case scenario” involving the total loss of containment of the entire contents of a full tank and found that, with the implementation of Condition of Certification HAZ-4, the resulting air-borne plume would not produce hazardous concentrations of ammonia beyond the facility’s fence line. (Ex. 2000, pp. 4.4-10, 4.4-14.)

As it relates to the potential impacts to workers at the HBEP in the event of a tank failure, the “Worker Safety and Fire Protection” section of this Decision includes a thorough discussion of the safety measures designed to protect workers from exposure to hazardous materials, including ammonia. Conditions of Certification WORKER SAFETY-1 and WORKER SAFETY-2 ensure that the project owner will develop and implement safety plans for both construction and operation. These safety plans also comply with applicable LORS relating to worker safety, including OSHA and Cal-OSHA requirements. (See pp. 4.4-3- 4.4-4 of this Decision).

Risks associated with a potential terrorist attack during construction and operation, as well during transportation of the ammonia, are discussed at pages

4.5-10 through 4.5-11 of this Decision. There, we imposed Conditions of Certification HAZ-7 and HAZ-8, which ensure that neither this project nor a shipment of hazardous material is the target of unauthorized access. (See also Ex. 2000, p. 4.4-15.)

Accordingly, the concerns raised by Mr. Simpson have been addressed in the Decision.

BIOLOGICAL RESOURCES

6. On page 5.1-10, in the first row of the table, in the third column, revise the text as follows:

High. Not likely to occur at the HBEP site or offsite laydown area, but could occur in adjacent marshes. Nests at the nearby Brookhurst and Santa Ana River Marshes and possibly the Talbert Marsh, the closest of which is less than one mile from the HBEP site. It is expected to forage within Magnolia Marsh (Zembal 2013), adjacent to the HBEP site. When restoration is complete (within a few years), Magnolia Marsh ~~is expected to~~ may provide suitable breeding habitat.

7. On page 5.1-19, revise the first sentence of the first full paragraph as follows:

Applicant contends that the current restoration of the nearby marshes will may not be of the type necessary to support nesting habitat for the light-footed clapper rail.

SOIL AND WATER RESOURCES

8. On page 5.2-27, under the heading, "Public Comments", revise the text as follows:

No agency or public comments were received regarding Soil and Water Resources during the evidentiary hearings. In comments on the RPMPD, Robert Simpson/Helping Hand Tools states that the RPMPD contains issues relating to water resources that were "apparently not adequately considered." Mr. Simpson also states that the project should use wastewater, and that the Commission erred in determining the conditions of certification proposed by the Coastal Commission in the July 2014 were infeasible.

The issue of providing sufficient water for the project was considered in both the PMPD and the RPMPD. (PMPD (TN 203024) pp. 5.2-18 – 5.2-20; RPMPD (TN 203180) pp. 5.2-19 – 5.2-25.) Thus, there is sufficient analysis of the adequacy of supply for the project during construction, demolition, and operation.

Moreover, the use of wastewater instead of potable water was controverted at the evidentiary hearing; the discussion and analysis of that information is found at pages 5.2-12 through 5.2-13 of this Decision.

Finally, as it relates to the revisions to Condition of Certification SOIL & WATER 8 proposed by the Coastal Commission that would require the project to design protective measures for a 500-year flood event. Our determination that imposing requirements related to a 500-year flood event is infeasible is discussed in the GEOLOGICAL AND PALEONTOLOGICAL RESOURCES section of this Decision.

NOISE AND VIBRATION

9. On page 6.4-4, revise as follows:

~~It is generally accepted that a~~ **The** potential for a significant noise impact exists where the noise of the project plus the background exceeds the background by more than 5dBA at the nearest sensitive receptor.

10. On page 6.4-6, revise the text before the heading, "Worker Effects" as follows:

In comments on the PMPD, both staff and applicant have requested that we eliminate language from Condition of Certification NOISE-6 that would require notice to residents within one mile of the project whenever construction work would occur outside of normal construction hours. Staff asserts that this notice provision is duplicative of the notification requirement contained in Condition of Certification NOISE-1. (TN 203120, p. 33; TN 203068, p. APP-140.)

Condition of Certification NOISE-1 requires public notice of ground disturbance activities at the beginning of project construction. Condition of Certification NOISE-6, on the other hand, would allow the project owner to work outside of normal construction hours. However, as set forth above, the construction hours contained in NOISE-6 ensure that the HBEP is compliant with LORS. As such, to the extent that work will be performed outside of those permitted by the municipal code, and given the long construction time of over seven years, we deem it appropriate to notify residents of the contravention of the local noise ordinance. This notification may minimize the number of complaints received by the project owner, the CPM, and the local police.

In comments on the RPMPD, the applicant has requested that we modify Condition of Certification NOISE-6. Condition of Certification NOISE-6, as written the RPMPD, requires notice not only to affected property owners but also to residents, who may or may not be the property owners. Applicant would have the notice of work performed outside of normal construction hours be sent only to property owners. We decline to make this change. Given that noise impacts from nighttime activities will fall most heavily on those people who live near the plant, requiring that they be notified, even if they do not own their homes, is appropriate.

Applicant also requests that we revise Condition of Certification NOISE-6 so that notice only goes to those within 300 feet from the proposed noise source, instead of one-half mile from the project site. Applicant bases this request on the language of Huntington Beach Municipal Code section 8.40.130. As it relates to complying with LORS, we find nothing that limits our ability to broaden the notice requirement otherwise contained in an applicable LORS, such as section 8.40.130. More importantly, given the large construction site and the long demolition and construction time frame, we find that giving notification to those living and owning property within one-half mile of the project site as a whole is reasonable.

11. On page 6.4-14, before the heading “Findings of Fact”, insert the following:

PUBLIC COMMENT:

There were no comments on the topic of noise and vibration during the evidentiary hearings on the HBEP. However, following publication of the RPMPD, comments were received from Intervenor Jason Pyle on the topic of noise. Mr. Pyle raised questions regarding the baseline used to determine the ambient noise levels at the HBEP project site, particularly whether the current operations of the power plant were considered. Mr. Pyle suggested that the proposed project should be analyzed both with and without noise from the current HBGS.

The evidence shows that the applicant conducted noise studies between September 19, 2012, and September 21, 2012, when the values contained in Noise Tables 4 and 6, above, were determined. (Ex. 2000, p. 4.6-6.) During that time, the existing HBGS was operating at or near full capacity (Ex. 1034, Response to Data Request 7.) As such, the existing operations were considered as part of the baseline against which project noise impacts, both during demolition and construction and during anticipated future operations, were analyzed.

The CEQA Guidelines, as interpreted by numerous California courts, state that the impacts of a proposed project are ordinarily to be compared to the actual environmental conditions existing at the time of the environmental analysis; that is the “real conditions on the ground”. (CEQA Guidelines, tit. 14, §15125, subd. (a); *Communities for a Better Environment v. South Coast Air Quality Management District* (2010) 48 Cal.4th 310, 320-321, fns. 6 & 7, 226 P.3d 985, 106 Cal.Rptr.3d 502, and cases cited there.) Using existing noise from the HBGS as the baseline for HBEP is particularly relevant because the HBGS could continue to operate, at a minimum, until December 30, 2020. (See discussion regarding elimination of once-through-cooling and its effects on the HBGS in the

“Alternatives” section of this Decision.) We thus decline to analyze the project’s potential noise impacts against a baseline without noise from HBGS.

VISUAL RESOURCES

12. On page 6.5-2, revise the third paragraph as follows:

The proposed project would use the existing lighting of the HBGS structures, including includes exterior lighting on the stack platforms, scaffolding on the power block exteriors, and exterior staircases. The tops of the existing exhaust stacks are lit with red aircraft safety warning beacons. (Ex. 2000, p. 4.12-5.)

ALTERNATIVES

13. On page 8-19, revise the following text before the heading, “Findings of Fact” as follows:

PUBLIC COMMENT

There were no comments on the topic of alternatives during the evidentiary hearings on the HBEP. However, after publication of the PMPD, comments were received from Claire Broome, Colby Allerton, Edward Mainland, Kim F. Floyd, Judith Aukeman, Kiki LaPorta, and Jennifer Wilder, and others indicated that the HBEP was not necessary because renewables, energy efficiency, and other demand response measures would meet demand. The alternatives of renewables and demand response were considered above. Therefore, these concerns have been addressed in the Decision.

During comments on the RPMPD, several commenters questioned the need for the project. The Energy Commission does not generally consider the level of need for a project. Public Resources Code section 25523 specifies the findings the Energy Commission must make in its final decision on an Application for Certification (AFC). Those findings are limited to (1) ensuring that the project will “be designed, sited, and operated to protect environmental quality and assure public health and safety” and (2) compliance with local, regional, state, and federal laws, ordinances, regulations and standards (LORS). (Pub. Resources §25523, subd. (a).)

CONDITIONS OF CERTIFICATION (APPENDIX "A")

Definitions

14. On page APP-3, revise Condition of Certification DEF-1, Item #8 as follows:

8. Measurement.

Whenever distance is used in these Conditions of Certification, it shall be measured from the project fence line boundary.

Facility Design

15. On page APP-13, before Condition of Certification **CIVIL-1**, insert the following:

GEN-9: No Shoreline Protective Device.

In the event that the approved development, including any future improvements, is threatened with damage or destruction from coastal hazards, or is damaged or destroyed by coastal hazards, protective structures (including but not limited to seawalls, revetments, groins, deep piers/caissons etc.) shall be prohibited. By acceptance of the CEC approval, the project owner waives any right to construct such protective structures, including any that may exist under Public Resources Code Section 30235.

Transmission Line Safety and Nuisance

16. Revise the "Verification" section of Condition **TLSN-1** as follows:

VERIFICATION: At least 30 days prior to start of construction of the ~~transmission~~ **generator tie** line or related structures and facilities, the project owner shall submit to the Compliance Project Manager (CPM) a letter signed by a California registered electrical engineer affirming that the lines will be constructed according to the requirements stated in the condition.

Air Quality

17. Revise Condition of Certification **AQ-10** on page APP-43 as follows:

The 1100 lbs/net MWH CO₂ limit is averaged over 12 rolling months. This limit only applies if the capacity factor of the unit **is equal to or** exceeds 60% on an annual basis.

Cultural Resources

18. Revise Condition of Certification **CUL-2** by adding the word "VERIFICATION" prior to Item 1 on page APP-109.

19. Revise Condition of Certification **CUL-3** following Item #11 on page APP-112 as follows:

~~42.~~ **VERIFICATION:**

~~1.~~ **1.** Upon approval of the CRS proposed by the project owner, the CPM will provide to the project owner an electronic copy of the draft model CRMMP for the CRS.

~~43.~~ **2.** At least 30 days prior to the start of Cultural Resources Ground Disturbances, the project owner shall submit the CRMMP to the CPM for review and approval.

~~44.~~ **3.** At least 30 days prior to the start of Cultural Resources Ground Disturbances, in a letter to the CPM, the project owner shall agree to pay curation fees for any materials generated or collected as a result of the archaeological investigations (survey, testing, and data recovery).

~~45.~~ **4.** Within 90 days after completion of Cultural Resources Ground Disturbances (including landscaping), if cultural materials requiring curation were generated or collected, the project owner shall provide to the CPM a copy of an agreement with, or other written commitment from a curation facility that meets the standards stated in SHRC (1993), to accept the cultural materials from this project. Any agreements concerning curation will be retained and available for audit for the life of the project.

20. On page APP-124, revise Condition of Certification **CUL-7** after Item #5 as follows:

VERIFICATION:

~~6.~~ **1.** At least 30 days prior to the start of ground disturbance, the project owner shall provide the CPM and CRS with a letter confirming that the CRS, alternate CRS, and CRMs have the authority to halt ground disturbance in the vicinity of a cultural resources discovery, and that the project owner shall ensure that the CRS notifies the CPM within 24 hours of a discovery, or by Monday morning if the cultural resources discovery occurs between 8:00 AM on Friday and 8:00 AM on Sunday.

~~7.~~ **2.** Unless the discovery can be treated prescriptively, as specified in the CRMMP, completed DPR 523 forms for resources newly discovered during ground disturbance shall be submitted to the CPM for review and approval no later than 24 hours following the notification of the CPM, or 48 hours following the completion of data recordation/recovery, whichever the CRS decides is more appropriate for the subject cultural resource.

~~8.~~ **3.** Within 48 hours of the discovery of a resource of interest to Native Americans, the project owner shall ensure that the CRS notifies all Native American groups that

expressed a desire to be notified in the event of such a discovery, and the CRS must inform the CPM when the notifications are complete.

9. ~~4.~~ 4. No later than 30 days following the discovery of any Native American cultural materials, the project owner shall submit to the CPM copies of the information transmittal letters sent to the chairpersons of the Native American tribes or groups who requested the information. Additionally, the project owner shall submit to the CPM copies of letters of transmittal for all subsequent responses to Native American requests for notification, consultation, and reports and records.

~~10.~~ 5. Within 15 days of receiving them, the project owner shall submit to the CPM copies of any comments or information provided by Native Americans in response to the project owner's transmittals of information.

21. Revise Condition of Certification **CUL-2** by adding the word "VERIFICATION" prior to Item 1 on page APP-125.

Land Use

22. Revise Condition of Certification **LAND-1** as follows:

LAND-1 The project owner shall comply with Appendix B(g)(3)(c) of the Siting Regulations (Title 20, California Code of Regulations) by ensuring that the HBEP site, excluding linear and temporary lay down or staging area, ~~as shown in Figure/Table A/Whatnot~~, will be located on a single legal parcel.

Visual Resources

23. Revise the first paragraph under the heading "Verification" of Condition of Certification **VIS-1** as follows:

VERIFICATION: ~~No more than~~ No more than 45 calendar days before ~~At least 30 45 calendar days before~~ ~~after~~ No more than 45 calendar days before submitting the master drawings and master specifications list to the CBO (in accordance with the requirements of **GEN-2**), the project owner shall submit a Visual Screening and Enhancement Plan for Project Structures to the CPM for review and approval. The project owner shall, simultaneously with the submission to the CPM, submit seven copies of the Visual Screening and Enhancement Plan to the City of Huntington Beach Planning and Building Department for review and comment. ~~and one copy to the Executive Director of the Coastal Commission for review and comment.~~

24. On page APP-157, revise the second paragraph as follows:

The project owner shall schedule periodic site visits with the CPM to view progress on implementing the Plan. At a minimum, site visits shall be scheduled within 30 calendar days of commercial operation of Power Block 1 and again within 30 calendar days of commercial operation of Power Block 2. The Plan

shall be fully implemented **no less than 60 days before commercial operation of Power Block #1.** ~~within 90 calendar days of completing demolition of the Huntington Beach Generating Station Units 1 and 2.~~ The project owner shall verify in writing when the Plan is fully implemented and the facility is ready for inspection. The project owner shall obtain written confirmation from the CPM that the project complies with the Visual Screening and Enhancement Plan for Project Structures.

25. Revise the first paragraph under the heading “Verification” of Condition of Certification **VIS-2** as follows:

VERIFICATION: ~~**No more than** At least 90 ~~45~~ calendar days before site mobilization after submitting the master drawings and master specifications list to the CBO (in accordance with the requirements of GEN-2), **No more than 45 calendar days after submitting the master drawings and master specifications list to the CBO (in accordance with the requirements of Condition of Certification GEN-2),** the project owner shall submit the Perimeter Screening and On-site Landscape and Irrigation Plan to the CPM for review and approval. The project owner shall, simultaneously with the submission to the CPM, submit seven copies of the Perimeter Screening and On-site Landscape and Irrigation Plan to the City of Huntington Beach Planning and Building Department ~~and one copy to the Executive Director of the Coastal Commission~~ for review and comment.~~

If the CPM determines that the **pPlan** requires revision, the project owner shall provide an updated version with the specified revision(s) for review and approval by the CPM. The project owner shall, simultaneously with the submission to the CPM, submit seven copies of the revised Perimeter Screening and On-site Landscape and Irrigation Plan to the City of Huntington Beach Planning and Building Department **for review and comment.** ~~and one copy to the Executive Director of the Coastal Commission for review and comment.~~

26. On page APP-161, revise the second full paragraph as follows:

The project owner shall schedule periodic site visits with the CPM to view progress on implementing the Plan. At a minimum, site visits shall be scheduled within 30 calendar days of commercial operation of Power Block 1 and again within 30 calendar days of commercial operation of Power Block 2. The Plan shall be fully implemented **no less than 60 days before commercial operation of Power Block #1.** ~~within 90 calendar days of completing demolition of the Huntington Beach Generating Station Units 1 and 2.~~ The project owner shall verify in writing when the Plan is fully implemented and the facility is ready for inspection. The project owner shall obtain written confirmation from the CPM that the project complies with the Perimeter Screening and On-site Landscape and Irrigation Plan. On page APP-163, revise the first full sentence as follows:

27. On page APP-163, revise the first sentence of the first full paragraph as follows:

The Construction Screening, Landscape Protection, and Site Restoration Plan shall provide **color** images showing options for site perimeter screening materials.

28. On page APP-163, revise the first paragraph of the “Verification” section of Condition of Certification **VIS-3**, as follows:

VERIFICATION: ~~At least 60~~ ~~No later than 45~~ calendar days ~~after submittal of the documentation required by GEN-2~~ before the start of site mobilization **At least 60 calendar days before the start of site mobilization**, the project owner shall submit a Construction Screening, Landscape Protection, and Site Restoration Plan to the CPM for review and approval. Simultaneously with the submission of a Construction Screening, Landscape Protection, and Site Restoration Plan to the CPM, the project owner shall submit seven copies of a Construction Screening, Landscape Protection, and Site Restoration Plan to the City of Huntington Beach Planning and Building Department for review and comment.

29. On page APP-168, revise the first paragraph under the heading, “Verification” as follows:

VERIFICATION: At least ~~90~~ **60** calendar days **before commercial operation of** ~~ordering any permanent lighting equipment for Power Block 1 and related facilities and structures~~, the project owner shall submit a comprehensive Lighting Management Plan to the CPM for review and approval. Simultaneously with the submission of the Lighting Management Plan to the CPM, the project owner shall submit ~~one copy to the Executive Director of the Coastal Commission~~ and seven copies to the City of Huntington Beach Planning and Building Department for review and comment. ~~The project owner shall provide any comments on the plan received from the City and/or the Coastal Commission to the CPM.~~

30. On page APP-169, revise the first paragraph under the heading, “Verification” as follows:

At least 60 calendar days before **commercial operation of Power Block 2** ~~ordering any permanent lighting for Power Block 2 and other buildings and structures~~, the project owner shall submit a comprehensive **the Lighting Management Plan review and letter report** to the CPM for review and approval. Simultaneously with the submission of the Lighting Management Plan **review and letter report** to the CPM, the project owner shall submit ~~one copy to the Executive Director of the Coastal Commission~~ and seven copies to the City of Huntington Beach Planning and Building Department for review and comment... The project owner shall provide any comments on the plan received from the City shall be provided to the CPM within 3 business days of receipt.

Compliance and Closure

31. On page APP-180, revise the third unnumbered paragraph of Condition **COM-13** as follows:

Within **six (6) business days** ~~one (1) week~~ of the incident, the project owner shall submit to the CPM a detailed incident report, which includes, as appropriate, the following information:

Dated: October 28, 2014, at Sacramento, California.

Original Signed By:

ANDREW McALLISTER
Commissioner and Presiding Member
Huntington Beach Energy Project
AFC Committee

Original Signed By:

KAREN DOUGLAS
Commissioner and Associate Member
Huntington Beach Energy Project
AFC Committee