

## DOCKETED

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**VIA ELECTRONIC FILING**

Mr. John Heiser, Project Manager  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**Re: Huntington Beach Energy Project (12-AFC-02C)  
Project Owner's Follow-Up to Data Request Workshop**

Dear Mr. Heiser:

Project Owner AES Southland Development, LLC ("AES" or "Project Owner") appreciated the opportunity to discuss the Staff's Data Requests, Set One, and Project Owner's responses thereto (TN# 206858) during the December 8, 2015 Data Request Workshop. As a follow-up to those discussions, Project Owner provides the following additional information for Staff's consideration.

**A9-A10**: Project Owner herein provides additional information that supplements the previous responses provided on December 4, 2015. During the workshop, CEC Staff inquired about both the South Long Beach monitoring station and the North Long Beach monitoring station, wherein the Data Request only referenced the Long Beach monitoring station. Project Owner's response focused on the South Long Beach monitoring station and why it is not suitable for use for this project. For the same reasons previously noted, the North Long Beach Station is not any more appropriate than the Mission Viejo Station relied on by the Project Owner and the SCAQMD during the Licensed HBEP proceeding and in the modeling provided as part of the current PTA proceedings. Furthermore CEC Staff's assertion that maximum particulate matter impacts resulting from the Amended HBEP combined with maximum measured particulate matter impacts at the Long Beach monitoring station would **cause** a new exceedance of the California 24-hour particulate matter (PM<sub>10</sub>) ambient air quality standard completely ignores the fact that the entire South Coast air basin is in nonattainment of the California PM<sub>10</sub> ambient air quality standards. Since the Amended HBEP will contribute to an existing exceedance of the California 24-hour PM<sub>10</sub> ambient air quality standard, particulate matter emissions resulting from the Amended HBEP must be offset consistent with the state and federal Clean Air Act and New Source Review. There is no need for additional modeling since the potential air quality impacts have already been identified and will be mitigated to a less than significant level.



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**A15-18:** Project Owner and CEC Staff discussed the various Overlap Scenarios addressed in these data requests. As a follow-up to the discussions on this topic, Project Owner reiterates that it remains a remote possibility that Unit 2 will be dispatched during any of the Overlap Scenarios referenced by Staff. Contrary to Staff's understanding of Project Owner's response, Project Owner does not contend (nor has Project Owner ever contended) that contemporaneous operation of Unit 2 with the Overlap Scenarios mentioned in these requests will never occur. However, the possibility that Unit 2 would be called upon to run during the Overlap Scenarios is extremely remote and unlikely to cause any further air quality impacts not already identified. CEQA requires analysis of reasonably foreseeable impacts, not speculative or unlikely impacts. The remote possibility of Unit 2 being called upon to run during the Overlap Scenarios is not reasonably foreseeable and not required to be analyzed under CEQA. (See, e.g., CEQA Guidelines, §§15064(d), (f)(5); 15065(a)(3); 15130(b); 15355). In addition, the operation of a new state-of-the-art CCGT fitted with best available emission control technology operating in conjunction with existing Unit 2 would have greater impacts than the operation of the existing Huntington Beach Generating Station is speculative at best. Further, as noted at the Workshop, since the basin is in nonattainment status for particulate matter and ozone (and its precursors NO<sub>2</sub> and VOCs), the Amended HBEP's air emissions will be fully offset to mitigate the air quality impacts, regardless of what the additional modeling requested by Staff would demonstrate.

**A60:** Project Owner provided two figures in the PTA and two figures in the data responses that contained references to auxiliary load. Project Owner apologizes for the small font of that information and thus provides the following responses to Staff's inquiry as follows: the CCGT auxiliary load ranges from 18,903 kilowatts (kW) at average ambient conditions to 19,114 kW at the minimum expected ambient conditions and the SCGT auxiliary load ranges from 7,990 kW at average ambient conditions to 8,036 kW at the minimum expected ambient conditions.

**Visual Resources:** During the workshop, AES agreed to provide simulations including the architectural design after approval by the City that also do not contain conceptual landscaping. This information is expected to be available in approximately March 2016, following City review of the architectural design. CEC Visual Staff currently has all of the information it needs to conduct a visual resources analysis of the Amended HBEP as compared to the Licensed HBEP, which, as discussed in the PTA, demonstrates that any potential impacts to visual resources associated with the Amended HBEP are less than those previously analyzed (and mitigated, where applicable), for the Licensed HBEP.



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**Socioeconomics (Environmental Justice):** During the Informational Hearing, Staff noted that two environmental areas are major issue areas for Staff: Air Quality and Environmental Justice. CEC Project Manager John Heiser said Staff is working on determining if there is an Environmental Justice issue associated with the Amended Project. AES would like to clarify that the U.S. Census data available for the Licensed Project and for the Amended HBEP is from the same U.S. Census, as there has not been another U.S. Census conducted subsequent to the proceedings for the Licensed Project. Therefore, as explained in Section 5.10.4 of the PTA, the environmental justice analysis and finding for the Licensed HBEP will not result in environmental justice impacts, and this finding remains applicable and valid for the Amended HBEP.

Very truly yours,

Melissa A. Foster  
MAF:jmw