

## DOCKETED

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# City of Huntington Beach

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## DEPARTMENT OF PLANNING AND BUILDING

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July 22, 2016

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

**SUBJECT: CITY OF HUNTINGTON BEACH COMMENTS REGARDING  
PRELIMINARY STAFF ASSESSMENT FOR THE  
HUNTINGTON BEACH ENERGY PROJECT PETITION TO AMEND  
DOCKET NO. 12-AFC-02C**

Dear Mr. Heiser:

In a Notice of Availability dated June 24, 2016, the California Energy Commission (CEC) encouraged interested parties to participate in the public review of the Preliminary Staff Assessment (PSA) of the Huntington Beach Energy Project Petition to Amend (HBEP PTA). The City of Huntington Beach appreciates the opportunity to review the CEC's PSA for AES Southland Development, LLC's Petition to Amend as submitted to the California Energy Commission on September 14, 2015.

The City offers the following comments:

1. Executive Summary -- Table 2: Label ID#36 Beach and Edinger Corridors Specific Plan should be deleted from the Cumulative Project List. The description of the BECSP referencing a Removal Action Plan and excavation of impacted soils is incorrect. The BECSP is a zoning document adopted in 2010 and revised in June 2015.
2. Page 3-3 Project Description: The discussion of 22 acres of combined construction parking and construction laydown at the adjacent Plains All-American site is different than the approved 1.9 acres of parking previously approved and should be more fully described. "Construction laydown," activities, including types of materials to be stored, method of delivery, paving proposed, number of anticipated truck trips, size, height, and appearance of stored materials, and any on-site construction related activities should be defined so that the public, the City, and the CEC staff are informed of the proposed activities at the site. The construction laydown activities should be fully analyzed throughout all issue areas of the PSA, including but not limited to Biology (removal of vegetated berm), Noise (delivery and construction laydown activities), Air Quality (dust control during parking and equipment

storage), Soil and Water Resources (drainage at Plains All-American site), and Traffic and Transportation (intersection improvements, truck hauling, and increased trips) sections. Overall, this section also lacks an adequate description of the newly proposed access at the Magnolia Street/Banning Avenue intersection.

3. Page 3-3 Project Description: This section describes the future demolition of Huntington Beach Generating Station (HBGS) Units 1 and 2 with no qualifiers on the extent of the demolition. Elsewhere in the document, the demolition of Units 1 and 2 is described as Demolition of Units 1 and 2 to the Turbine Deck with no description of the location, height, or appearance of the turbine deck. The PSA should clarify the extent of the demolition proposed and the CEC should require total and complete removal of Units 1 and 2. The City and its residents have both relied on and lived with the power plant within the community since the 1950s and deserve the complete demolition of the obsolete facility.
4. Page 3-5 and Page 3-11: It is unclear whether construction laydown is still proposed at the AES Alamitos Generating Station in addition to the newly proposed Plains All American site. These sections describe that no assembly of components will take place at the AGS site but as previously noted there is no description of activities proposed at the Plains site.
5. Page 3-11: Construction worker parking needs seem to be met with the expanded use of the Plains site. The PSA should clarify that the other identified off-site parking areas are no longer needed.
6. Page 4.1-2: The CEC should require complete removal of Units 1 and 2 rather than rely on voluntary removal as described in the PSA. Additionally, the City believes the CEC should require removal of Units 3 and 4 prior to operation of any new portion of the power plant.
7. Page 4.2-1: The PSA should use a consistent format to describe and analyze the proposed changes to the approved HBEP. For example, the Introduction section on Page 4.3-1, Cultural Resources, describes a bullet point list of activities proposed in the PTA that were not analyzed in the HBEP licensing proceedings. The Introduction section in Biological Resources and in many other issue areas does not include a similar list of project changes. The inconsistent format does not inform the reader that each amended project item was fully analyzed in each section. For example, it is unclear if the Biological Resources section includes an analysis of the proposed intersection improvements and potential impacts to a vegetated berm surrounding the Plains All American site. Any impacts to vegetation areas within the Coastal Zone should be analyzed. Additionally, the list of project changes in these introduction statements should include a description of the proposed 50 foot high wall.
8. Page 4.5-5: The City Council adopted Resolution No. 2016-27 regarding the height variance and architectural improvements has now been docketed on the CEC website. The Land Use section of the PSA describes that the City has made findings for approval for conditional use permit and coastal development permit. The PSA should clarify that the City's resolution only addresses that variance findings *could* be made and does not draw any conclusions or findings related to conditional use permits or coastal development permits.

9. Land Use: A coastal development permit and mitigated negative declaration were previously approved for demolition of above ground tanks and transmission lines at the Plains All American tanks site. These prior actions contemplated leaving the site in a vacant state with no proposed development. The newly proposed parking, construction laydown activities, intersection improvements, and changes to vegetated berm are subject to separate entitlement and coastal development permit analysis. There are ongoing questions regarding permitting authority over energy projects that include off-site activities. The PSA should include a complete description of how the proposed off-site activities comply with City requirements for development of a parking lot and construction storage areas within the Coastal Zone.
10. Land Use Table 1: Demolition of Units 3 and 4 is listed on the Cumulative Projects list. The PSA should also include demolition of Units 1 and 2 and demolition activities should be analyzed.
11. Page 4.5-9 Findings of Fact and Conclusions of Law: The PSA should clarify whether construction laydown within the City of Long Beach is still proposed and what are the impacts of the newly proposed construction laydown adjacent to residential at the Plains site.
12. Noise and Vibration: The PSA should describe and analyze that the new facility is larger and closer to residential on the east and northeast sides of the site as well as any potential noise impacts from construction laydown on the Plains site once those activities are more fully described. The Noise section should also include a description of the newly proposed 50 ft wall, why it is proposed, how it effects noise impacts from the proposed facility, and when construction of the wall is required to be completed.
13. Page 4.6-4 Operational Impacts: This section concludes that fewer pieces of equipment would likely result in lower operational noise levels. Without any analysis of the type and location of equipment now proposed it is unclear why fewer pieces of equipment lead to lower noise impacts.
14. Page 4.6-9 Noise-6: This section describes limitations on hours for heavy equipment operation and noisy construction work. However, as previously expressed, the City has a concern that construction workers and deliveries may impact adjacent residential areas. These activities should be limited so that workers and deliveries do not arrive on site and do not park, idle, or line up on surrounding streets prior to 7:00 AM.
15. Traffic and Transportation: Additional truck trips associated with 22 acres of construction laydown that was previously to occur in Long Beach should be addressed.
16. Traffic and Transportation: The PSA concludes no additional analysis is required for the amended HBEP and that the 2014 environmental analysis and conclusions are sufficient. Staff believes that supplemental environmental analysis is required for traffic and transportation for the following items:

- a. The PSA did not address the coastal zone replacement parking requirements with the proposed Magnolia Street and Banning Avenue intersection reconfiguration. The City is unaware of any readily available areas where replacement parking could be provided within walking distance of the parking spaces removed. To ensure that the condition/mitigation is feasible potential means of satisfying the condition should be identified.
  - b. The PSA did not remark on the access and pedestrian crossings of Newland Street from the vacant parcel proposed to be used for construction employee parking as discussed between staff and the applicant.
  - c. The proposed intersection reconfiguration (HBEP PTA) is to provide two drive lanes for entering and two lanes for exiting the project site, however, no analysis was provided to justify the need for two ingress and two egress lanes. Staff believes this intersection design element requires further examination in the HBEP amendment to facilitate Public Works encroachment permit processing of the proposed intersection reconfiguration.
  - d. No actual traffic analysis of intersection operations during construction (with project conditions) was included. The PSA provided a summary of the existing Level-of-Service for the intersections of Magnolia Street/Banning Avenue, Magnolia Street/Atlanta Avenue, and Magnolia Street/PCH but assumed with construction the service levels would not be impacted. No technical information was presented to confirm the analysis conclusions.
  - e. The PSA concluded no new analysis or changes to the cumulative traffic impacts for the amended HBEP are required. Staff recommends the cumulative examination be reanalyzed to include the ASCON Landfill Remediation traffic impacts, and the potential for the Poseidon Desalination Project to be under construction as projects anticipated as being active simultaneously.
17. In addition to the above comments, the Fire Department has reviewed and analyzed the PSA. Please see the attached list of comments on the PSA provided by the Fire Department.
18. The Public Works Department has determined that the proposed amended HBEP would be subject to numerous code requirements. Please see the attached list of Code Requirements provided by the Public Works Department.

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 me at 714-536-5596 if you have any questions or need any additional information.

Sincerely,



Jane James  
Planning Manager

Attachments: 1) Comments on the PSA from the Fire Department dated July 19, 2016  
2) Code Requirements from Public Works Department dated July 19, 2016

cc: Fred Wilson, City Manager  
Ken Domer, Deputy City Manager  
Scott Hess, Director of Community Development  
Antonia Graham, Senior Administrative Analyst  
Bill Reardon, Fire Battalion Chief  
Steve Eros, Fire Protection Analyst  
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