DOCKETED	
Docket Number:	16-AFC-01
Project Title:	Stanton Energy Reliability Center
TN #:	225827
Document Title:	Errata to the PMPD
Description:	Errata to the Presiding Member's Proposed Decision
Filer:	Ken Celli
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	11/6/2018 1:29:11 PM
Docketed Date:	11/6/2018

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:

STANTON ENERGY RELIABILITY CENTER | **Docket No. 16-AFC-01**

ERRATA TO THE PRESIDING MEMBER'S PROPOSED DECISION

After reviewing the comments submitted by the parties and members of the public, we incorporate the following changes[1] into the Presiding Member's Proposed Decision (PMPD) for the Stanton Energy Reliability Center:

INTRODUCTION

1. Page 1-2, first two sentences: replace "tm" with "®" in reference to "**EGT®**."

PROJECT DESCRIPTION

1. Pages 2-1 through page 2-6, and page 2-10: replace all 13 references to "~~EGT~~" or "~~EGT~~~~tm~~" with "**EGT®**."
2. Page 2-7, first line: delete "~~either~~" (first word on the page).
3. Page 2-23, comment of Francisco Barajas: **Francisco Barajas** of **North Orange County Chamber of Commerce** said the SERC will greatly benefit the region while remaining consistent with applicable local land **uses**, which will bring jobs to the region and have an enormous positive impact.

PROJECT ALTERNATIVES

1. Pages 3-2 and 3-3: replace all references to "~~EGT~~" with "**EGT®**."
2. Page 3-1, first paragraph: The California Environmental Quality Act (CEQA) Guidelines and the Energy Commission's regulations require an evaluation of the comparative merits of a reasonable range of alternatives to the Stanton Energy ~~Resource~~ **Reliability** Center (SERC)….

[1] Where text is revised, additions are shown in **bold underline** and deletions are shown in ~~strikeout~~.

FACILITY DESIGN

1. Page 5.1-2, first sentence, fifth paragraph: The SERC consists of two 4~~8~~**9**-megawatt….

POWER PLANT EFFICIENCY

1. Page 5.2-6: delete the word "~~or~~" in Finding of Fact #7 to read, The Stanton Energy Reliability Center will not consume energy in . . ..

POWER PLANT RELIABILITY

1. Page 5.3-1, footnote 4: Pub. Res. Code § 25520(b); Cal. Code Regs, tit. 20, §§ 1741~~1741~~(b)(3); 1745.5(b)(15).

GREENHOUSE GAS EMISSIONS

1. Page 6.1-3 Greenhouse Gas Table 1:

SERC	**MTCO2e/yr**
On-Site Construction Total	764
Off-Site Construction Total	~~1,941~~**2,019**
Total	~~2,705~~**2,783**

2. Page 6.1-4, first full paragraph: The primary sources of GHGs during operation of the SERC will be the natural gas fired combustion turbines~~ and the auxiliary boiler~~.

3. Page 6.1-11, second numbered paragraph: The greenhouse gas emissions from the Stanton Energy Reliability Center's construction are likely to be ~~2,705~~**2,783** MTCO2e during the approximate 14-month site preparation and construction period.

AIR QUALITY

1. Pages 6.2-1 and 6.2-11: replace all references to "~~EGT~~" with "**EGT®**."

2. Page 6.2-9, Air Quality Table 4:

Pollutant	Averaging Time	Modeled Impact	Background	Total	Limiting Standard	Percent of Standard
PM10	24 hour	~~27.4~~**28.1**	**85**	~~**112.4**~~**113.1**	**50**	~~**225**~~**226**
	Annual	~~7.6~~**7.8**	**26.8**	~~**34.4**~~**34.6**	**20**	~~**172**~~**173**
PM2.5	24 hour	~~3.9~~**4.0**	34.4	~~**38.3**~~**38.4**	**35**	~~**109**~~**110**
	Annual	~~1.15~~**1.17**	10.5	~~11.65~~**11.67**	12	97
CO	1 hour	28.35	3,565	3593.35	23,000	16
	8 hour	13.7	2,444	2457.7	10,000	25
NO_2	State 1 hour	29.4	141	170.4	339	50
	Annual	1.01	28.2	29.21	57	51
SO_2	State 1 hour	0.07	23.0	23.07	655	4
	24 hour	0.01	3.7	3.71	105	4

4. Page 6.2-28, Finding of Fact #10: The South Coast Air Quality Management District determined that the Stanton Energy Reliability Center is exempt from providing emission offsets; however, the South Coast Air Quality Management District will provide offsets for the project from its ~~internal priority reserve account~~ **Offset Accounts for Federal NSR Equivalency**.

PUBLIC HEALTH

1. Page 6.3-5: This risk level is equivalent to a cancer risk of 10 in one million, or ~~10x10^{-6}~~ **10x10^{-6}**.

WORKER SAFETY AND FIRE PROTECTION

1. Page 6.4-5, last sentence of the first paragraph: These systems are standard requirements by the NFPA and the ~~Uniform~~ **California** Fire Code~~,~~**.** ~~and~~ Staff testified that they will ensure adequate fire protection.

WASTE MANAGEMENT

1. Page 6.6-1, second paragraph first sentence: insert a space between “3.978” and “acres.”

BIOLOGICAL RESOURCES

1. Page 7.1-3, second paragraph:

   Due to the disturbed state of the SERC site~~, including the off-site linear facilities, worker parking area, off-site staging areas,~~ and ongoing disturbance from surrounding industrial areas, this site does not provide habitat capable of supporting a diverse assemblage of wildlife. **The off-site linear facilities,**

worker parking area, and off-site staging areas are also in developed or disturbed areas. While ruderal habitats generally have lower value for wildlife, many species found in grassland and cropland habitats may **also occur in disturbed areas.** ~~tolerate the conditions of ruderal habitats~~ **While native species,** such as, the western fence lizard (*Sceloporus occidentalis*), Brewer's blackbird (*Euphagus cyanocephalus*), lesser goldfinch (*Spinus psaltria*), and California ground squirrel (*Otospermophilus beecheyi*), **may tolerate the conditions of ruderal habitats;** ~~however,~~ none of these species were observed during surveys of the SERC site. **However, Brewer's blackbird was detected during surveys of the SCE Barre Substation property.**

5. Page 7.1-3, third paragraph:

   Surveyors documented the presence of common bird species **during surveys within or adjacent to the proposed project site and/or the SCE Barre Substation property** including the **American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), barn swallow (*Hirundo rustica*), house finch (*Haemorhous mexicanus*), mourning dove (*Zenaida macroura*), northern mockingbird (*Mimus polyglottos*), Eurasian collared dove (*Streptopelia decaocto*), western kingbird (*Tyrannus verticalis*), killdeer (*Charadrius vociferus*),** ~~white-crowned sparrow (*Zonotrichia leucophrys*), rock pigeon (*Columba livia*) common raven, barn swallow, house finch, mourning dove, northern mockingbird, white crowned sparrow, rock pigeon,~~ Brewer's blackbird (*Euphagus cyanocephalus*), song sparrow (*Zonotrichia leucophrys*), black phoebe, California towhee (*Meozone crissalis*), and house sparrow. The surveyors documented eight inactive nests **on the SCE Barre Substation property**….

6. Page 7.1-9, third paragraph, fourth sentence: Condition of Certification **BIO-8** (Preconstruction Nest Surveys and Impacts Avoidance and Minimization Measures for Breeding Birds) requires a survey for birds in advance of any work conducted between February 15~~,~~ and August 31~~, 2019~~, and establishment of a 500-foot, no-disturbance buffer if a nest is identified.

7. Page 7.1-16, after footnote 41 and before the last four words on the page, insert a paragraph break and use style HO Subhead Level 3:~~ Avian Collision and Electrocution~~

   Avian Collision and Electrocution

8. Page 7.1-23: delete Finding of Fact #13:

~~13. With the implementation of Condition of Certification **BIO-7**, transmission lines will be designed to reduce the risk of avian collisions and electrocutions.~~

SOIL AND WATER RESOURCES

1. Page 7.2-10, second paragraph, 11th line: The evidence indicates that since the water **use**….

2. Page 7.2-18 Finding of Fact #9: Potential impacts from project wastewater streams will be mitigated to less than significant levels during construction through compliance with Condition**s** of Certification **SOIL&WATER-2**~~stormwater~~ and **SOIL&WATER-3**.

3. Page 7.2-19 Finding of Fact #12: During project operation, wastewater generati~~on~~**ed** by the Stanton Energy Reliability Center will discharge to the city of Stanton's sewer system.

4. Page 7.2-20 Conclusion of Law #2: "**Appendix A**" should be **bolded**.

CULTURAL RESOURCES

1. Page 7.3.1, fourth paragraph: The built environment (architectural) PAA is defined as **the project site and** the area within a one-parcel radius around the proposed project site~~, the northern and southern alternative natural gas pipelines, and the generator tie line~~.

GEOLOGICAL AND PALEONTOLOGICAL RESOURCES

1. Page 7.4-3, fourth line up from the bottom: Quaternary-aged alluvium is encountered ~~at the~~ **to a** depth of 51.5 feet below the ground surface.

TRAFFIC AND TRANSPORTATION

1. Page 8.2-1, second sentence in the first paragraph: It analyzes (1) the roads and ~~routings~~ **routes** that are proposed to be used for construction and operation….

2. Page 8.2-4, first numbered paragraph: 1. Cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system (i.e., increase a road segment's volume-to-capacity (V/C) by 0.10 **or more, or** result in a substantial increase in either the number of vehicle trips or congestion at intersections) ….

3. Page 8.2-4, second numbered paragraph: 2. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, **including** intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit **infrastructure** ….

4. Page 8.2-4, eighth numbered paragraph: 8. Produce a thermal plume exceeding the 10.6 meters per second peak velocity threshold ~~at altitudes up to 450 feet~~

~~above ground level~~ or generate glare in an area where air traffic flight paths are expected to occur; or….

5. Page 8.2-13, second paragraph, fourth sentence: Staff testified that during peak construction, this road segment's volume to capacity ratio (V/C) would increase by approximately 0.0017 over existing conditions, which is below the **OCTA's** 0.10 threshold for impacts.

6. Page 8.2-25, first row, third column, second paragraph, third sentence: Because this road segment is already operating at LOS E, **and** because project construction traffic would not degrade the LOS below E, this impact is not significant, and staff does not consider the LOS E conditions of this road segment during peak construction to be inconsistent with the city of Westminster's LORS.

7. Page 8.2-26, Finding of Fact #13: The Los Alamitos Army Airfield and the Fullerton Municipal Airport are located approximately 2.9 miles south**west**~~east~~ and 4.5 miles north of the Stanton Energy Reliability Center site, respectively.

8. Page 8.2-26, Finding of Fact #15: Condition of Certification TRANS-**8**~~7~~ requires the project owner to consult with the Federal Aviation Administration to ensure that a Notice to Airmen is provided to pilots to avoid flying over the Stanton Energy Reliability Center site.

9. Page 8.2-27, Finding of Fact #17: Condition of Certification TRANS-7 requires marking and/or lighting ~~for~~ **of** any construction equipment used for Stanton Energy Reliability Center that is 153 feet above ground or taller**, if required by the FAA**.

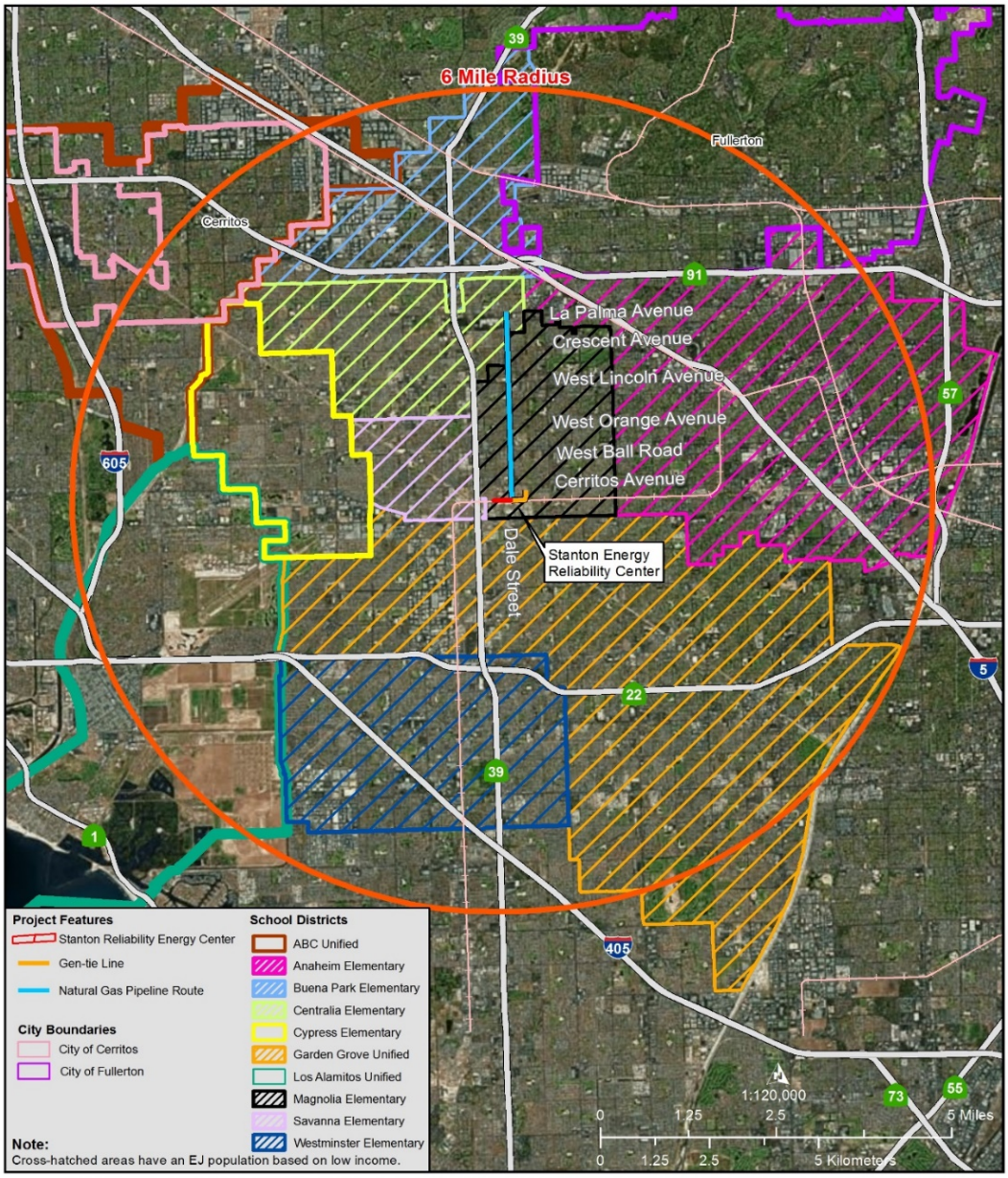
SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE

1. Page 8.3-4: insert the following header, map, and citation as Socioeconomics Figure 2, below.

Socioeconomics Figure 2 – Boundaries Used to Identify Low Income Population

ENVIRONMENTAL JUSTICE - FIGURE 2

Stanton Energy Reliability Center - Boundaries Used to Identify Environmental Justice Population Based on Low Income



CALIFORNIA ENERGY COMMISSION - SITING, TRANSMISSION AND ENVIRONMENTAL PROTECTION DIVISION

SOURCES: US Census Bureau 2016, S1701 ACS 5-Year Estimates, ESRI, OpenStreetMap, Bing Aerial

ENVIRONMENTAL JUSTICE

Source: (Ex. 300, p. 4.4-28).

2. Page 8.3-19, Finding of Fact #3: The Stanton Energy Reliability Center will not cause disproportionate significant ~~socioeconomic~~ impacts to any population in the project vicinity.

3. Page 8.3-20, Conclusion of Law#1: The record contains an adequate analysis of potential ~~socioeconomic~~ effects in accordance with federal and state guidelines on environmental justice, and establishes that the project will not create any disproportionate adverse effects on minority or low-income populations.

VISUAL RESOURCES

Page 8.5-3, Visual Resources Table 1:

Feature	Length (feet)	Width (feet)	Height (feet)	Diameter (feet)	Color	Materials	Finish
Gas turbine facility enclosure (2)	139	65	35	—	Almond Slate gray/ Charcoal gray/ Medium blue	Metal panel	Flat/lightly pebbled
Exhaust stack enclosure (2)	11.5 to 15	11.5 to 15	70	—	Desert sand Medium blue	Metal panel	Flat/lightly pebbled
Gas turbine VBV duct – primarily enclosed, with only top portion visible (2)	7	7	43	—	Gray	Metal	Flat/untextured
Power distribution module (2)	33	12	17	—	Gray	Metal	Flat/untextured
Control module (2)	25	12	17	—	Gray	Metal	Flat/untextured
Fuel gas compressor	36	17	15	—	Gray	Metal	Galvanized
Switchyard takeoff structure (~~2~~**3**)	32	1	30	—	Gray	Metal	~~Flat/untextured~~ **Galvanized**
Demineralized water tank	—	—	30	~~24~~**26**	Desert sand	Metal	Flat/untextured
Storm water detention tank	—	—	30	28	Desert sand	Metal	Flat/untextured
Battery energy storage (2)	62	19	12	—	Desert sand	Metal panel	Flat/untextured

Feature	Length (feet)	Width (feet)	Height (feet)	Diameter (feet)	Color	Materials	Finish
Warehouse	~~40~~ **73**	~~40~~ **30**	15	—	Desert sand	Metal panel	Flat/untextured

CONDITIONS OF CERTIFICATION – APPENDIX A

1. Page APPENDIX A 32, Condition of Certification **BIO-5**, first sentence, (add comma after "CPM"):

BIO-5 The project owner shall develop and implement a project-specific Worker Environmental Awareness Program (WEAP) and shall secure approval for the WEAP from the CPM**,** in consultation with USFWS and CDFW.

2. Page APPENDIX A 33, Condition of Certification **BIO-5**, first paragraph of the verification:

Verification: The specific WEAP shall be administered by a competent individual(s) acceptable to the Designated Biologist. At least 45 days prior to the start of any pre-construction site mobilization, the project owner shall provide to the CPM**, CDFW, and USFWS,** a copy of the draft WEAP and all supporting written materials and electronic media prepared or reviewed by the Designated Biologist and a resume of the person(s) administering the program. The CPM shall approve the WEAP materials prior to their use.

3. Page APPENDIX A 35, Condition of Certification **BIO-6**, first paragraph of the verification:

Verification: The project owner shall provide the BRMIMP to the CPM for review (in consultation with CDFW **and USFWS**) and approval at least 45 days prior to start of any preconstruction site mobilization.

4. Page APPENDIX A 39, Condition of Certification **BIO-7**, add the following sentence after the last sentence of the verification:

Verification: All mitigation measures and their implementation methods shall be included in the BRMIMP and implemented. Implementation of the measures shall be reported in the monthly compliance reports by the Designated Biologist. Within 30 days after completion of project construction, the project owner shall provide to the CPM, for review and approval, a written construction termination report identifying how measures have been completed and which items are still outstanding. **During project operation, implementation of the measures shall be reported in the annual compliance report**.

5. Page APPENDIX A 41, Condition of Certification **BIO-8**, paragraph number 6, first sentence:

   The Designated Biologist shall provide the CPM**, USFWS** and CDFW, with field notes or other documentation within 24 hours of completing the surveys.

Dated: November 6, 2018, at Sacramento, California.

ORIGINAL SIGNED BY:

JANEA A. SCOTT
Commissioner and Presiding Member
Stanton Energy Reliability Center
AFC Committee

ORIGINAL SIGNED BY:

KAREN DOUGLAS
Commissioner and Associate Member
Stanton Energy Reliability Center
AFC Committee