

DOCKETED

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Memorandum

Date: September 30, 2016
Telephone: (916) 653-8236
File: 12-AFC-02C

To: Commissioner Andrew McAllister, Presiding Member
Commissioner Karen Douglas, Associate Member
Hearing Officer Susan Cochran

From: California Energy Commission - John Heiser,
1516 Ninth Street Project Manager
Sacramento, CA 95814-5512

Subject: HUNTINGTON BEACH ENERGY PROJECT (12-AFC-02C),
PETITION TO AMEND, STATUS REPORT #9

The following is a summary of staff activities related to the Huntington Beach Energy Project Petition to Amend (HBEP-PTA) since Status Report #8, docketed on September 1, 2016. Staff also includes a response to the project owner's September 27, 2016 motion.

Procedural Activities:

On September 27, 2016, the project owner filed to the docket a "Motion for Order to Publish Final Staff Assessment." On September 30, 2016, the Committee assigned to the above entitled matter filed to the docket an "Order Shortening Time to Consider Request for Publication of the Final Staff Assessment by October 10, 2016." In the Order, the Committee ordered the staff to file any response to the project owner's Motion no later than 3:00 p.m. on Tuesday, October 4, 2016.

Staff Response to the Project Owner's Motion

The project owner's request to bifurcate and publish part of the FSA by October 10 is unrealistic given staff's workload and other power-plant siting priorities. The majority of the FSA sections that do not require input from the South Coast Air Quality Management District's (District) Final Determination of Compliance (FDOC) are currently undergoing management review in a process that requires working with technical and legal staff to incorporate edits, respond to management comments, and finalize the sections. Based on this, a bifurcated FSA Part 1, including all sections but Air Quality and Public Health, could be filed by October 17, 2016.

Coordination with Agencies:

The District provided staff draft sections of the HBEP FDOC on September 28, 2016. However, the District indicated that the District's responses to comments are still being reviewed and are not in the draft sections, and that some FDOC permit limits may still be revised. Further, staff continues to work with the District on a few minor issues. The draft

FDOC sections are not complete enough at this time for staff to incorporate the information into the Air Quality and Public Health FSA sections.

The District provided a status report on September 30, 2016, which discussed their efforts to respond to comments and coordinate the responses with the US Environmental Protection Agency and the Energy Commission. The September 30, 2016 District Status Report did not provide a date for completing and publishing the FDOC.

Staff will continue coordinating with the agencies involved with the amendment review, including the city of Huntington Beach, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, District, the Huntington Beach Wetlands Conservancy, and California Coastal Commission.