

DOCKETED

Docket Number:	16-AFC-01C
Project Title:	Stanton Energy Reliability Center - Compliance
TN #:	228809
Document Title:	STAFF APPROVAL OF PROPOSED CHANGE
Description:	The project owner proposes to use a 2.64-acre primarily vacant parcel located adjacent to the SERC project site as an additional area for construction material storage, equipment laydown, and personnel parking
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Organization:	California Energy Commission
Submitter Role:	Commission Staff
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STAFF APPROVAL OF PROPOSED CHANGE STANTON ENERGY RELIABILITY CENTER (16-AFC-01C)

On May 23, 2019, Stanton Energy Reliability Center, LLC (project owner) docketed a petition for post certification change, with the California Energy Commission (Energy Commission) to modify the Stanton Energy Reliability Center (SERC) to temporarily use a 2.64-acre parcel adjacent to and north of the SERC project site as a construction laydown area. This petition requests a change to the project description only. It does not request changes to project operation or changes to any of the conditions of certification in the Commission Final Decision (Decision).

On October 26, 2016, the project owner filed an Application for Certification (AFC) with the Energy Commission to construct and operate a 98 megawatt (MW) power facility with 10 MW of integrated battery storage at 10711 Dale Avenue in the City of Stanton. The Energy Commission approved the AFC on November 7, 2018 and construction of the facility began on February 12, 2019. The facility is expected to begin operating by the first quarter of 2020.

DESCRIPTION OF PROPOSED CHANGE

The project owner proposes to use a 2.64-acre primarily vacant parcel located adjacent to the SERC project site as an additional area for construction material storage, equipment laydown, and personnel parking. The parcel (Assessor's Parcel Number 126-591-16) is owned by Southern California Edison (SCE) and is a high-voltage transmission line right-of-way serving the nearby SCE Barre Substation.

The property would be used by the construction contractor hired by the project owner for construction of the SERC facility, and by Southern California Gas Company (SoCal Gas) for construction of the dedicated natural gas pipeline that will serve the facility (see **Project Description Figure 1**). Part of the area to be used by SoCal Gas was described to the Energy Commission during licensing. This petition seeks to add additional area to the SoCal Gas portion previously described.

The project owner has designated a roadway 16 feet wide along the southern boundary of the laydown parcels to provide access to two SCE transmission towers on the western portion of the parcel. By agreement with SCE, a 50-foot x 50-foot buffer area would be established around each of the two tower bases on the western parcel. Concrete k-rails would be placed around the tower bases to protect these from inadvertent damage.

The portion of the laydown area furthest east and facing Dale Avenue would be used by SoCal Gas as they construct the natural gas pipeline to the facility. This portion would now cover 0.9 acre rather than the 0.5 acre described in the Decision. The remaining 1.74 acres would be for used for facility construction. A temporary fence would be erected to separate

these two areas. Two 16-foot-wide gates would be placed into this fence: one in the western area and one in the eastern area.

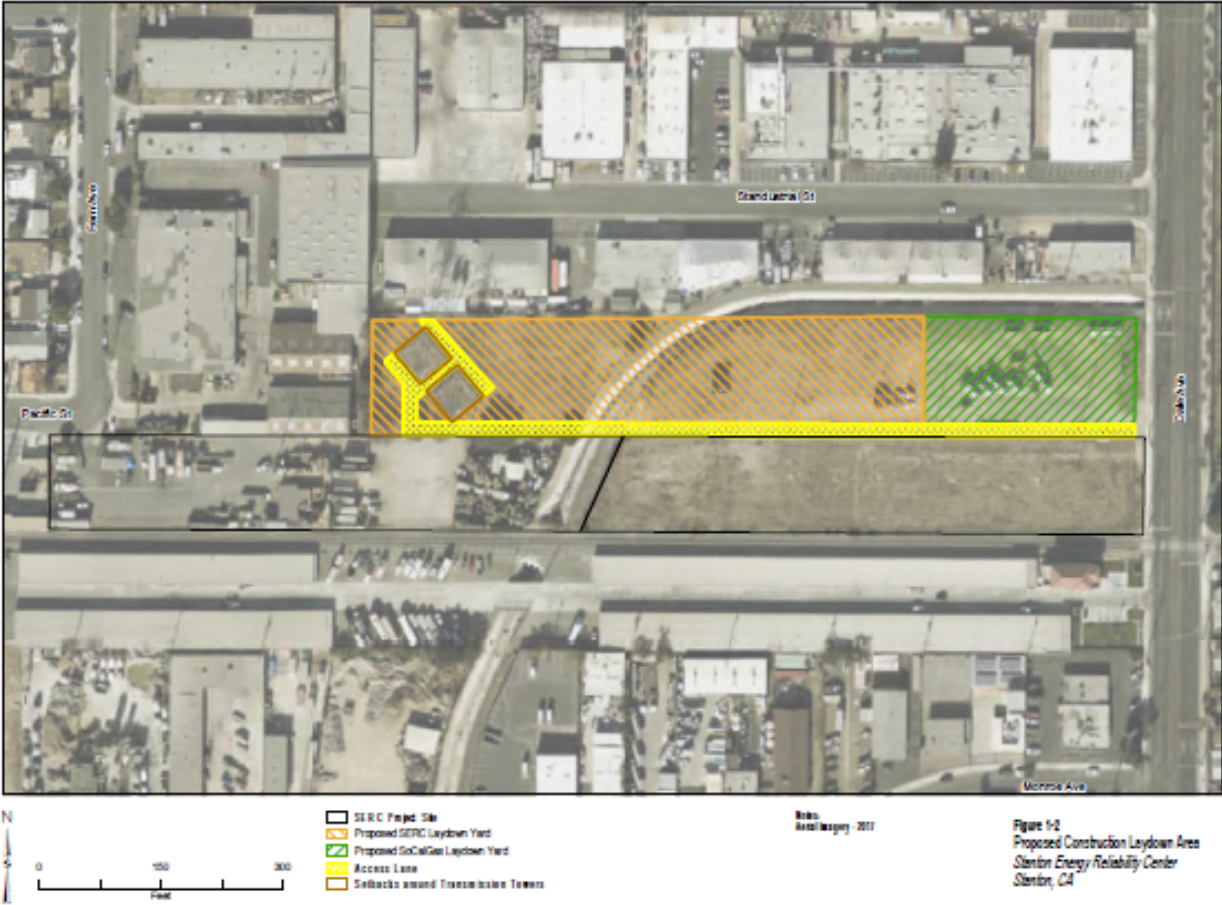
Project construction activities within the proposed additional laydown area include the following:

- Overflow parking
- Storage
 - Water treatment piping
 - Water treatment materials
 - Electrical materials (wire, conduit, fittings)
 - Large- and small-bore piping
 - Structural steel
 - Other equipment and materials

The contractor would mow the existing ruderal vegetation; no grading of the site would occur other than the installation of temporary fence posts for the temporary fencing. Materials would be placed on bare ground and on wood dunnage such as pallets. No gravel would be placed on the ground before use.

Project Description Figure 1

Site Plan of Proposed Laydown Area



The petition is available on the Energy Commission’s SERC project webpage at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=16-AFC-01C>.

ENERGY COMMISSION STAFF REVIEW AND CONCLUSIONS

Energy Commission technical staff reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards (LORS). Staff has concluded that the technical areas of Efficiency, Geological and Paleontological Resources, Hazardous Materials Management, Public Health, Reliability, Traffic and Transportation, Transmission Line Safety and Nuisance, Transmission System Engineering, and Worker Safety and Fire Protection are not affected by the proposed changes.

In the technical areas of Air Quality, Biological Resources, Cultural Resources, Facility Design, Land Use, Noise and Vibration, Socioeconomics, Soil and Water Resources, Visual Resources, and Waste Management, staff has concluded that impacts on the environment are less than significant and the project would remain in compliance with all applicable LORS with the continued implementation of existing conditions of certification in the Energy Commission Decision. In addition, the project change would not affect any population including the environmental justice population as shown in **Environmental Justice Figure 1, Figure 2, and Table 1**.

Staff's conclusions for each technical or environmental area are summarized in the table on the following page.

Summary of Staff Conclusion to Project Change

TECHNICAL/ENVIRONMENTAL AREAS REVIEWED	STAFF RESPONSE			Revised Conditions of Certification Recommended
	Technical Area Not Affected	No Significant Environmental Impact or LORS Inconsistency	Process As Amendment	
Air Quality		X		
Biological Resources		X		
Cultural Resources		X		
Efficiency	X			
Facility Design		X		
Geological and Paleontological Resources	X			
Hazardous Materials Management	X			
Land Use		X		
Noise and Vibration		X		
Public Health	X			
Reliability	X			
Socioeconomics		X		
Soil and Water Resources		X		
Traffic and Transportation		X		
Transmission Line Safety and Nuisance	X			
Transmission System Engineering	X			
Visual Resources		X		
Waste Management		X		
Worker Safety and Fire Protection	X			

Staff concludes the following for the technical areas affected by the proposed change:

- Air Quality.** Use of the additional laydown area would require minor preparation activities, including the installation of a fence with posts and the placement of gravel. These activities would result in emissions from the vehicles and fugitive dust, however, they would be classified as short term. Existing Conditions of Certification **AQ-SC1** through **AQ-SC5** in the Energy Commission Decision address all SERC construction/demolition activities, which would include any preparation of the laydown area.

In addition, any construction and equipment used for the proposed project modification would be temporary and stationary source air permits would not be required through the local air district. Any diesel equipment used would still be required to meet the State of California diesel requirements. As applicable, the diesel equipment used would need to be registered through the Statewide Portable Equipment Registration Program or Diesel Off-road On-line Reporting System and associated equipment permits would be retained onsite.

- **Biological Resources.** Activities at the proposed additional construction laydown and parking area are expected to begin during the breeding season: January 1 through August 31. Nesting birds have already been documented nesting within and adjacent to the proposed area; thus, the proposed activities have the potential to affect nesting birds. Pre-construction surveys and frequent biological monitoring during construction per Conditions of Certification **BIO-1**, **BIO-2**, **BIO-4** and **BIO-8** in the Decision would ensure that any nesting birds are protected as well as any other wildlife. All construction workers must undergo the Worker Environmental Awareness Program (WEAP) training per **BIO-5** and all best management measures shall be followed per **BIO-7**. Implementation of the above Biological Resources conditions of certification would ensure that the proposed activities would not cause any new significant impacts, or increase the severity of previously identified impacts, on biological resources.
- **Cultural Resources.** The proposed addition of a construction laydown area would not impact any known cultural resources. The area was surveyed in 2016 for the AFC and no cultural resources were documented in this area. Conditions of certification included in the Decision include provisions for monitoring of ground-disturbance by a Cultural Resources Monitor and a Native American Monitor to ensure appropriate treatment of any inadvertent discoveries of cultural resources. The proposed additional construction laydown area is similar to the approved project site and the existing conditions of certification would continue to apply to the proposed activities in this area.
- **Facility Design.** Installation of the fencing and entrance gates must comply with the 2016 California Building Code to ensure they are adequately secured in place. Implementation of the existing Facility Design conditions of certification adopted in the Decision would ensure this.
- **Land Use.** The proposed use would be consistent with the City of Stanton land use and zoning designations for the parcel.
- **Noise and Vibration.** Construction noise would not increase significantly from use of the additional construction laydown area. The use of this laydown area would be temporary and would occur during the daytime hours. Any noise generated during these activities would be controlled with implementation of the existing Noise and Vibration conditions of certification in the Decision.
- **Socioeconomics.** From a socioeconomics standpoint, the proposed change would have insignificant workforce-related impacts on housing and community services.
- **Soil and Water Resources.** Site preparation activities are expected to take less than a week and would therefore be classified as short term. These activities and ongoing use

of the proposed laydown area could result in water quality impacts from transport of dust and sediment off site or release of hazardous materials from storage of construction materials or equipment. Any potentially significant impacts from dust and sediment transport or spilling of hazardous materials would be less than significant provided the project owner implements Condition of Certification **SOIL&WATER-1**. This condition applies to all SERC construction/demolition activities, which would include any preparation and use of the laydown area.

- **Traffic and Transportation.** There would be no impacts to traffic and transportation. Use of the additional laydown, parking, and staging area would not generate any additional vehicle trips. All activities would be within the parcel and would not interfere with any traffic or transportation systems, including roadways, railways, or areas used by aircraft. Additionally, activities at the site would be temporary and only occur during construction.
- **Visual Resources.** Use of the additional parcel for construction laydown, parking, and staging would be temporary and visually consistent with the property's surrounding industrial uses. Most objects to be stored at the laydown area would be low profile and not highly visible, especially given that the main viewers of the activities would be motorists on Dale Avenue who would only briefly see these activities when passing by. Condition of Certification **VIS-3** in the Decision would apply and ensure that night lighting at the additional laydown area is minimized.
- **Waste Management.** Packaging waste would be generated during use of the additional laydown area but would not differ in quantity or type from that contemplated in the Decision. Waste generated would be handled and disposed of in accordance with the existing project Construction and Demolition Environmental Resources Management and Recycling Plan, which is consistent with Condition of Certification **WASTE-4** in the Decision.

Environmental Justice Figure 1 shows 2010 census blocks in the six-mile radius of the SERC project site with a minority population greater than or equal to 50 percent. The population in these census blocks represents an environmental justice (EJ) population based on race and ethnicity as defined in the United States Environmental Protection Agency's *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. Staff conservatively obtains demographic data within a six-mile radius around a project site based on the parameters for dispersion modeling used in staff's air quality analysis. Air quality impacts are generally the type of project impacts that extend the furthest from a project site. Beyond a six-mile radius, air emissions have either settled out of the air column or mixed with surrounding air to the extent the potential impacts are less than significant. The area of potential impacts would not extend this far from the project site for most other technical areas included in staff's EJ analysis.

Based on California Department of Education and American Community Survey data in the **Environmental Justice Table 1**, staff concluded that the percentage of those living in the Westminster, Centralia Elementary, Buena Park Elementary, Magnolia Elementary, Savanna Elementary, Garden Grove Elementary, and Anaheim Elementary school

districts (in a six-mile radius of the project site) and enrolled in the free or reduced price meal program is larger than those in the reference geography, and thus are considered an EJ population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. **Environmental Justice Figure 2** shows where the boundaries of the school districts and cities are in relation to the six-mile radius around the SERC site.

**Environmental Justice Table 1
 Low Income Data within the Project Area**

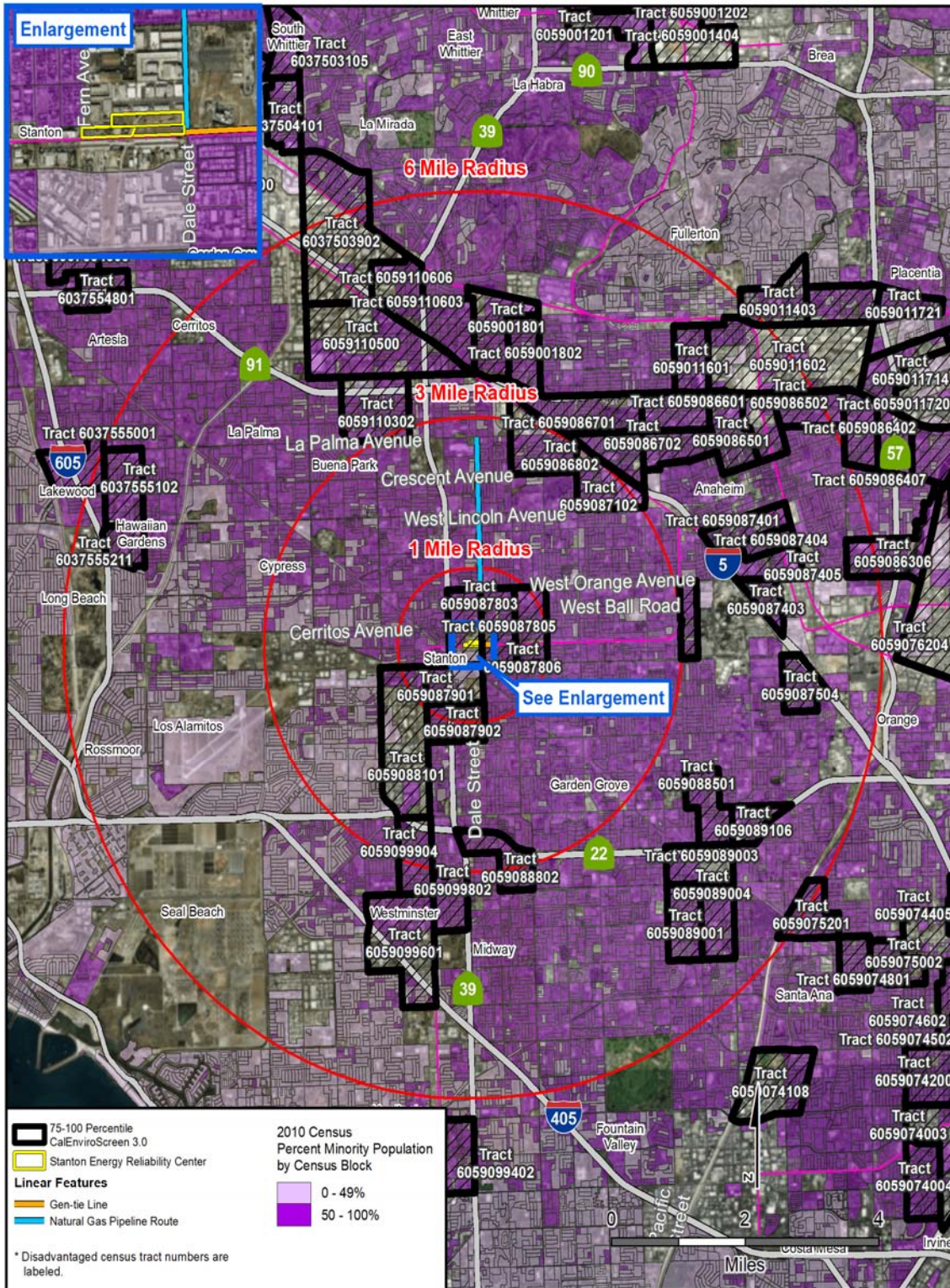
GEOGRAPHIES IN SIX-MILE RADIUS	Total	Income in the past 12 months below poverty level	Percent below poverty level (%)
	Estimate*	Estimate	Estimate
Cerritos	49,983 ±111	2,524 ±491	5.00 ±1.0
Fullerton	137,085 ±435	20,442 ±1,915	14.90 ±1.4
REFERENCE GEOGRAPHY			
Aggregated CCD's (Total)	3,368,588 ±3,298	474,112 ±8,526	14.07 ±0.25
Downey-Norwalk CCD, LA County	416,708 ±852	53,966 ±2,925	13.00 ±0.7
Long Beach-Lakewood CCD, LA County	572,057 ±583	99,353 ±3,750	17.40 ±0.7
Whittier CCD, LA County	320,539 ±2,123	35,015 ±2,135	10.90 ±0.7
Anaheim-Santa Ana-Garden Grove CCD, Orange County	1,680,925 ±2,014	243,004 ±6,285	14.50 ±0.4
North Coast CCD, Orange County	378,359 ±1,117	42,774 ±2,454	11.30 ±0.6
ORANGE COUNTY SCHOOL DISTRICTS IN SIX-MILE RADIUS**	Enrollment Used for Meals	Free or Reduced Price Meals	
Westminster School District	9,264	6,625	71.5%
Centralia Elementary School District	4,327	2,536	58.6%
Buena Park Elementary School District	4,684	3,533	75.4%
Magnolia Elementary School District	6,080	5,136	84.5%

Savanna Elementary School District	2,272	1,657	72.9%
Garden Grove Unified School District	43,163	30,711	71.2%
Anaheim Elementary School District	17,911	15,410	86.0%
Cypress Elementary School District	3,957	1,405	35.5%
Los Alamitos Unified School District	9,833	1,648	16.8%
REFERENCE GEOGRAPHY			
Orange County	485,841	239,334	49.3%
LOS ANGELES COUNTY SCHOOL DISTRICTS IN SIX-MILE RADIUS**	Enrollment Used for Meals	Free or Reduced Price Meals	
ABC Unified School District	20,550	10,589	51.5%
REFERENCE GEOGRAPHY			
Los Angeles County	1,492,735	1,034,525	69.3%
<p>Notes: * Population for whom poverty status is determined. Staff's analysis of the 2013 – 2017 estimates returned CV values of no more than 15, indicating the data is reliable. Bold text indicates geographic area or school district where the population is determined to be an EJ population based on a low income population. Sources: CDE 2018. California Department of Education, DataQuest, Free or Reduced Price Meals, District level data for the year 2017-2018, http://dq.cde.ca.gov/dataquest/ and US Census S1701 Poverty Status in the Past 12 Months 2013 – 2017 American Community Survey 5-Year Estimates, <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>.</p>			

The following technical areas (if affected) consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, and Waste Management.

For this petition, staff has concluded that the effects in the areas of Air Quality Cultural Resources, Land Use, Noise and Vibration, Socioeconomics, Soil and Water Resources, Traffic and Transportation, Visual Resources, and Waste Management would be less than significant, and thus would be less than significant on the EJ population represented in **Environmental Justice Figure 1, Figure 2, and Table 1.**

ENVIRONMENTAL JUSTICE - FIGURE 1
 Stanton Energy Reliability Center - Census 2010 Minority Population by Census Block
 with CalEnviroScreen Disadvantaged Communities by Census Tracts



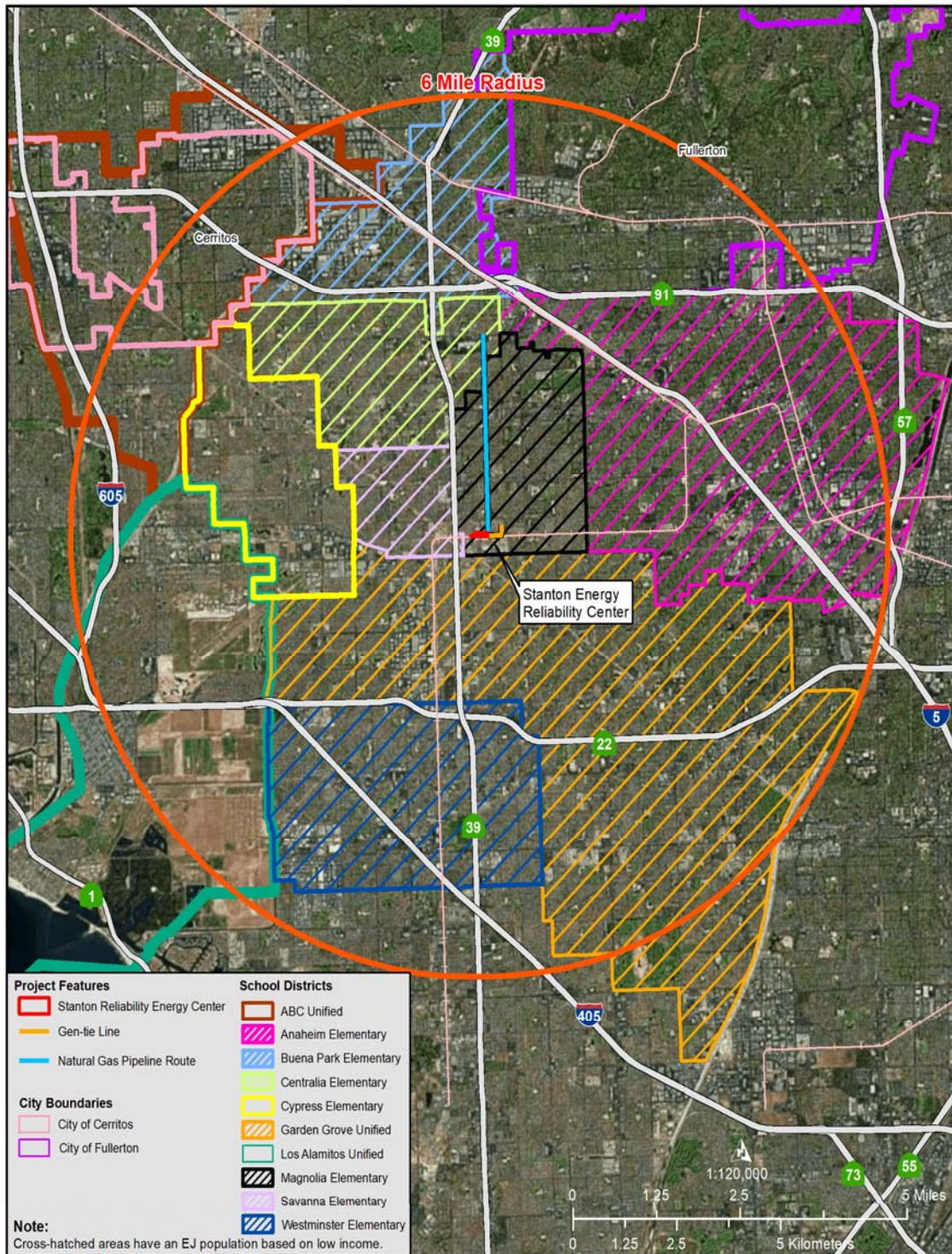
CALIFORNIA ENERGY COMMISSION - SITING, TRANSMISSION AND ENVIRONMENTAL PROTECTION DIVISION

SOURCES: Census 2010 PL 94-171 Data and CalEnviroScreen 3.0 CalEPA 2017

ENVIRONMENTAL JUSTICE

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: California Department of Education Data, DataQuest, US Census Bureau 2017, S1701 ACS 5-Year Estimates, ESRI, OpenStreetMap, Bing Aerial

ENERGY COMMISSION STAFF DETERMINATION

Section 1769(a)(3)(A), Title 20, California Code of Regulations states, “(s)taff shall approve the change where staff determines: (i) that there is no possibility that the change may have a significant effect on the environment, or the change is exempt from the California Environmental Quality Act; (ii) that the change would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and (iii) that the change will not require a change to, or deletion of, a condition of certification adopted by the commission in the final decision or subsequent amendments.”

Pursuant to Section 1769(a)(3)(A), Title 20, California Code of Regulations, Energy Commission staff has determined the proposed change to the project meet the criteria for approval at the staff level:

Staff shall approve the change where staff determines:

- (i) that there is no possibility that the change may have a significant effect on the environment, or the change is exempt from the California Environmental Quality Act;
- (ii) (ii) that the change would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and
- (iii) (iii) that the change will not require a change to, or deletion of, a condition of certification adopted by the commission in the final decision or subsequent amendments.”

WRITTEN COMMENTS

Any person may file an objection to staff’s determination within 14 days of the date of this notice on the grounds that the project change does not meet the criteria set forth in section 1769(a)(3)(A). Absent any relevant objections, this petition will be approved 14 days after this statement is docketed.

This statement is being provided to interested parties and property owners adjacent to the facility site, is being mailed to the SERC mail list, and sent electronically to the SERC listserv. Any person may comment on the petition. To use the Energy Commission’s electronic commenting feature, go to the Energy Commission’s webpage for this facility, cited above, click on the “Submit e-Comment” link, and follow the instructions in the on-line form. Be sure to include the facility name in your comments.

Written comments may also be mailed or hand-delivered to:

California Energy Commission
Dockets Unit, MS-4
Docket No. 16-AFC-01C
1516 Ninth Street
Sacramento, CA 95814-5512

All comments and materials filed with and accepted by the Dockets Unit will be added to the facility Docket Log and be publically accessible on the Energy Commission's webpage for the facility.

If you have questions about this notice, please contact John Heiser, Project Manager, at (916) 653-8236 or via email at John.Heiser@energy.ca.gov.

For information on participating in the Energy Commission's review of the Stanton Energy Reliability Center petition, please contact the Energy Commission's Public Adviser at (916) 654-4489, or at (800) 822-6228 (toll-free in California). The Public Adviser's Office can also be contacted via email at publicadviser@energy.ca.gov.

News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov.

Mail List No. 7519,
Stanton Energy Reliability Center listserv