

DOCKETED

Docket Number:	16-AFC-01C
Project Title:	Stanton Energy Reliability Center - Compliance
TN #:	230521
Document Title:	STATEMENT OF STAFF APPROVAL OF PROPOSED CHANGE
Description:	Notice of Decision
Filer:	Raquel Rodriguez
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	11/6/2019 2:44:10 PM
Docketed Date:	11/6/2019



STATEMENT OF STAFF APPROVAL OF PROPOSED CHANGE STANTON ENERGY RELIABILITY CENTER (16-AFC-01C)

On September 13, 2019, Stanton Energy Reliability Center, LLC (project owner) filed a petition for post certification change (petition) with the California Energy Commission (CEC) for the Stanton Energy Reliability Center (SERC).

SERC is a 98-megawatt (MW) hybrid electrical generating storage facility with 10 MW of integrated battery storage. The facility is located at 10711 Dale Avenue in the city of Stanton. The CEC approved the facility on November 7, 2018 and construction began on February 12, 2019. The facility is expected to begin operating by the first quarter of 2020.

SUMMARY OF PROPOSED CHANGES

The SERC site consists of two parcels. Parcel 1 extends from the frontage on Dale Avenue west to the Stanton Storm Channel. Parcel 2 extends from the Stanton Storm Channel west to Pacific Street. This petition (TN 229730) requests the site boundary be modified to eliminate a portion of Parcel 2 from the Energy Commission Final Decision (Decision). If approved, the request would relocate the westernmost site boundary to approximately 258 feet east of the current boundary at Pacific Street. The request would also eliminate a warehouse and associated parking areas that would have been located on this portion of Parcel 2. This portion of Parcel 2 will continue to be used for temporary construction trailers, parking and laydown area. No changes are proposed to Parcel 1.

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 Decision. The petition requesting the project change has been filed in the SERC docket and is available on the CEC's webpage for this facility at:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=16-AFC-01C>.

ENERGY COMMISSION STAFF REVIEW AND CONCLUSIONS

Title 20, California Code of Regulations, section 1769, states that a project owner shall submit a post certification petition for (1) changes in project design, operation or performance, and (2) amendments to an Energy Commission final decision.

CEC staff reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards

(LORS). Staff has determined that Air Quality is the only technical area affected by the proposed changes.

Staff concludes the following for potential impacts to Air Quality:

- **Air Quality.** Staff conducted independent modeling analysis by relocating the western boundary approximately 258 feet to the east and adding receptors to the area to be removed from the approved project site. The modeling results show that the elimination of western portion of Parcel 2 would not change the magnitude or location of maximum air quality impacts. None of the maximum impacts would occur in the area to be removed from the approved project site. The proposed change does not result in any significant impacts to air quality. In addition, there are no proposed changes to the SERC Air Quality Conditions of Certification.

Environmental Justice

Environmental Justice Figure 1 shows 2010 census blocks in the six-mile radius of the SERC 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**

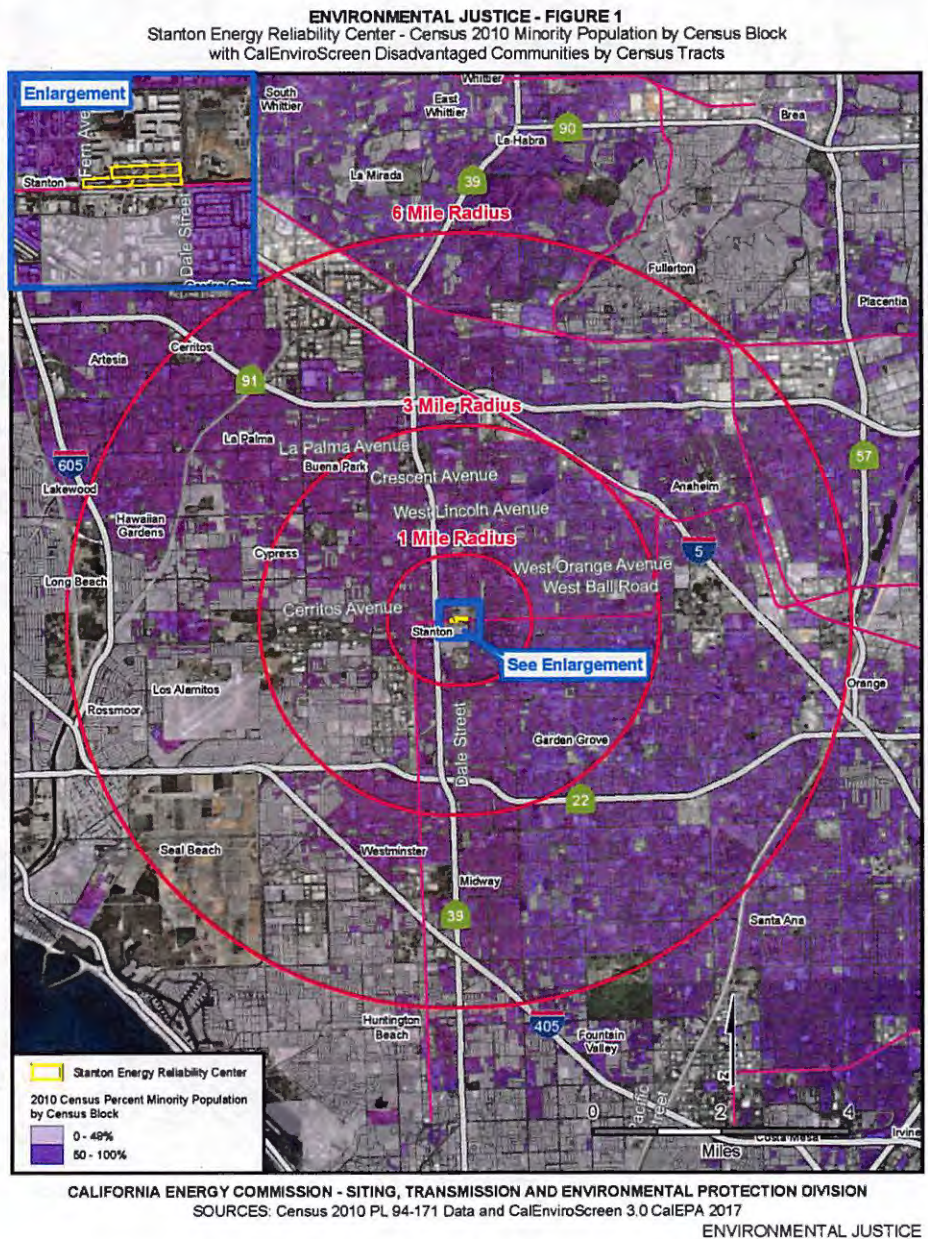
GEOGRAPHIES IN SIX-MILE RADIUS	Total	Income in the past 12 months below poverty level	Percent below poverty level (%)
	Estimate*	Estimate	Estimate
Cerritos	49,983 ±111	2,524 ±491	5.00 ±1.0
Fullerton	137,085 ±435	20,442 ±1,915	14.90 ±1.4
REFERENCE GEOGRAPHY			
Aggregated CCD's (Total)	3,368,588 ±3,298	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

Staff Approval of Proposed Change
 SERC (16-AFC-01C)
 Page 4

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>			

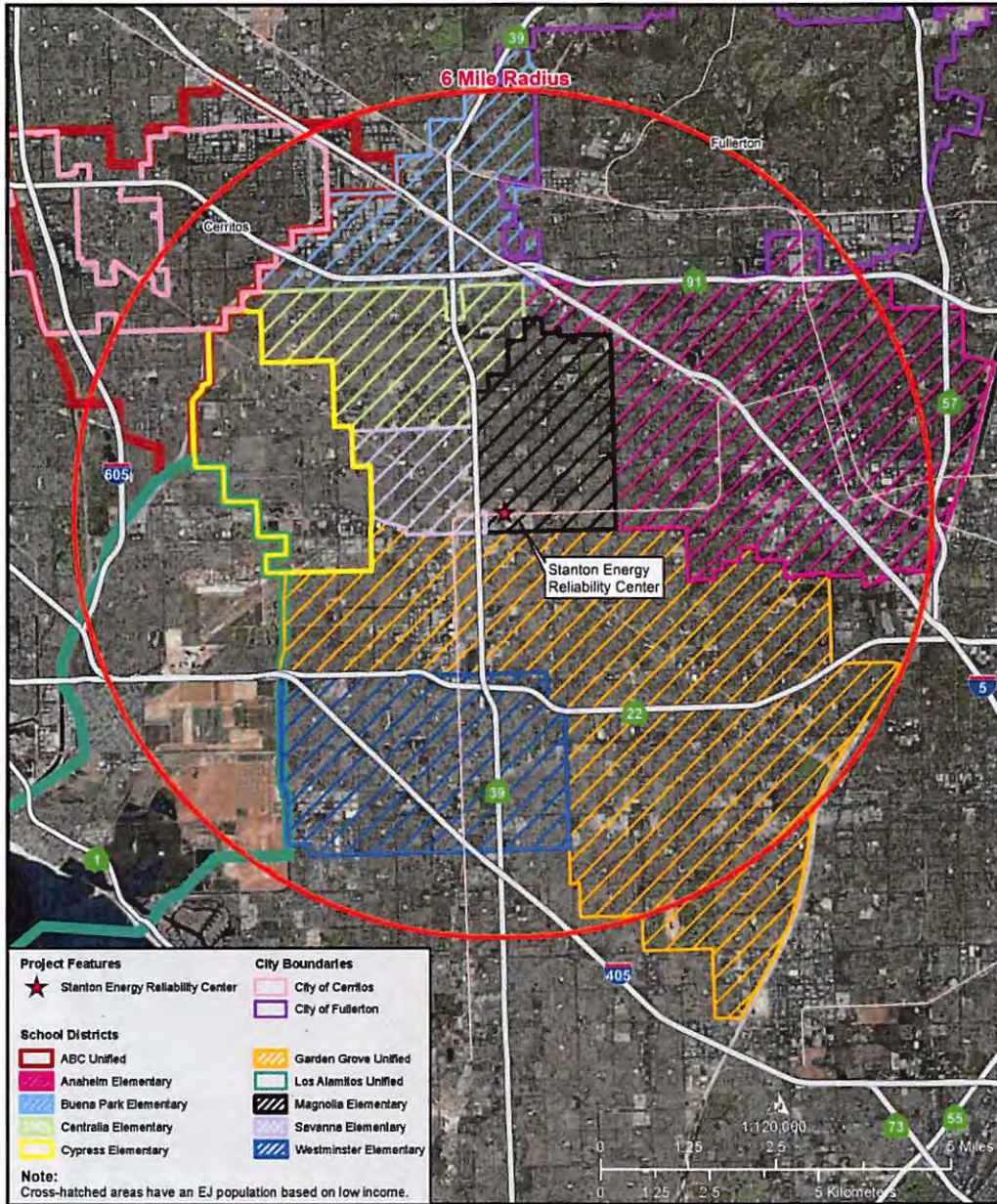
Environmental Justice Conclusions

For the potential impacts to Air Quality, staff concludes that impacts 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 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

ENVIRONMENTAL JUSTICE

ENERGY COMMISSION STAFF DETERMINATION

Pursuant to Title 20, California Code of Regulations, section 1769(a)(3)(A), CEC staff has determined for this petition that approval by the Commission at a noticed business meeting or hearing is not required and the proposed changes meet the criteria for approval by staff because:

- i. there is no possibility that the change may have a significant impact on the environment, or the change is exempt from the California Environmental Quality Act;
- ii. the change would not cause the project to fail to comply with any applicable laws, ordinances, regulations, or standards; and
- iii. 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.

Staff also concludes that the proposed changes do not meet the criteria requiring production of subsequent or supplemental review as specified in Title 14, California Code of Regulations, section 15162(a).

WRITTEN COMMENTS

This Statement of Staff Approval has been filed in the docket and posted to the CEC's webpage for this facility. Any person may file an objection to staff's determination within 14 days of the date of this statement on the grounds that the project change does not meet the criteria set forth in section 1769(a)(3)(A). As specified in 1769(a)(3)(C), any such objection must make a showing supported by facts that the change does not meet the criteria in subdivision (a)(3)(A). Speculation, argument, conjecture, and unsupported conclusions or opinions are not sufficient to support an objection to staff approval. Absent any such objections, this petition will be approved 14 days after this statement is filed in the docket.

To use the CEC's electronic commenting feature, go to the CEC'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
Docket 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 Docket Unit will be added to the facility Docket Log and be publically accessible on the CEC's webpage for the facility.

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

For information on public participation, please contact the CEC's Public Advisor at (916) 654-4489, or at (800) 822-6228 (toll-free in California). The Public Advisor's Office can also be contacted via email at publicadvisor@energy.ca.gov.

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

Stanton Energy Reliability Center listserv