

## DOCKETED

<b>Docket Number:</b>	12-AFC-03
<b>Project Title:</b>	Redondo Beach Energy Project
<b>TN #:</b>	201402
<b>Document Title:</b>	Status Report 1 - December 11
<b>Description:</b>	N/A
<b>Filer:</b>	Alicia Campos
<b>Organization:</b>	CEC/Patricia Kelly
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	12/11/2013 9:06:01 AM
<b>Docketed Date:</b>	12/11/2013

# Memorandum

**Date:** December 11, 2013  
**Telephone:** (916) 654-4063  
**File:** 12-AFC-03

**To:** **Commissioner Karen Douglas** - Presiding Member  
**Commissioner Janea A. Scott** - Associate Member  
**Susan Cochran** - Hearing Officer

**From:** **California Energy Commission** Patricia Kelly  
**1516 Ninth Street** Siting Project Manager  
**Sacramento, CA 95814-5512**

**Subject:** **REDONDO BEACH ENERGY PROJECT, (12-AFC-03).**  
**STATUS REPORT 1 – DECEMBER 11**

On October 16, 2013, the Redondo Beach Committee issued a “Scheduling Order” requiring status reports the first of every month commencing on December 1, 2013. This status report responds to the Committee’s request.

Since the Information Hearing and Site Visit on August 27, 2013, staff has filed Data Requests and the applicant has provided Data Responses, Request for additional time to prepare Data Responses and two Notices of Objection.

On October 15, 2013 staff filed the first Data Requests Set 1 (Nos. 1-47) in the technical areas of Air Quality (Nos. 1-19), Biological Resources (Nos. 20-25), Noise and Vibration (Nos. 26-30), Socioeconomics (Nos. 31-33), Traffic and Transportation (Nos. 43-47). The Applicant filed Data Responses pertaining to the majority of the Data Requests; however, on November 4, 2013, the Applicant filed a request for additional time to prepare Data Responses pertaining to Air Quality and Biological Resources and filed a Notice of Objection to staff Data Requests 26, 27, and 28, Set 1, Noise and Vibration. On November 20, 2013, staff filed Data Requests Set 1R (Set 1, Nos. 26-28 Revised) modifying the original Noise and Vibration Data Requests in the attempt to address the applicant’s objection.

On November 12, 2013, staff filed Data Requests Set 1B, (Nos. 48-66) in the technical areas of Alternatives (Nos. 48-51) and Cultural Resources (Nos. 52-66). On November 27, 2013, the Applicant filed a Notice of Objection to Data Requests 48, 49, 52, and 64-66, Set 1B. Applicant objects to Data Request #48 stating, in part, that an off-site alternatives analysis is not required for projects with a strong connection to an industrial site, and it characterizes the proposed project as a “modernization” of the existing project. Staff disagrees with the Applicant. Although a power plant has been located on the site for decades, the proposed project is a new project, not a repower of the existing power plant. Furthermore, Public Resources Codes section 25540.6(b) states that “The commission may also accept an application for a noncogeneration project at an existing industrial site without requiring a discussion of site alternatives if the commission finds that the project has a strong relationship to the existing industrial site and that it is therefore reasonable not to analyze

alternative sites for the project.” (Emphasis added.) Therefore, the Commission may or may not require a discussion of site alternatives as required under CEQA. As such, staff will consider alternative sites as part of its alternative analysis for the proposed project. Staff encourages the Applicant to work cooperatively with staff in providing data for its analysis.

Applicant also objects to Data Request #49, which requests information on the “No Project” alternative, stating that the information is not reasonably available to Applicant. As stated above, staff disagrees with Applicant’s arguments and will pursue this information on its own.

For Data Request #52, although Applicant objects to the Data Request, and staff disagrees with the objection, the information Staff requested was provided by Applicant. Applicant states “Construction materials will be obtained from licensed and regulated third party vendors, who are themselves, subject to vigorous federal, state, and local regulations.”

Finally, Data Request #64-66 request the Applicant to retain a registered consulting arborist or another qualified tree professional to confirm and report the genus, species, and age of the figs trees, palm trees and juniper shrubs on the RBEP property. Staff will not file a motion to compel for Data Requests Nos. 64-66, but would like to discuss those data requests at a future workshop.

### **Staff Workshops**

Staff filed a notice of a public data response workshop which was held on December 7, 2013 in Redondo Beach. Technical areas discussed included Air Quality, Noise and Vibration, and Visual Impacts.