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February 28, 2020

Mr. John Heiser
Compliance Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

**Subject: Stanton Energy Reliability Center (16-AFC-1C)
Petition for Post-Certification Change, Construction Parking and Laydown Areas**

Dear Mr. Heiser:

Attached is the *Petition for Post-Certification Change, Construction Parking and Laydown Areas for the Stanton Energy Reliability Center (16-AFC-1C)*, submitted in accordance with California Energy Commission Condition of Certification COM-10 for this project.

Thank you very much.

Sincerely,

Jacobs Engineering Group Inc.

A handwritten signature in black ink, appearing to read "Karen L. Parker".

Karen L. Parker
Compliance Project Manager

Attachment

Cc: Kara Miles, Stanton Energy Reliability Center, LLC

Petition for Post-Certification Change

Construction Parking and Laydown Areas

Condition of Certification COM-10

For the

Stanton Energy Reliability Center
Stanton, California

16-AFC-1

February 2020

Stanton Energy Reliability Center, LLC



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Acronyms and Abbreviations

AFC	Application for Certification
CCR	California Code of Regulations
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
COC	Condition of Certification
CRS	Cultural Resources Specialist
LORS	laws, ordinances, regulations, and standards
MBTA	Migratory Bird Treaty Act
Petition	Petition for Post-Certification Changes
SERC	Stanton Energy Reliability Center

Executive Summary

Stanton Energy Reliability Center, LLC (project owner), petitions the California Energy Commission (CEC) to change the certification of the Stanton Energy Reliability Center (SERC) project (16-AFC-1C). This Petition for Post-Certification Change (Petition) requests the addition of three newly identified locations to be used temporarily for laydown and additional parking for project construction. 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.

Introduction

The Stanton Energy Reliability Center (SERC) (16-AFC-1C) is under construction at 10711 Dale Avenue in Stanton, Orange County, California (Figure 1). This Petition requests authority to add three newly identified construction laydown and parking areas as a change to the project description. These areas would be used by the construction contractor for worker parking, equipment laydown, and office space to replace office trailers currently on the project building site. Use of the new parking and laydown areas will be temporary and for construction only. The areas will not be used during project operation. This petition does not require changes to the Conditions of Certification.

1.1 Information Requirements for the Post-Certification Change

This Petition contains all the information that is required pursuant to the CEC's Siting Regulations (California Code of Regulations [CCR] Title 20, Section 1769, Post Certification Petition for Changes in Project Design, Operation or Performance and Amendments and Changes to the Commission Decision). The information necessary to fulfill the requirements of Section 1769 is contained in Sections 1.0 through 6.0, as summarized in Table 1.

TABLE 1
Informational Requirements for Post-Certification Change

Section 1769 Requirement	Section of Petition Fulfilling Requirement
(A) A complete description of the proposed change, including new language for any conditions of certification that will be affected	Section 2.0—Proposed modifications Sections 3.0—No changes to conditions of certification are proposed.
(B) A discussion of the necessity for the proposed change and an explanation of why the change should be permitted	Section 1.5
(C) A description of any new information or change in circumstances that necessitated the change	Sections 1.5, 3.0
(D) An analysis of the effects that the proposed change to the project may have on the environment and proposed measures to mitigate any significant environmental effects	Section 3.0
(E) A discussion how the proposed change would affect the project's compliance with applicable laws, ordinances, regulations, and standards	Section 3.15
(F) A discussion of how the proposed change would affect the public	Section 4.0
(G) A list of current assessor's parcel numbers and owners' names and addresses for all parcels within 500 feet of any affected project linears and 1,000 feet of the project site	Section 5.0
(H) A discussion of the potential effect of the proposed change on nearby property owners, residents, and the public	Section 6.0

1.2 Licensing History

On October 26, 2016, the project owner filed an Application for Certification (AFC) with the CEC to construct and operate a 98 MW power facility with 10 MW of integrated battery storage at the SERC site (SERC, LLC 2016). The California Energy Commission (CEC) approved the AFC on November 7, 2018 (Final Decision, CEC, 2018) and SERC began construction in February 2019.

1.3 Necessity of Proposed Changes

The Siting Regulations require a discussion of the necessity for the proposed change and whether the modification is based on information known by the petitioner during the certification proceeding (Title 20, CCR, Sections 1769 [a][1][B]). This Petition requests approval to add three construction laydown and parking areas to support natural gas pipeline construction.

At the time of licensing, it was expected that construction would extend to the end of February 2020 and arrangements were made with the Bethel Romanian Pentecostal Church to lease parking space until March 10, 2020. Delays in construction have made it necessary to replace this parking area after March 10. In addition, construction planning has changed since the time of licensing such that it will be necessary to find off-site space for construction offices currently parked at the site of the Battery Energy Storage System (BESS).

1.4 Consistency of Changes with Certification



The Siting Regulations also require a discussion of the consistency of the proposed change with applicable laws, ordinances, regulations, and standards (LORS) and whether the changes are based on new information that changes or undermines the assumptions, rationale, findings, or other basis of the CEC Final Commission Decision (Title 20, CCR Section 1769 [a][1][E]). If the project is no longer consistent with the certification, the Petition must provide an explanation why the change should be permitted.

The addition of the construction parking and laydown areas is consistent with the Conditions of Certification, as demonstrated by an environmental analysis focused on the areas, as reported in Section 3.0 of this Petition. The environmental analysis considers all 14 of the environmental disciplines addressed in the Final Commission Decision.



VICINITY MAP

LEGEND

-  SERC Project Site
-  Proposed Construction Parking and Laydown Area

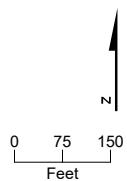
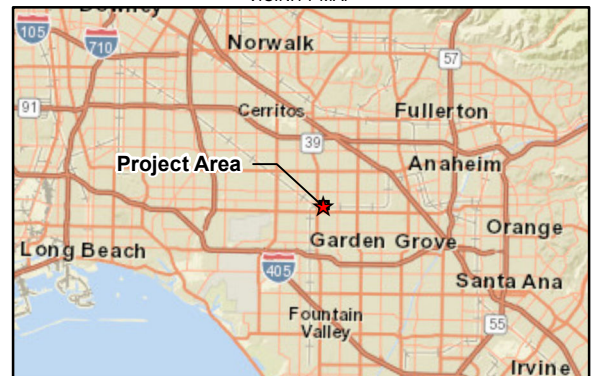


Figure 1
Proposed Construction Parking and Laydown Area
 Stanton Energy Reliability Center
 Stanton, California

1.5 Summary of Environmental Impacts

The CEC Siting Regulations require that an analysis be conducted to address the potential impacts the proposed project change may have on the environment, and proposed measures to mitigate any potentially significant adverse impacts (Title 20, CCR, Section 1769 [a][1][D]). The regulations also require a discussion of the impact of the change on the facility's ability to comply with applicable LORS (Section 1769 [1][a][E]). Section 3.0 of this Petition includes a discussion of the potential environmental impacts associated with the change, as well as a discussion of the consistency of the change with LORS. Section 3.0 also includes updated environmental baseline information if changes have occurred since the project was licensed that would have a bearing on the environmental analysis of the Petition. Section 3.0 of this Petition concludes that there will be no significant environmental impacts associated with the addition of the construction laydown areas and that the project as modified will comply with all applicable LORS.

1.6 Conditions of Certification

This Petition does not require any changes to Conditions of Certification.

1.7 References

California Energy Commission (CEC). 2018. *Energy Commission Decision, Application for Certification for the Stanton Energy Reliability Center, Docket Number 16-AFC-1*. California Energy Commission, Sacramento, California. November.

Stanton Energy Reliability Center, LLC. 2016. *Application for Certification for the Stanton Energy Reliability Center*. Submitted to California Energy Commission, Sacramento, California. October.

Description of Project Change

Consistent with CEC Siting Regulations (Title 20, CCR, Section 1769 [a][1][A]), this section includes a description of the proposed project change. This Petition proposes modifying the SERC license to include additional construction laydown, parking, and staging areas that will be used temporarily for construction and not for operation. The new proposed construction laydown areas are as follows (Table 2).

Photographs of the three areas are found in Appendix A.

Table 2. Proposed New Construction Parking and Laydown Areas for Power Plant Construction

Assessor's Parcel	Street Address	Dimensions	Acreage	Description
A - 126-591-10 126-591-11	Portions of 10680 Fern Avenue	60' x 175'	0.24	Asphalt parking lot with shrub planter
B - 126-591-11	Portions of 10680 Fern Avenue	60' x 100'	0.14	Warehouse building
C - 126-591-12	Portions of 8322-A Standustrial Street	120' x 120'	0.33	Warehouse and office building with paved parking areas

Area A - consists of an approximately 0.24-acre parking area located off of Fern Avenue. This area will be used for worker parking and is currently a parking lot. There is a shrub planter at the northwestern end (Figure 1).

Area B – is a corrugated metal-clad warehouse within the same assessor's parcel as Area A. It will be used for warehousing/laydown.

Area C – is an existing industrial office building, warehouse, and parking lot. The project proposes to use approximately one half of the building, the parking lot between the building and Standustrial Street, and the open lot area between the building and the adjacent building to the east. This property will be used for offices, parking, and warehousing/laydown. A gate presently located at the southeast corner of the open lot area of the fenced property will be moved to a more central location along the fence line to enable access to the previously approved SCE laydown area located to the south of Area C.

Project construction activities within the laydown areas include the following:

- Worker parking
- Storage of tools and equipment
- Equipment parking
- Construction management offices

SECTION 3.0

Environmental Analysis of Proposed Change

The Commission Decision considers environmental analysis for 14 different discipline areas. For some discipline areas addition of the proposed parking and laydown areas would not cause any change in the environmental baseline conditions or cause environmental impacts because the areas proposed are almost entirely paved or covered interior spaces. These discipline areas are not considered further.

- Air Quality
- Land Use
- Noise and Vibration
- Public Health
- Socioeconomics
- Soil and Water Resources
- Visual Resources
- Waste Management
- Worker Safety and Fire Protection

For these disciplines: the following statements apply:

- The addition of the construction laydown areas proposed by the Petition will not cause impacts that are different than those discussed in the Final Decision (16-AFC-1).
- No additional resource protection or mitigation measures, beyond those required in the Final Decision (16-AFC-1) are necessary.
- The proposed modifications will conform with all applicable LORS related to these disciplines
- This Petition does not require changes to the existing Conditions of Certification (COCs) from the Final Decision (16-AFC-1)

The remaining disciplines are considered with additional discussion:

- 3.1 Biological Resources
- 3.2 Cultural Resources
- 3.3 Geological and Paleontological Resources
- 3.4 Hazardous Materials Management
- 3.5 Traffic and Transportation

For these disciplines: the following topics are considered in greater detail:

- Significant changes to the project area environmental baseline if these changes have taken place since the certification was granted and have a bearing on the environmental impact analyses for the amended facility
- Significant changes to environmental impacts of the facility that are a result of adding the construction laydown area

3.1 Biological Resources

The addition of the construction parking and laydown areas proposed by the Petition would not result in impacts to biological resources. These sites are paved, landscaped, or covered by buildings and do not provide habitat for wildlife. In addition, these areas are all adjacent to the project site and biological monitors are present on a weekly basis. Seasonal project surveys for migratory bird nests protected under the Migratory Bird Treaty Act (MBTA) will begin the week of February 28, 2020. The nest surveys will include the proposed outdoors areas (i.e. parking and laydown) and will be in accordance with Condition of Certification BIO-8. The report of these nest surveys will be submitted separately when they are completed. The proposed parking and laydown areas will be included in weekly biological resources monitoring once the project change is approved.

Vegetation located along the fence line to the south of the Area C and adjacent to the SCE laydown area may need to be removed to accommodate installation of a gate allowing access to the SCE laydown area.

3.1.1 Mitigation Measures

No significant impacts to biological resources will result from the approval of this Petition, given compliance with the existing Conditions of Certification. Therefore, no additional resource protection measures, beyond those required in the Final Decision (16-AFC-1) are necessary. Existing Conditions regarding monitoring of biological resources and protection of nesting birds are sufficient to prevent significant impacts to biological resources.

3.1.2 Consistency with LORS

The proposed modifications will conform with all applicable LORS related to biological resources.

3.1.3 Conditions of Certification

This Petition does not require changes to the existing biological resource COCs from the Final Decision (16-AFC-1).

3.2 Cultural Resources

The addition of the three construction laydown areas proposed by the Petition would not result in impacts to cultural resources. Studies conducted for the Petition included pedestrian field survey of the proposed parking and laydown sites done by Alternate Cultural Resources Specialist Natalie Lawson on February 24, 2020. This survey makes the following findings:

- All three areas are completely paved except for shrub planter boxes. The native ground surface is not visible
- The project's use of the proposed parking and laydown areas will not result in any ground disturbance that could potentially disturb previously undiscovered archaeological deposits
- The project's use of buildings for warehouse and office space will have no effect on the buildings themselves and is consistent with their designed purpose

Therefore, use of the proposed parking and laydown areas would not result in impacts to cultural resources beyond those considered in the Final Decision (16-AFC-1C).

3.2.1 Mitigation Measures

No significant impacts to cultural resources will result from the approval of this Petition. Therefore, no additional resource protection measures, beyond those required in the Final Decision (16-AFC-1) are necessary. If previously undiscovered cultural resources are found during use of the parking and laydown areas, mitigation measures in the Final Commission Decision regarding the treatment of emergency discoveries, including Condition CUL-7 (Power of the CRS/Cultural Resources Discovery Protocols) and the implementation of CUL-3 (Cultural Resources Mitigation and Monitoring Plan) will help to ensure that no adverse impacts occur.

3.2.2 Consistency with LORS

This post-certification change will comply with all applicable cultural resource-related LORS.

3.2.3 Conditions of Certification

This Petition does not require changes to the existing cultural resource COCs from the Final Decision (16-AFC-1).

3.3 Paleontological Resources

The addition of the three construction laydown areas proposed by the Petition would not result in impacts to paleontological resources because the project's use of the proposed parking and laydown areas will not result in any ground disturbance that could potentially disturb previously undiscovered fossils or other paleontological resources. The sites are almost entirely paved or occupied by buildings.

Therefore, use of the proposed parking and laydown areas would not result in impacts to paleontological resources beyond those considered in the Final Decision (16-AFC-1C).

3.3.1 Mitigation Measures

No significant impacts to cultural resources will result from the approval of this Petition. Therefore, no additional resource protection measures, beyond those required in the Final Decision (16-AFC-1) are necessary. If previously undiscovered paleontological resources are found during use of the parking and laydown areas, mitigation measures in the Final Commission Decision regarding the treatment of emergency discoveries will help to ensure that no adverse impacts occur.

3.3.2 Consistency with LORS

This post-certification change will comply with all applicable paleontological resource-related LORS.

3.3.3 Conditions of Certification

This Petition does not require changes to the existing paleontological resource COCs from the Final Decision (16-AFC-1).

3.4 Hazardous Materials Management

The addition of three construction laydown areas proposed by the Petition will require similar hazardous materials use, chemical inventory, and management as discussed in the Final Decision (16-AFC-1). Therefore, there will be no additional impacts resulting from hazardous materials management in the proposed laydown areas.

The chemicals listed in the Final Decision, 16-AFC-1, remain unchanged to accommodate the proposed modifications. No new chemicals are required because of the modifications and it will not be necessary to increase the quantities of hazardous materials currently used at the project site. Use of the parking and laydown areas will be temporary and will take place during construction only.

No additional hazardous materials storage is required to accommodate the modifications. Therefore, no new hazardous material impacts would result from the project modifications. Hazardous materials will be handled and stored in a safe manner and in accordance with the applicable LORS consistent with the Final Decision, 16-AFC-1.

3.4.1 Mitigation Measures

No significant impacts from hazardous materials handling will result from the approval of this Amendment. Therefore, mitigation measures beyond those required in the Final Decision (16-AFC-1) are not necessary.

3.4.2 Consistency with LORS

The proposed modifications will conform with all applicable LORS related to hazardous materials.

3.4.3 Conditions of Certification

This Petition does not require changes to the hazardous material management COCs from the Final Decision (16-AFC-1).

3.5 Traffic and Transportation

The addition of three construction laydown areas proposed by this Petition will not result in traffic and transportation impacts greater than those considered in the Final Decision (16-AFC-1). Project construction with this change will not result in substantial changes to the traffic and transportation findings and conclusions of the Final Decision for 16-AFC-1. The number of construction workers commuting to the project site and the number of heavy haul trucks needing access to the site (i.e. project-related trip generation) will not change. Some workers will travel to the new construction parking areas instead of the previously used Bethel Romanian Pentecostal Church parking lot. This will not change the conclusions of the traffic analysis, however, as the overall number of worker trips is substantially reduced from the peak traffic month considered in the analysis and because this destination would cause only minor changes in work trip routings.

3.5.1 Mitigation Measures

No significant impacts to the local or regional traffic and transportation network will result from the approval of this Petition. Therefore, mitigation measures beyond those included in the Final Decision (16-AFC-1), are not necessary. The existing construction Traffic Control Plan and implementation program, required under COC TRANS-2, includes appropriate measures to address timing of heavy equipment and building material deliveries, signing, lighting, flagging, emergency access, and traffic controls.

3.5.2 Consistency with LORS

The project will remain consistent with all applicable LORS related to traffic and transportation.

3.5.3 Conditions of Certification

This Petition does not require changes to the existing transportation COCs from the Final Decision (16-AFC-1).

SECTION 4.0

Potential Effects on the Public

This section discusses the potential effects on the public that may result from the modifications proposed in this Petition, pursuant to CEC Siting Regulations (Title 20, CCR, Section 1769[a][1][F]).

The changes to the project, as proposed in this Petition, will not result in any greater impacts on the public and property owners than those analyzed during project licensing (16-AFC-1), resulting in no effect on the public and property owners beyond what was originally approved by the CEC.

SECTION 5.0

List of Property Owners

CEC Siting Regulations (Title 20, CCR, Section 1769[a][1][G]) require that the property owners within 1,000 feet of the site and within 500 feet of affected linears are identified. Notification of property owners within 1,000 feet of the site and 500 feet of the natural gas pipeline regarding project construction (project site and gas line) has taken place and it is not necessary to repeat the notification for this petition.

SECTION 6.0

Potential Effects on Property Owners

This section addresses potential effects of the proposed change discussed in this Petition on nearby property owners, residents, and the public pursuant to CEC Siting Regulations (Title 20, CCR, Section 1769 [a][1][H]).

The project, as modified, will not differ significantly in potential effects on adjacent land owners or residents, compared with the project as previously proposed. The project, therefore, would have no adverse effects on nearby property owners, residents, the public, or other parties as determined in the Final Decision, 16-AFC-1.

Appendix A

Photographs



Area A – View west toward Fern Avenue



Area B – View north-northeast from SERC Project Site



Area C – View south toward SERC Project Site