

DOCKETED

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Project Title:	Lafayette Backup Generating Facility
TN #:	239670
Document Title:	Lafayette Status Report #9
Description:	monthly status report from CEC staff
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M e m o r a n d u m

To: Commissioner Karen Douglas, Presiding Member
Chair David Hochschild, Associate Member

Date: September 10, 2021

From: California Energy Commission
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**Subject: STATUS REPORT #9 FOR THE LAFAYETTE BACKUP GENERATING FACILITY
SMALL POWER PLANT EXEMPTION (20-SPPE-02)**

In its December 23, 2020 order directing parties to file Monthly Status Reports, the Committee ordered the parties to file and serve a Status Report on or before the 10th of each month.

In the applicant's status report dated June 10, 2021, the applicant stated that it would "file responses to outstanding data requests, modified where necessary to reflect the changes to Tier 4 compliant generators, on or before June 18, 2021." Staff has not received responses to outstanding data requests, and the applicant did not file a July or August status report.

As outlined previously in CEC Staff Status Report #4 dated April 9, 2021, staff has not received responses to Data Request Set 3, which was docketed October 6, 2020, and included questions in the technical areas of Air Quality, Transportation, and Utilities and Service Systems, as well as Data Requests 64 to 67 (thermal plume) and 92 (below grade drawing) from Data Request Set 1, which was docketed on July 6, 2020. Staff needs those responses so that it can complete its analysis of the newly revised project.

Staff has commenced work on an Environmental Impact Report (EIR), which we expect to publish within 60 days of acknowledging in a status report that we have no further data requests. Staff docketed its Notice of Preparation of an EIR (NOP) and submitted the NOP to the State Clearinghouse on August 4, 2021. Comments on the NOP from relevant responsible and trustee agencies were due September 3, 2021. Comment letters were received from the Bay Area Air Quality Management District and the Native American Heritage Commission.

Staff is currently preparing Data Request Set 4, which we expect to file following receipt of applicant's responses to prior data requests.