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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
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APPLICATION FOR CERTIFICATION FOR THE:

ALAMITOS ENERGY CENTER

Docket No. 13-AFC-01

**STAFF COMMENTS ON THE ALAMITOS ENERGY CENTER
PRESIDING MEMBER'S PROPOSED DECISION**

Staff recommends the following edits to the Presiding Member's Proposed Decision (PMPD). The majority of edits are in the nature of clarifications, errata, or changes that provide consistency between sections of the PMPD. All the proposed changes are supported by the record and none of the proposed changes are sufficient to trigger the need for an additional 15-day comment period as set forth in Title 20 section 1746.

Air Quality

1. **Page 6.2-20**, edits should be made as follows:
During startup periods, it is also not feasible to meet BACT limits for all periods of operation. The AEC CCGT, SCGT and auxiliary boiler emission control equipment are not fully effective. It takes time for the catalyst to reach the recommended operating temperature. The SCAQMD is proposing cold **and non-cold, warm, and hot** startup events for the CCGT and SCGT **limiting the number of startup events for the SCGT. The SCAQMD is also** ~~and~~ limiting the duration, emissions from, and total number of startup events. The SCAQMD is also proposing cold, warm and hot startup events for the boiler and placing restrictions on the number of events and corresponding emissions.⁵³
2. **Page 6.2-25**, edit should be made as follows:
As shown in **Air Quality Table 13**, the PTE of the AEC is lower than the PTE of

the AGS Units 1-6 in all listed criteria air pollutants. For example, the NO_x PTE for AGS Units 1 through 6 is 636 tons/year, while the NO_x PTE for the AEC is 137 tons/year.⁷² The PTE for the AEC was calculated based on conservative assumptions, operating scenarios and emission factors, documented in the SCAQMD FDOC and Energy Commission FSA Part 2, not actual emissions.⁷³

3. Appendix–A, **page 44**: The PMPD adds a condition of certification **GHG-1** which was not proposed by staff. Staff does not generally recommend conditions of certification for all laws, ordinances, regulations and standards that the applicant must meet. For example, the facility is required to pay fees to SCAQMD, and Energy Commission does not include a condition requiring this payment. The proposed **GHG-1** requires what is already required – participation in the California GHG cap-and-trade program. However, if this condition is retained, staff recommends edits as follows, including adding a verification to enable enforcement of the proposed condition:

GHG-1

Conditions of certification **AQ-E6, AQ-E7, AQ-E8, AQ-E9 and AQ-E10** in the Air Quality section relate to the greenhouse gas emissions from project operation and are proposed here by reference. The facility owner ~~would~~ **shall** participate in California’s GHG cap-and-trade program, ~~and is required to~~ report GHG emissions and ~~to~~ obtain GHG emissions allowances (and offsets **as needed**) for those reported emissions, by purchasing allowances from the capped market and offsets from outside the AB 32 program. Similarly, the **facility owner shall report their GHG emissions to meet** ~~AEC would be subject to~~ federal **GHG** mandatory reporting of ~~GHG emissions requirements~~. The facility owner ~~may have to~~ **shall** provide **any** additional reports and GHG reductions **as required by any**, ~~depending on the~~ future regulations formulated by the U.S. EPA or the ARB.

Verification: The project owner shall submit to the CPM a summary of activities demonstrating compliance with this condition as part of the fourth quarter Quarterly Operation Report (AQ-SC7).

4. Table 55 in Appendix-A, starting on **page 45**, should be edited as follows (only relative excerpts are included below):

Air Quality Table 55
SCAQMD Permit Conditions with Corresponding Energy Commission
Conditions of Certification

SCAQMD Permit Conditions	Energy Commission Condition of Certification	Condition Description
Combined-Cycle Gas Turbine Generators		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
Simple-Cycle Turbines		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
Auxiliary Boiler		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
SCR/CO Catalyst for Combined-cycle		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
SCR/CO Catalyst for Simple		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
SCR for the Auxiliary Boiler		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
Ammonia Storage Tanks		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).
Oil Water Separator		
<u>E73-24.1</u>	AQ-E14	Requires the BACT/LAER determination to be reviewed prior to the commencement of Phase II construction (simple-cycle).

5. Appendix–A, **page 52**: The PMPD includes an older version of **AQ-SC1**. In Applicant’s Opening Brief Part 2 issues, the Applicant requested some changes to this condition (see TN215203). Staff responded to this request with language on

page 12 of the Energy Commission Staff Reply Brief: Evidentiary Hearing Part 2 (see TN215405).

Staff recommends edits to the PMPD version of this condition as follows:

AQ-SC1 Air Quality Construction/Demolition Mitigation Manager (AQCMM):
The project owner shall designate and ~~retain an~~ **have** on-site **during construction/demolition activities an** AQCMM who shall be responsible for directing and documenting compliance with AQ-SC3, AQ-SC4, and AQ-SC5 for the entire project site and linear facility construction/demolition. **The project owner may elect to assign one or more alternate AQCMM as well.** The on-site AQCMM may delegate responsibilities to one or more AQCMM Delegates. The AQCMM and AQCMM Delegates shall have full access to all areas of construction on the project site and linear facilities, and shall have the authority to stop any or all construction/demolition activities as warranted by applicable construction/demolition mitigation conditions. The AQCMM and AQCMM Delegates may have other responsibilities in addition to those described in this condition. ~~The AQCMM may be replaced, only after compliance with the selection process outlined below.~~

Verification: At least 60 days prior to the start of ground disturbance, the project owner shall submit to the CPM for approval, the name, resume, qualifications, and contact information for the **first** on-site AQCMM **to be assigned** and all AQCMM Delegates. The AQCMM and all Delegates must be approved by the CPM before the start of ground disturbance. ~~In an emergency, the project owner shall immediately notify the CPM to discuss the qualifications and approval of a short-term replacement while a permanent AQCMM is proposed to the CPM for consideration.~~ **An AQCMM could be replaced after ground disturbance if the replacement AQCMM has been approved by the CPM.**

6. Appendix A-1, **page 67**: The table in Condition of Certification AQ-A2 contains a typographical error for VOC which should be changed as follows:

Contaminant	Range	Emissions Limit
Monthly Pounds in Any Calendar Month (lbs/month)		
CO	Less than or equal to	8,594 lbs/month
VOC	Less than or equal to	1,973 lbs/month
PM10	Less than or equal to	4,638 lbs/month
SOx	Less than or equal to	1,207 lbs/month
Annual Pounds in Any One Year (lbs/year)		
CO	Less than or equal to	29,730 (lbs./year)
VOC	Less than or equal to	7,500 7,510 (lbs./year)
PM10	Less than or equal to	14,695 (lbs./year)
SOx	Less than or equal to	1,275 (lbs./year)

7. Appendix-A, **page 71** should be edited to add a space as follows:

AQ-A12 The project owner shall limit CO emissions to 1.5 parts per million...

8. Appendix-A, **page 90** should be edited to remove a duplicate line as follows:

AQ-D17 The project owner shall install and maintain a CEMS to measure the following parameters:

NOx concentration in ppmv

Concentrations shall be corrected to 3 percent oxygen on a dry basis.

~~Concentrations shall be corrected to 3 percent oxygen on a dry basis.~~

The CEMS shall be installed and operated...

9. Appendix-A, **page 93** should be edited as follows to be consistent with FDOC condition E193.9:

AQ-E4 The project owner shall operate and maintain this equipment according to the following requirements:

Total commissioning hours shall not exceed 280 hours of fired operation for each turbine from the date of initial turbine start-up. Of the 280 hours, commissioning hours without control shall not exceed 4 hours.

Four turbines may be commissioned at the same time.

The project owner shall vent this equipment to the CO oxidation catalyst and SCR control system whenever the turbine is in operation after commissioning is completed.

The project owner shall **provide the SCAQMD with written notification of the initial startup date. The project owner shall** maintain records **in a manner approved by the SCAQMD** to demonstrate compliance with this condition and **the records** shall ~~make such records~~ **be made** available to the Executive Officer **SCAQMD personnel** upon request. ~~The records shall be maintained for a minimum of 5 years in a manner approved by SCAQMD.~~ The records shall include, but not be limited to, the total number of commissioning hours, number of commissioning hours without control, and natural gas fuel usage.

[RULE 1303(a)(1)-BACT, RULE 1703(a)(2)-PSD-BACT, RULE 2005]

[Devices subject to this condition: D185, D191, D197, D203 (simple cycle)]

10. Appendix-A **page 77** needs to be edited to be consistent with the text in the Final Staff Assessment as follows:

AQ-C5 The project owner shall limit the number of start-ups to no more than 10 in any one calendar month.

The number of cold startups shall not exceed 2 in any calendar month, the number of warm startups shall not exceed 4 in any calendar month, and the number of hot starts shall not exceed 4 in any calendar month, with no more than 1 startup in any one day.

The number of cold startups shall not exceed 24 in any calendar year, the number of warm startups shall not exceed 48 in any calendar year, and the number of hot startups shall not exceed 48 in any calendar year.

For the purposes of this condition, a cold startup is defined as a startup which occurs after the ~~combustion turbine~~ **auxiliary boiler** has been shut down for 48 hours or more. A cold startup shall not exceed 170 minutes. The NOx emissions from a cold startup shall not exceed 4.22 lbs.

For the purposes of this condition, a warm startup is defined as a startup which occurs after the ~~combustion turbine~~ **auxiliary boiler** has been shut down 10 hours or more but less than 48 hours. A warm startup shall not exceed 85

minutes. The NOx emissions from a warm startup shall not exceed 2.11 lbs.

For the purposes of this condition, a hot startup is defined as a startup which occurs after the steam ~~combustion turbine~~ **auxiliary boiler** has been shut down for less than 10 hours. A hot startup shall not exceed 25 minutes. The NOx emissions from a hot startup shall not exceed 0.62 lbs.

The project owner shall maintain records in a manner approved by the District, to demonstrate compliance with this condition and the records shall be made available to District personnel upon request.

[RULE 1303(a)(1)-BACT, RULE 1703(a)(2)-PSD-BACT, RULE 2005]

[Devices subject to this condition: D181 (auxiliary boiler)]

Verification: The project owner shall demonstrate compliance with this condition as part of the Quarterly Operation Reports (AQ-SC7). The project owner shall provide records including a table indicating documenting type of startup, duration and date of occurrence.

Alternatives

1. **Page 3-6.** The sentence under the “Generation Technology Alternatives” subsection is formatted as Header 2 with underline.
2. **Page 3-11.** There is an extra period after the superscript for footnote 35.
3. **Page 3-13.** The second sentence of the first paragraph repeats, “could be left in place”.
4. **Page 3-19.** Finding of Fact number 8, “than” should be “of”.
5. **Page 3-19.** Finding of Fact number 10, “of” should be “and will”.
6. **Page 3-19.** Finding of Fact number 11 is repetitive of number 10.

Biological Resources

1. **Page 7.1-16.** Subsection Heading “Construction Impacts and Mitigation” for consistency with Operation subheading and later in-text references to this subsection
2. **Page 7.1-17.** Second full paragraph: “...and the potential for special-status species animals...”
3. **Page 7.1-18.** First paragraph: “...we find the potential impacts of the AEC project on special-status species during construction...”

4. **Page 7.1-31.** Last sentence: “The ~~laws~~, LORS applicable to the project’s potential impacts...”
5. **Page 7.1-36.** Finding #11: “...the potential impacts of the Alamitos Energy center on special-status species during construction...”

BIO-1 Staff recommends the following edits to provide unambiguous scheduling and limits on when an Energy Commission Compliance Project Manager (CPM) is permitted to decline a previously approved Designated Biologist.

The CPM may withhold approval of a Designated Biologist based upon proof that a proposed Designated Biologist has repeatedly failed to comply with the conditions of any Energy Commission license as they pertain to biological resources. If the project owner proposes to use a Designated Biologist previously-approved by the Energy Commission within the preceding five (5) years, the CPM shall have ten (10) **business** days to review the resume and statement of availability of the proposed Designated Biologist. The CPM may withhold approval of a previously-approved Designated Biologist only if (1) the non-compliance with conditions of an Energy Commission license was documented in the compliance record for the previous Energy Commission license project work or (2) if the proposed previously approved Designated Biologist’s qualifications are not **commensurate with all of the minimum qualifications identified in BIO-1** ~~applicable to the specific biological resources identified in the AEC project area~~. The CPM shall provide notice of disapproval of the proposed Designated Biologist within ten (10) **business** days of receipt of the resume and statement of availability of any proposed Designated Biologist. In the case of a previously-approved Designated Biologist, failure to provide notice within (10) **business** days of receipt of the resume and statement of availability of the proposed Designated Biologist shall be deemed approval of that candidate.

Cultural Resources

1. **Page 7.3-1.** Edits to clarify the regulatory context for this subject area:

This section reviews the structural and cultural evidence of human development in the project vicinity where cultural resources could be disturbed by excavation and construction. Cultural resources such as artifacts, structures, or land modifications reflect the history of human development. Places that are important to Native Americans or other ethnic groups are considered valuable cultural resources. ~~Federal and s~~**State** laws require a ~~project developer~~ **lead agency to develop and** implement mitigation measures to minimize potential

adverse impacts to significant cultural resources. Under these laws, a lead agency may delegate implementation of mitigation measures to others, such as an applicant.

2. **Page 7.3-1.** Edits to clarify geographic references:

Staff defines the archaeological component of the PAA as the AEC project site and the new process water/sanitary wastewater pipeline, with a 200-foot buffer surrounding the project site, and a 50-foot buffer around the proposed pipeline (see **Cultural Resources Figure 1**). For ethnographic resources, Staff identified one ethnographic resource in the ethnographic PAA-area: the Puvugna Ceremonial Site Complex (PCSC)-~~at 6400 Bixby Hill Road~~. The PAA includes Puvugna and the related village camp sites on Alamitos Mesa, located less than 0.5 mile northwest of the AEC (see **Cultural Resources Figure 2**).

3. **Page 7.3-4.** Clarification of regulatory terms for types of cultural resources:

The term “cultural resource” is used broadly to include the several categories of resources, such as ethnographic, prehistoric and historic archaeological sites, buildings, structures, objects, and historic districts. Ethnographic resources are those resources important to the heritage of a particular ethnic or cultural group, such as Native Americans. When a cultural resource is determined to be significant (that is, an historical resource or unique archaeological resource), it is eligible for listing in the California Register of Historical Resources (CRHR) ~~and/or the National Register of Historic Places (NRHP)~~. An archaeological resource that does not qualify as a historical resource may be considered a “unique” archaeological resource under the California Environmental Quality Act (CEQA).

4. **Pages 7.3-4–7.3-5.** Clarification regarding the number of cultural resources identified:

The record indicates that archival research included records searches at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System (CHRIS). The CHRIS files revealed that there had been 81 ~~80~~ previous cultural resource studies conducted in the project area and that 98 ~~88~~ previously recorded resources had been identified within the 1-mile buffer surrounding the AEC project site. None of these archaeological resources has been found in the archaeological component of the PAA.

5. **Page 7.3-5.** Addition of a previously recorded historic built environment resource located in the project area and deletion of text concerning three historic-aged bridges (suggest relocating this text to top of page 7.3-6):

The previously recorded archaeological resources consist of 79 prehistoric archaeological resources, two historic archaeological resources (refuse deposits), six archaeological resources containing prehistoric and historic materials, and one archaeological resource of unknown properties. **The historic built environment resource, AGS Fuel Tank Farm, was previously recorded in the PAA and found ineligible for listing on the CRHR.** Staff also added three bridges (Bridge #s 1563, 3460, and 2750) within the vicinity of the project, but concluded that none of these three bridges qualify as a historical resource for the purposes of CEQA. The record demonstrates that Staff and Applicant both conducted a thorough review of the relevant literature. There is no evidence that the project will have any effect on the other previously recorded archaeological resources that are located outside the AEC project boundaries.

6. **Page 7.3-5.** Correction to footnotes 7–9:

⁷ Ex. 2000, pp. ~~4.3-12;~~ 4.3-16 - 4.3-28.

⁸ Ex. 2000, pp. 4.3-16 - 4.3-17; 4.3-52.

⁹ Ex. 2000, pp. 4.3-29 - 4.3-30; 4.3-37.

7. **Page 7.3-6.** Suggest relocating text regarding three historic-aged bridges to the top of this page:

...Applicant concur that the subject segment of Studebaker Road does not qualify as a historical resource under CEQA. **Staff also added three bridges (Bridge #s 1563, 3460, and 2750) within the vicinity of the project, but concluded that none of these three bridges qualify as a historical resource for the purposes of CEQA.**

8. **Page 7.3-6.** Corrections to footnotes 10, 12, and 13:

¹⁰ Ex. 2000, pp. ~~4.3-38~~4.3-41 – 4.3-42; 4.3-44; 4.3-46; 4.3-47.

¹¹ Ex. 2000, pp. 4.3-5 – 4.3-6; 4.3-21.

¹² Ex. 2000, pp. 4.3-21; 4.3-27; 4.3-36.

¹³ Ex. 2000, pp. 4.3-52; 4.3-55 – 4.3-57.

9. **Page 7.3-7.** Clarification of text for readers without ready access to Exhibit 2000:

Deep-pile foundations will be excavated in excess of 40 feet into native sediments. Unlike the foundation slabs, which require mass excavation, the deep piles will likely be 14 inches in diameter and driven or hammered into the substrate. Deep piles will intersect as many as five low-energy strata (including ~~the~~ **a buried land surface paleosol**). Pile driving therefore has the potential to damage buried archaeological resources. Driven piles, however, preclude the ability to observe the affected sediments and produce little to no spoils to examine.

10. **Page 7.3-9.** Clarification of applicable laws, ordinances, regulations, and standards:

The following federal, state, and local laws and policies apply to the protection of **human remains** ~~public health and~~ **grave goods** ~~hazardous materials management~~. The record examines the project's compliance with these requirements.

11. **Page 7.3-10.** In the first two paragraphs of this page, the word, "nation" should be capitalized such that the tribal name appears as, "Gabrielino Tongva Nation."

12. **Page 7.3-11–12.** Corrections to Findings of Fact #2:

2. Archival research at the South Central Coastal Information Center of the California Historical Resources Information System revealed that although ~~98~~ **88** previously recorded resources had been identified within the one mile buffer surrounding the Alamos Energy Center project site, none of these archaeological resources **have**s been found in the archaeological component of the project area of analysis.

13. **Appendix A, Conditions of Certification, Page 28, CUL-1, Verification 3,** suggested edits to provide unambiguous scheduling and limits on when an Energy Commission Compliance Project Manager (CPM) is permitted to decline a previously approved Cultural Resource Specialist (CRS):

3. The CPM may withhold approval of a CRS based upon proof that a proposed CRS has repeatedly failed to comply with the conditions of any Energy Commission license as they pertain to cultural resources. If the project owner proposes to use a CRS previously-approved by the Energy Commission within the preceding five (5) years, the CPM shall have ten (10) **business** days to review the resume and statement of availability of the proposed CRS. The CPM may

withhold approval of a previously-approved CRS only if (1) the non-compliance with conditions of an Energy Commission license was documented in the compliance record for the previous Energy Commission license project work or (2) if the proposed previously approved CRS's qualifications are not **commensurate with all the criteria in Paragraph A of this condition** ~~applicable to the specific cultural resources identified in the project area~~. The CPM shall provide notice of disapproval of the proposed CRS within ten (10) **business** days of receipt of the resume and statement of availability of any proposed CRS. In the case of a previously-approved CRS, failure to provide notice within (10) **business** days of receipt of the resume and statement of availability of the proposed CRS shall be deemed approval of that candidate.

14. **Appendix A, Conditions of Certification, Pages 32–33, CUL-3**, format corrections to the numbered list:

Beginning on **page 32**, the numbered list needs to have its indention reduced and should begin with the number 3.

15. **Appendix B, Exhibit List**, the “2000 series” of exhibits appears to be missing from this appendix.

Efficiency

1. **Page 5.2-3**. Erroneously refers to CALISO conditions in multiple paragraphs. They need to be changed to ISO (International Organization for Standardization); a different organization.

Geology

1. **Page 7.4-11**. In the “Other Geologic Hazards” section of the PMPD it states that data from the desalinization project geotechnical report shows the potential hazards from lateral spreading, dynamic compaction, hydrocompaction, compressible soils, expansive soils, landslide, flooding, seiches, and volcanic hazards is low. Actually, the Desalinization Project geotech report was used as a source for information on local structural geology relating to the Newport-Inglewood structural trend. Data relating the risk of these hazards came from several sources, primarily from the Ninyo and Moore preliminary site geotech report, but not the Desalinization Project report. The reference should be updated.
2. **Appendix D page 164**. Under PAL-3 there are two sub-conditions #8. One of these should be numbered #9 and the existing sub-condition #9 should be deleted as it is an incomplete sentence and not necessary.

Noise and Vibration

1. **Page 8.4-17** – The Discussion/Conclusion section for the City of Long Beach Municipal Code – Noise Ordinance, Title 8: Health and Safety, Chapter 8.80.150 Exterior noise limits – Sound levels by receiving land use district, states that “the applicable noise limits are provided in Noise Table 3 above. As shown in Noise Table 4, the modeled plant operating noise levels would comply with the respective LORS noise limits at all receptors.” However, Noise and Vibration Table 4 of the PMPD provides the LORS limits (applicable noise limits), and Noise and Vibration Table 5 provides the predicted operational noise levels at sensitive residential receptors (modeled plant operating noise). The text should read, “The applicable noise limits are provided in Noise Table ~~3~~4 above. As shown in Noise Table ~~4~~5, the modeled plant operating noise levels would comply with the respective LORS noise limits at all receptors”.
2. **Page 8.4-19** - The Discussion/Conclusion section for the City of Long Beach Municipal Code – Noise Ordinance, Title 8: Health and Safety, Chapter 8.80.160 Exterior noise limits – Correction factor for character of sound, states that “As shown in Noise Table 4, the modeled plant operating noise levels comply with the respective LORS noise limits at all receptors”. However, Noise and Vibration Table 5 provides the predicted operational noise levels at sensitive residential receptors (modeled plant operating noise). The text should read, “As shown in Noise Table ~~4~~5, the modeled plant operating noise levels comply with the respective LORS noise limits at all receptors.”
3. Appendix – A, **pages 179 and 180** – Language in Condition of Certification Noise-4 refers to Noise Table A1 when defining pure tone noises. However, Noise Table A1 is not included in the PMPD. Either include Noise Table A1 in the PMPD or refer the reader to the Final Staff Assessment Noise and Vibration section.

Public Health

1. **Pages 6.3-2 to 6.3-3** contain the same set of paragraphs as **pages 6.3-6 to 6.3-7**. The duplication should be eliminated from **pages 6.3-2 and 6.3-3**.

Socioeconomics

1. **Page 8.3-6**. In the first sentence in paragraph under Table 2, construction and site activities to last “57” months should be “56” months

2. **Page 8.3-7.** In the third sentence of the first paragraph, the approximate “57” month construction period is “51” months
3. **Page 8.3-12.** In the third sentence of the second paragraph, the project’s approximately “57 month” site preparation and construction should be “56 month”
4. **Page 8.3-15.** In the Discussion/Conclusions for California Education Code section 17620, the Long Beach Unified School District developmental fee of “\$0.54” should be “\$0.56” and approximately “\$8775” in school fees should be “\$9100”
5. **Page 8.3-17.** The school impact fee “\$8775” should be “\$9100”
6. **Page 8.3-19.** Finding of Fact #9 the construction payroll of “\$54.6 million” should be “\$315.55 million”
7. **Page 8.3-19.** Finding of Fact #11 The Alamitos Energy Center will generate increased annual property tax revenues of approximately \$7.9 – \$9.8 million. “increased” should be added to the statement.

Soil and Water Resources

1. **Page 7.2-8,** the PMPD should be changed as shown below. The SWRCB OTC policy does not require the project owner to terminate the use of once through cooling. The project owner chose to terminate once through cooling as one of the options the policy provides for compliance.

“Harbor Circulation and Trash Removal

AGS’s once-through cooling draws trash into the intake screens during pumping from Alamitos Bay for power plant cooling. This removes significant volumes of trash, which keeps the harbor clean and clear of debris. Intake water is screened for trash and debris prior to entering the units. The AGS facility collects and disposes an estimated 165,000 pounds per year of waste. The termination of AGS’ once through cooling ~~is required~~ **has been chosen by the AGS owner to comply with the** State Water Resources Control Board’s once through cooling policy (SWRCB Resolution 2010-0020) and section 316(b) of the Clean Water Act.”

2. **Page 7.2-9,** the PMPD mistakenly identifies the allowable water use specified in SOIL&WATER- 7. The language should be changed to state the following:

“To ensure that project water use is within the projected volumes as analyzed in the evidentiary record, we impose Conditions of Certification SOIL&WATER-6 and SOIL&WATER-7, which limit potable water use for domestic and process use to ~~1.6 AFY and~~ 130 AFY, ~~respectively~~, and require the project owner to meter and report facility water use in compliance reports. Condition of Certification SOIL&WATER-6 requires the project owner to pay for water supply connection fees assessed by LBWD. With the implementation of Conditions of Certification SOIL&WATER-6 and SOIL&WATER-7, impacts to local water supplies will be less than significant.”

3. **Page 7.2-16** in Soil and Water Table 1 under “California Code of Regulations, Title 17, Division 1, Chapter 5, Group 4, the text discussing compliance should not be underlined.
4. In **Appendix A**, the first sentence of the verifications for Conditions of Certification **SOIL&WATER -1, -2, and -5** should start with the following language “**At least** 30 days prior to the”. Similarly, the first and second sentences of the verification for **SOIL&WATER -4** should start with the following language “**At least** 30 days prior to the”

Traffic and Transportation

Staff noticed several instances in the Traffic and Transportation section of the PMPD where the footnoted text is not referenced to the correct page(s) in the exhibits. The following list includes all of the footnotes that need correcting, including the corrected text:

Page Number in PMPD	Footnote Number	Original Footnote Text	Corrected Footnote Text
8.2-2	3	Ex. 2000, p. 4.10-6 – 4.10-11	Ex. 2000, p. 4.10-6 – 4.10-7
8.2-7	5	<i>Id.</i> *	Ex. 2000 p. 4.10-10
8.2-9	12	Ex. 2000, p. 4.10-9	Ex. 2000, p. 4.10-8
8.2-25	50	Ex. 2000, p. 4.10-30	Ex. 2000, p. 4.10-31
*Note: Id appears to refer back to the footnote 4 on page 8.2-5 of the PMPD, but the text in the PMPD correlating with footnote 5 is found in Ex. 2000, p. 4.10-10, not as referenced in footnote 4 (Ex. 2000, p. 4.10-14).			

Staff also noticed two of the Findings of Fact, number 11 and 12, did not include the associated Conditions of Certification. Staff has added the omitted Conditions of Certification in **bold underline** text.

11. The project owner will comply with the California Department of Transportation and all other relevant jurisdictional requirements for oversized vehicles **as required by Condition of Certification TRANS-1**.

12. The project owner will repair any damage to roads, easements and public rights-of-way affected by construction activity **as required by Condition of Certification TRANS-3**.

Visual Resources

1. **Page 8.5-1:** The PMPD states “The AGS is situated on a flat coastal plain with a site elevation of approximately 8 to 15 feet above mean sea level.” However, the FSA states “The existing AGS is situated on a flat coastal plain with a site elevation of approximately 10 to 20 feet above mean sea level (msl).” (see FSA **page 4.12-4**)
2. **Page 8.5-19:** The PMPD states “At KOP 4, we find that the visual impacts are less than significant with mitigation incorporated in Condition of Certification VIS-2.” KOP 3 is associated with recommending Condition of Certification **VIS-2**. (see FSA **page 4.12-17**)
3. **Pages 8.5-25 - 26:** The PMPD identifies Conditions of Certification **VIS-1**, **VIS-2**, and **VIS-4** as part of the Findings of Fact. However, there is no finding related to **VIS-3** which is related to consistency with LORS. (see FSA **page 4.12-27** “... staff proposes implementation of Condition of Certification **VIS-3** to require preparation of landscaping plans to satisfy the requirements of local policies.”)
4. Appendix A **page 185:** Verification for **VIS-1** needs to have bullets for only “construction of Power Block 1” and “construction of Power Block 2”. The bullets need to be removed from the last three paragraphs.
5. Appendix A **page 186:** Text for **VIS-2** needs to remove the bullet in front of the statement, “The Surface Treatment Plan shall include, at a minimum, the following elements:”
6. Appendix A **page 186:** Verification for **VIS-2** should have no bullets. Remove the bullet in front of the statement “Prior to the start of commercial operation of

Power Block 1, the project owner shall notify the CPM that surface treatments of all publicly visible structures and buildings identified in the Surface Treatment Plan have been completed and that the facilities are ready for inspection. The project owner shall obtain written confirmation from the CPM that the project complies with the Surface Treatment Plan.”

7. Appendix A **page 188**: The word “**Verification**” is missing, which needs to be placed in front of the statement “The landscaping plan shall be submitted to the CPM for review and approval and simultaneously to the City of Long Beach for review and comment at least 90 days prior to installation.”