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STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification for the

**HUNTINGTON BEACH ENERGY
PROJECT**

Docket No. 12-AFC-02

**AES SOUTHLAND DEVELOPMENT, LLC'S REBUTTAL TESTIMONY
IN SUPPORT OF THE
HUNTINGTON BEACH ENERGY PROJECT**

July 11, 2014

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Pursuant to the Committee's Notice of Prehearing Conference and Evidentiary Hearing Scheduling Order, and Further Orders, dated June 9, 2014, Applicant AES Southland Development, LLC ("Applicant") herein provides rebuttal testimony and revised witness and exhibit lists in support of the Huntington Beach Energy Project ("HBEP") and in advance of the July 21, 2014 evidentiary hearing.

I. APPLICANT'S REBUTTAL TESTIMONY

Applicant herein presents rebuttal to intervenor Monica Rudman's opening testimony (TN #202631) and responds to the California Coastal Commission's ("CCC") comment letter presented to the Coastal Commission at the July 10, 2014 CCC meeting in Ventura, California ("CCC Comments"). (See TN #202628.) In addition, Applicant responds to the City of Huntington Beach's (the "City") comments ("City Comments") on the Final Staff Assessment ("FSA"). (See TN #202629.) Applicant presents such rebuttal in the same order as presented by the filing party.

A. Applicant’s Rebuttal to Monica Rudman’s Opening Testimony

As stated above, Ms. Rudman docketed her Opening Testimony on June 30, 2014.

Applicant presents its rebuttal below, which follows the same order as Ms. Rudman’s Opening Testimony.¹

1. Air Quality

RUDMAN COMMENT: Ms. Rudman comments on the health impacts of PM10.

Applicant’s Response: The South Coast Air Quality Management District (“SCAQMD”) provided a detailed response to Ms. Rudman’s comments on the SCAQMD’s Preliminary Determination of Compliance regarding PM10/2.5 emissions and general air quality in the project area in a letter dated June 6, 2014. Ms. Rudman provides no expert testimony or evidence contrary to this response.

Supporting Documents: Applicant directs the parties to the following documents in support of the above response:

- FSA, Section 4.1 (Air Quality) (*see* p. 4.1-50), dated and docketed June 2, 2014 (TN #202405)
- Applicant’s Submittal of Air Quality Correspondence (various dates), docketed June 30, 2014 (*see* SCAQMD’s Response to M. Rudman’s comments on the PDOC at pp. 6-13) (TN #202632; *see also* TN #202666)

RUDMAN COMMENT: Ms. Rudman believes that the modeling of impacts underestimates the effects because the weather data used does not accurately represent the weather found in Huntington Beach’s coastal subclimate.

¹ Applicant notes that Ms. Rudman has not presented any expert testimony or identified any expert witnesses to support her opening testimony. Accordingly, Applicant responds herein to Ms. Rudman’s June 30, 2014 filing as though her “testimony” constitutes comments.

Applicant's Response: The SCAQMD, Energy Commission Staff, and Applicant have determined that the meteorological data used for modeling was representative of the project area and met EPA criteria regarding proximity to the site, similar terrain, appropriate siting of the monitoring station, currentness of the data set, similar surface characteristic for the site and monitoring location. Ms. Rudman provides no expert testimony or evidence contrary to these determinations.

Supporting Documents: Applicant directs the parties to the following documents in support of the above response:

- Applicant's Response to SCAQMD's Request for Information (Revised Modeling Protocol), dated July 17, 2013; docketed July 25, 2014 (TN #200042)
- FSA, Section 4.1 (Air Quality) (*see* p. 4.1-50), dated and docketed June 2, 2014 (TN #202405)
- SCAQMD's Response to Public Comments on the PDOC, dated and docketed July 3, 2014 (TN #202666; *see also* TN #202632)

RUDMAN COMMENT: Ms. Rudman comments on the use of Rule 1304(a)(2) to transfer capacity from existing power plants to HBEP to get an exemption from the requirement that they offset the emissions by purchasing emission reduction credits on the open market.

Applicant's Response: The FSA concludes that offsets for VOC and PM will be provided by SCAQMD through its internal emission reduction credit ("ERC") bank and that NO_x and SO₂ mitigation will be provided by the Applicant securing Reclaim Trading Credits as part of the RECLAIM program. Ms. Rudman provides no contrary expert witness testimony or evidence.

Supporting Documents: Applicant directs the parties to the following document in support of the above response:

- SCAQMD's Preliminary Determination of Compliance, (starting at page 34 of 141), dated and docketed April 11, 2014 (TN #202003)
- FSA, Section 4.1 (Air Quality) (*see* pp. 4.1-27 and -28), dated and docketed June 2, 2014 (TN #202405)

RUDMAN COMMENT: Ms. Rudman questions the principle that shutting down the old inefficient power plants and replacing them with new ones would result in air quality improvements.

Applicant's Response: Applicant's Comments on Energy Commission Staff's PSA and Opening Testimony note that the emissions associated with the shutdown of the existing HBGS Units 1 and 2 and Redondo Beach Generating Station Units 6 and 8 are in addition to fully mitigating HBEP emissions by providing sufficient ERCs/RTCs to achieve a 1 to 1 mitigation ratio. Ms. Rudman provides no contrary expert testimony or evidence.

Supporting Documents: Please see the following documents in support of Applicant's above response:

- Applicant's Comments on PSA, Part B (at p. 13), dated and docketed April 7, 2014 (TN # 201969)
- Applicant's Opening Testimony; FSA Comments (at Exhibit A, p. Air Quality-2), dated and docketed June 30, 2014 (TN #202635)

RUDMAN COMMENT: Ms. Rudman states there are several schools located very near the proposed HBEP and that the location of HBEP Units 1 and 2 on the site will move power-generating facilities much closer to Eader Elementary School (which is located at 9291 Banning Avenue) than the existing HBGS, which she contends has not been addressed to date. Ms. Rudman also notes the proximity of residential neighborhoods.

Ms. Rudman also states that many people visit Huntington Beach and raises concerns about the health risks posed to Huntington Beach residents and to all people who would breathe the air affected by the proposed project.

Applicant's Response: Ms. Rudman is incorrect that HBEP will be located "much closer" to Eader Elementary School than HBGS. The fence lines of the HBGS remain the same with construction of HBEP; Block 1 will be approximately 600 feet closer to the school, but Block 2 will be no closer than the old Units 3 and 4. Public health impacts were assessed for the general population and sensitive receptors, including schools, and found to be less than significant. Ms. Rudman provides no contrary expert evidence or testimony.

Supporting Documents: Applicant provides the parties with citations to the following documents in support of the above response:

- FSA, Section 4.7 (Public Health) (*see specifically* p. 4.7-23), dated and docketed June 2, 2014 (TN #202405)
- Applicant's Submittal of Air Quality Correspondence (various dates), docketed June 30, 2014 (*see* SCAQMD's Response to M. Rudman's comments on the PDOC at p. 11) (TN #202632; *see also* TN #202666)

2. Greenhouse Gases

RUDMAN COMMENT: Ms. Rudman states HBEP is designed to operate at various outputs and have the ability to quickly ramp up and down. She claims this ability means that, overall as operated, HBEP will have a high heat rate and that the project, when operated with fully permitted normal hours and fully permitted start up and shut downs, will have a heat rate of 9,013 Btu/kWh and assuming 8 percent equipment degradation rate will have a heat rate of 9,734 Btu/kWh. Ms. Rudman further claims that this is higher than the current electricity system average heat rate.

Applicant's Response: Ms. Rudman references the SCAQMD's PDOC GHG analysis (TN #202003 at page 118), which represents a combination of the maximum permitted operating hours and number startup/shutdowns combined with the Applicant's expected operating profile. Using this methodology produces a worst case basis for assessing HBEP's heat rate and GHG emissions while ignoring the application of the state's loading order. The Energy Commission Staff nicely summarizes this missing component in the FSA by stating:

The number of hours per year that the HBEP would be required to operate in support of local reliability needs and the amount of energy that would be generated as a result are not known; CA ISO operating procedures which result in the dispatch of specific generating units for local reliability purposes are confidential. When called upon to generate for such purposes, however, it is reasonable to expect that the HBEP would be the least-cost and thus lowest-emitting natural gas-fired resources able to do so, given the duty cycle that was necessary to provide local reliability. It would thus displace a less-efficient resource, reducing GHG emissions resulting from relying on the latter. Should it be dispatched for local reliability needs ahead of units that were thermally more efficient, it would likely be because, able to operate at lower levels of output, it would allow for the integration of a greater amount of renewable energy.

(FSA at p. 4.1-104.) Applicant agrees with Staff's conclusion that if HBEP is dispatched to operate, it will either displace existing higher GHG emitting generation directly or it will be dispatched at a generation rate that will allow more renewable generation to be utilized. Ms. Rudman provides no contrary expert testimony or evidence.

Supporting Documents: Applicant directs the parties to the following documents in support of the above response:

- Applicant's Submittal of Air Quality Correspondence (various dates), docketed June 30, 2014 (*see* SCAQMD's Response to M. Rudman's comments on the PDOC at p. 7) (TN #202632)

- FSA, Section 4.1 (Air Quality) (see specifically, Appendix Air-1, p. 4.1-104), dated and docketed June 2, 2014 (TN #202405)

RUDMAN COMMENT: Ms. Rudman cites the SCAQMD PDOC conclusion that initially HBEP meets the greenhouse gas emission performance standard (“EPS”), but with equipment degradation it will not meet the standard. Ms. Rudman also notes the FSA says that the standard will be revised downward and HBEP does not meet the lower revised standard.

Applicant’s Response: HBEP complies with the EPS but may have to conduct routine turbine maintenance more frequently or restrict operations to comply with the proposed federal New Source Performance Standards. Ms. Rudman provides no expert testimony or evidence that HBEP will not comply.

Supporting Documents: Applicant directs the parties to the following document in support of the above response:

- FSA, Section 4.1 (TN #202405 at 4.1-94)

RUDMAN COMMENT: Ms. Rudman objects to the FSA statement that the project will reduce greenhouse gas emissions because it will displace less efficient power plants.

Applicant’s Response: See the response above regarding HBEP’s heat rate.

Supporting Documents: The following document supports Applicant’s Response.

- FSA, Section 5.1, Appendix Air-1 (*see specifically*, p.5.1-104), dated and docketed June 2, 2014 (TN #202405)

3. Adaptation Policy

RUDMAN COMMENT: Ms. Rudman claims that the impact of storm surges and flooding are not adequately assessed and that neither the applicant nor staff considered the impact of sea level rise on the infrastructure serving HBEP. Ms. Rudman further claims that, aside from the power plant itself, infrastructure, such as natural gas storage facilities and gas pipelines could be affected.

Applicant's Response: Section 4.9 of the FSA finds the HBEP is located in Zone X and is protected from the one percent annual chance of flooding (100-year flood) by an accredited levee along the Huntington Beach Channel. Energy Commission Staff also concluded sea level is predicted to rise a maximum of 17 inches above 2000 level by the year 2050. As discussed in Applicant's Response to Staff's Data Request #99, the HBEP site is approximately 14 feet above existing sea level. (TN #69545) Furthermore, depending on a number of factors, HBEP's operational expectancy is approximately 30 years or until approximately the year 2050. (*See also* Applicant's Responses to Data Requests #100 to 103 (TN #69545).) Based on the Energy Commission's 2009 report, *The Impacts of Sea-Level Rise on the California Coast* (Docket CEC-500-2009-024-F), the combination of predicted sea level rise (approximately 1.5 feet) and increase wave-induced storm surges (approximately 5 feet) in Southern California could result in an increase depth of inundation in the area of the HBEP site of approximately 6.5 feet. However, as the HBEP existing site elevation is approximately 14 feet above existing mean sea level, there would still be a buffer of approximately 7.5 feet on the HBEP site through its expected operational period of approximately 30 years. The design and engineering of HBEP will meet applicable laws, ordinances, regulations and standards ("LORS"), including but not limited to the California and federal building codes, as well

as applicable LORS of the City of Huntington Beach and Orange County. The detailed design and engineering for HBEP will be submitted to the Chief Building Official (“CBO”) assigned to HBEP. Ms. Rudman is also incorrect in her statement that the project will include natural gas storage facilities. Furthermore, Ms. Rudman provides no contrary expert testimony or evidence.

Supporting Documents: Applicant provides a list of documents below that provide additional information relating to this issue:

- Application for Certification, Section 5.4 (Geological Hazards and Resources) and Section 5.5 (Hazardous Materials Handling) and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant’s Responses to Staff’s Data Requests, Set 3 (see specifically, Soil and Water Resources #99 to 103), dated and docketed February 15, 2013 (TN #69545)
- FSA, Sections 4.9 (Soil & Water Resources and 5.2 (Geology & Paleontology), dated and docketed June 2, 2014 (TN #202405)

RUDMAN COMMENT: Ms. Rudman comments on earthquake hazards and risk of lateral spreading.

Applicant’s Response: Energy Commission Staff concluded that the risks associated with geologic conditions are less than significant. Moreover, a Soils and Engineering Report will be completed as part of Condition of Certification GEO-1. Ms. Rudman provides no contrary expert testimony or evidence.

Supporting Documents: The following documents are supportive of Applicant’s above response:

- Data Adequacy Supplement/Preliminary Geotechnical Report, dated and docketed August 6, 2012 (TN #66492)
- Final Site Investigation Report for Soil & Groundwater for HBGS, dated May 1998 and docketed April 19, 2013 (TN #70403)

- FSA Section 5.2 (Geology & Paleontology), dated and docketed June 2, 2014 (TN #202405)

4. Visual Resources

RUDMAN COMMENT: Ms. Rudman claims HBEP will have a significant impact on a scenic vista and that SCAQMD has found that visibility would be adversely impacted due to the Project.

Applicant's Response: Contrary to Ms. Rudman's conclusion that HBEP will have "a significant impact on a scenic vista," and as documented in the proceeding record, the overall visual quality will substantially improve with the Project. The evidence in this proceeding clearly demonstrates that replacement of the four large 1950s era power blocks and their massive, 214-foot high stacks that are now located on the project site with a modern power generation facility that will be smaller in scale and sleeker in design will bring about a substantial improvement in the site's appearance even with little or no visual screening. Ms. Rudman's analysis is not based on a systematic comparison of the with-project visual conditions with the visual conditions that now exist on the site (i.e., the baseline condition) and is not supported by expert testimony. Because HBEP will not result in significant impacts to visual resources, there is no basis for requiring mitigation measures for visual impacts.

Supporting Documents: The following documents are further evidence of Applicant's position that HBEP will not have significant, adverse impacts on visual resources.

- Application for Certification, Section 5.13 (Visual Resources) and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant's Comments on the PSA, Part A, dated and docketed November 7, 2013 (TN #201142)

- Applicant’s Follow-Up to PSA Part A Workshop, dated and docketed December 13, 2013 (TN #201437)
- Applicant’s Comments on Staff’s Supplemental Focused Analysis, Part A, dated and docketed January 21, 2014 (TN #201582)
- Applicant’s Opening Testimony; FSA Comments (Exhibit I), dated and docketed June 30, 2014 (TN #202635)

RUDMAN COMMENT: Ms. Rudman states that, when analyzing the impacts at this location, SCAQMD found that visibility would be adversely impacted by HBEP and that mitigation would be required.

Applicant’s Response: SCAQMD notes in their response to this comment that “[p]lease note that neither VISCREEN (the model used in the analysis) nor the Class I visibility thresholds were established for Class II areas ...” and that “EPA requires, for informational purposes only, a visibility analysis of Class II areas using the Class I visibility thresholds and the VISCREEN model. However, this does not necessarily mean that permitting actions or project mitigation are required for any significant Class II visibility impacts that are found.” (See TN #202635 and TN #202666.) The Clean Air Act’s (“CAA”) Prevention of Significant Deterioration (“PSD”) provisions and implementing regulations requires PSD pre-construction permit applications to include an assessment of visibility impacts on Class II areas. However, neither the CAA nor the implementing regulations include Class II visibility criteria for determining when a significant impact occurs. In the absence of Class II visibility criteria, the SCAQMD used the more restrictive Class I visibility impact criteria as a guide in assessing HBEP’s Class II visibility impacts. Furthermore, Energy Commission Staff determined that the visibility impacts at the Class II area (Huntington State Beach) would be lower than the SCAQMD’s Class II visibility assessment because the close proximity of HBEP to this

Class II area does not allow sufficient time for particulate conversion (from HBEP's gaseous air emissions), which would affect visibility at the Class II area.

Supporting Documents: Applicant provides the parties with citations to the following documents in support of the above response:

- FSA, Section 4.1 (Air Quality) (*see specifically* p. 4.1-51), dated and docketed June 2, 2014 (TN #202405)
- Applicant's Correspondence to SCAQMD re Class II Visibility, dated May 16, 2014; docketed June 25, 2014 (TN #202604)
- South Coast Air Quality Management District's Response to Public Comments, dated and docketed July 3, 2014 (TN #202666; *see also* TN #202632)

5. Water Supply

RUDMAN COMMENT: Ms. Rudman states there is not sufficient evidence that using recycled water is infeasible.

Applicant's Response: Energy Commission Staff conducted a thorough investigation of available water supplies and was not able to find a preferable alternative water supply for HBEP. In addition, Applicant's analysis provides a detailed economic assessment of the feasibility of using secondary treated water for HBEP. Ms. Rudman provides no contrary expert testimony or evidence.

Supporting Documents: Applicant provides citations to the following documents in support of the above response:

- Applicant's Comments Staff's Supplemental Focused Analysis, PSA Part A, dated and docketed January 21, 2014 (TN #201582)
- Applicant's Follow-Up to PSA Part B Workshop, dated and docketed April 18, 2014 (TN #202108)
- FSA, Section 4.9 (Soil & Water Resources) (*see specifically* p. 4.9-15), dated and docketed June 2, 2014 (TN #202405)

- Applicant's Opening Testimony; FSA Comments (*see specifically* Exhibit B), dated and docketed June 30, 2014 (TN #202635)

6. Agreement to Construct and Demolish Plans

RUDMAN COMMENT: Ms. Rudman states that Applicant has not provided a legally binding agreement to ensure HBGS Units 3 and 4 will be demolished allowing new units to be built and that there is no documentation regarding the demolition plans for HBGS Units 1 and 2.

Applicant's Response: The Energy Commission's existing license for the HBGS Units 3 and 4 includes conditions requiring the demolition and removal of these facilities upon closure. In addition, the FSA's Project Description section describes demolition of HBGS Units 1 and 2. Furthermore, demolition of HBGS Units 1 and 2 is referenced 31 times throughout the Conditions of Certification set forth in the FSA.

Supporting Documents: The following documents are supportive of the above response:

- Energy Commission Decision on the Huntington Beach Generating Station Retool Project (00-AFC-13) (*see specifically*, P800-01-016 at p. 199), dated May 10, 2001; docketed May 11, 2001 (TN #20150)
- FSA, Section 3.0 (Project Description) (*see specifically* p. 3-4), dated and docketed June 2, 2014 (TN #202405)

7. Land Use

RUDMAN COMMENT: Ms. Rudman asserts HBEP is not a coastal dependent energy facility and is not allowed under the Huntington Beach General Plan that allows for coastal dependent facilities on the site.

Applicant's Response: The FSA finds HBEP consistent with the City of Huntington Beach's General Plan and Coastal Element. Ms. Rudman provides no contrary expert testimony or evidence.

Supporting Documents: Applicant provides the parties with the following document in support of the above response:

- FSA, Section 4.5 (Land Use) (*see specifically* p. 4.5-15) dated and docketed June 2, 2014 (TN #202405)

8. Socioeconomics

RUDMAN COMMENT: Ms. Rudman states that 33 workers are currently employed at the Huntington Beach Generation Station. She claims that once the existing units are demolished and new ones built, the net employment impact compared to the current conditions would be zero.

Applicant's Response: The FSA finds numerous other noteworthy direct and indirect benefits of HBEP that accrue to the city and county beyond the number of operational staff that will be employed at HBEP.

Supporting Documents: The following document specifically addresses Ms. Rudman's comment and Applicant's above response:

- FSA, Section 4.8 (Socioeconomics) (*see specifically* p. 4.8-26), dated and docketed June 2, 2014 (TN #202405)

9. Alternatives

RUDMAN COMMENT: Ms. Rudman asserts the No-Project Alternative analyzed in the FSA does not qualify as a No-Project Alternative since it is defined as upgrading HBGS units to use recycled water, which would require construction of accommodating facilities and structures that would trigger an additional CEQA review process to assess the impacts. Ms. Rudman claims that this is not a No-Project Alternative, but rather an alternative project.

Applicant's Response: Pursuant to CEQA, the No-Project Alternative should reflect the reasonably foreseeable result if the project is not approved. (*See* CEQA

Guidelines, §15126.6(e)(2).) If HBEP is not licensed, due to the need for electrical reliability, the reasonably foreseeable No-Project Alternative is the continued operation of HBGS. The FSA analyzed two different no-project scenarios with the continued operation of HBGS while complying with the state policy on once-through cooling.

Supporting Documents: Applicant directs the parties to the following documents that are in support of Applicant's above response.

- FSA, Section 6.0 (Alternatives) (*see specifically* p. 6-15), dated and docketed June 2, 2014 (TN #202405)
- Applicant's Opening Testimony; FSA Comments (Exhibit B), dated and docketed June 30, 2014 (TN #202635)

B. Applicant's Response to the California Coastal Commission's Draft Comment Letter

As stated in Applicant's Prehearing Conference Statement, the CCC Comments (docketed with the Energy Commission on June 30, 2014 (TN #202628) were part of a staff level report presented to the CCC on July 10, 2014. The CCC considered and approved these comments at their July 10, 2014 meeting, but, as of this writing, the final approved CCC comments have not yet been docketed. Applicant explains in its response to the CCC that the CCC Comments should not be treated as a "30413(d) Report" as contemplated by Public Resources Code section 30413(d), which is only applicable to notice of intention ("NOI") proceedings before the Energy Commission. (*See Attachment A to Applicant's Prehearing Conference Statement, dated and docketed July 7, 2014 (TN #202669).*) Nevertheless, below Applicant summarizes each of the CCC Comments and responds thereto. Applicant notes all issues raised in the CCC Comments have been thoroughly analyzed and addressed throughout this two year proceeding.

1. Project Description

CCC COMMENTS: The CCC Comments correctly summarize HBEP. The comments note the approximately eight-year construction schedule for the project.

Applicant's Response: As documented throughout this proceeding, the lengthy construction schedule is necessary to maintain electrical reliability throughout the construction period. This schedule and need to maintain reliability also makes it infeasible to periodically stop and start construction throughout the construction period.

Supporting Documents: The following document supports Applicant's response.

- Application for Certification HBEP (12-AFC-02), Sections 1.0 (Executive Summary) and 2.0 (Project Description), and related appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant's Opening Testimony; FSA Comments (*see specifically* pp. 2-3), dated and docketed June 30, 2014 (TN #202635)
- FSA, Section 3.0 (Project Description) (*see specifically*, pp. 3-4 and 3-5), dated and docketed June 2, 2014

2. Regulatory Framework and Standard of Review

CCC COMMENTS: The CCC Comments summarize the CCC's interpretation of the legal and regulatory framework for the comments.

Applicant's Response: See Applicant's response to CCC staff's comments, which was included as Attachment A to Applicant's Prehearing Conference Statement.

Supporting Documents: The following document supports Applicant's response.

- Applicant's Prehearing Conference Statement (*see specifically*, Attachment A), dated and docketed July 7, 2014 (TN #202669)

3. Land Use and Alternatives

CCC COMMENT: The CCC Comments state that the HBEP site and some of the surrounding area has been designated by both the Energy Commission and Coastal

Commission as suitable for reasonable expansion of energy facilities. However, the CCC staff believes HBEP, as currently proposed, does not fully use the area available to it and instead proposes to use offsite areas for staging and construction parking, which may result in increased adverse effects on wetlands, and public access to the shoreline. CCC staff recommends that the Energy Commission evaluate whether Applicant can site more of its proposed expansion activities within the onsite and adjacent designated areas and whether this will result in an overall reduction of HBEP's adverse effects on coastal resources.

Applicant's Response: As discussed in Section 2.0 (Project Description) and Section 5.6 (Land Use) of the HBEP Application for Certification ("AFC"), and in the Applicant's Responses to Staff's Data Requests, Set 1A, specifically, responses to California Coastal Commission staff's comments designated as CCC-4 and CCC-5, HBEP will replace and be constructed on a portion of the existing Huntington Beach Generating Station ("HBGS"). (See TN #68366.) HBEP will be developed on an existing industrial site that is zoned for industrial use in accordance and consistent with the City of Huntington Beach's General Plan, the City's certified Local Coastal Plan ("LCP"), and the City's zoning code and will use all of the available space of the site into construction and after operation of HBEP. Figure 1.1-3 from the AFC and Figures CCC5-1a, CCC5-1b, CCC5-1c and CCC5-1d, as set forth in Applicant's Responses to Staff's Data Requests, Set 1A (TN #68366), show the existing site condition and uses and property ownership at HBGS, as well as the phased development of HBEP and phased demolition of the existing HBGS. As shown on these figures, and as documented in the AFC and in the Applicant's previously docketed responses to CCC staff's Data Requests

CCC-4 and CCC-5, the phased construction of HBEP and phased demolition of existing HBGS Units 3 and 4, and Units 1 and 2 are required to meet critical regional electrical generation requirements.

As fully documented by the Applicant in the AFC and in Applicant's responses to data requests, including responses to data requests from the CCC staff, there is limited available space onsite at the existing HBGS for construction worker parking and construction laydown areas. Therefore, offsite construction parking and laydown area is required for HBEP. The AFC and the Applicant's responses to data requests fully address the use of these offsite areas to support the phased construction of HBEP and phased demolition of the existing HBGS Units 3 and 4 and Units 1 and 2 upon completion of HBEP. Furthermore, the impacts from the use of offsite construction laydown and construction worker parking are less than significant.

Supporting Documents: Applicant points the parties to the following documents already in this proceeding's record that provide the related information for this issue:

- Application for Certification HBEP (12-AFC-02), Sections 2.0 (Project Description), 5.2 (Biological Resources), 5.6 (Land Use), and Section 5.12 (Traffic and Transportation) and related appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant's Responses to Staff's Data Requests, Set 1-A (#1-72) (*see specifically*, Responses to Data Requests #46-58 and Applicant's responses to CCC staff's comments (referred to by the Applicant as Data Responses CCC-4 and CCC-5), dated and docketed November 2, 2012 (TN #68366)
- Applicant's Responses to Staff's Data Requests, Set 2 (#80-86), dated and docketed January 22, 2013 (TN #69208)
- Applicant's Supplemental Responses to Staff's Data Requests, Set 2 (#92-94), dated and docketed February 15, 2013 (TN #69564)
- Applicant's Comments on Energy Commission Staff's Preliminary Staff Assessment ("PSA"), Part A (specific to Land Use) dated and docketed November 27, 2013 (TN #201142)

- Applicant's Follow-Up to Energy Commission Staff's PSA Part A Workshop (Land Use section) dated and docketed December 13, 2013 (TN #201437)

4. Wetlands and Environmentally Sensitive Habitat Areas

CCC COMMENT: The LCP requires development be at least 100 feet, and further, if feasible from wetlands or [environmentally sensitive habitat area] ESHA. The CCC Comments recommend that Condition BIO-7 be modified to ensure all project-related development is at least 100 feet from those areas and that Condition GEN-2 be modified to ensure that approved project plans reflect any resulting changes in the components of the energy facility.

Applicant's Response: As documented in Applicant's submittals in this proceeding, HBEP generation equipment will be located 100 feet from the portion of Magnolia Marsh that is designated as an ESHA. The LCP also provides exceptions to the 100 foot buffer if existing development or site configuration precludes a 100 foot buffer. As noted in the AFC and FSA, HBEP complies with this requirement. Furthermore, as discussed above, due to site constraints, it is not possible to modify the project layout. As shown in, Figure 1.1-3 from the AFC and Figures CCC5-1a, CCC5-1b, CCC5-1c and CCC5-1d, as set forth in Applicant's Responses to Staff's Data Requests, Set 1A, show the existing site condition and uses and property ownership at HBGS, as well as the phased development of HBEP and phased demolition of the existing HBGS.

Supporting Documents: Applicant provides the below list of documents where information relating to this issue can be found.

- Application for Certification, Section 5.2 (Biological Resources) and 5.6 (Land Use) (*see* specifically, p. 5.6-31, Table 5.6.6) and related Appendix, dated and docketed June 27, 2012 (TN #66003)
- Applicant's Data Adequacy Supplement, Section 5.2 (Biological Resources), dated and docketed August 6, 2012 (TN #66492)

- Applicant's Data Adequacy Supplement (Biological Resources page 5.2-2CR), dated and docketed August 8, 2012
- Applicant's Comments on PSA, Part A (specific to Land Use) dated and docketed November 7, 2013 (TN #201142)

CCC COMMENT: The FSA does not evaluate expected levels of groundwater pumping during project construction; however, the volumes and extent of this dewatering could affect nearby wetlands and ESHA. The CCC staff recommends that Condition GEO-1 be modified to require Applicant to conduct a geotechnical investigation that identifies expected dewatering volumes and the spatial extent of drawdown effects of that dewatering. If the investigation shows that dewatering is likely to affect nearby wetlands or ESHA, the CCC staff further recommends the Energy Commission ensure Applicant implements necessary mitigation measures – e.g., sheet piles, slurry walls, alternative dewatering methods, etc. – that will avoid these effects, and that any structural mitigation measures are included on the final design plans required pursuant to Condition GEN-2.

Applicant's Response: As discussed in Applicant's response to Energy Commission Staff's Data Request #32 (TN #68366), dewatering may be required during construction of some HBEP components. However, dewatering will not be required during installation of piles, as the piles will be driven and will not require excavation or boring. As final engineering and geotechnical analyses have not yet been prepared, the potential need or extent of dewatering is not known at this time. As discussed in Data Response #32, because of the relatively small excavation areas and shallow depths, it is unreasonable to expect that potential dewatering would generate large quantities of water or that it would generate a high rate of water withdrawal that could impact the nearby tidal marsh or ESHA. For this reason, dewatering is not expected to result in a drawdown of the groundwater table except immediately adjacent to specific excavation areas.

Furthermore, as noted in Data Response #32, a dewatering plan will be accomplished as part of final engineering and design, and submitted to the Energy Commission Compliance Project Manager. Applicant's response to Data Response #32 further notes that ocean water enters the adjacent marsh directly through the Talbert Channel Outlet, fresh water enters the marsh from the Huntington Beach Channel and groundwater (base flow) is a likely third source of water. Any cone of depression created by HBEP construction dewatering is unlikely to extend far beyond the excavation site and although unlikely, any reduced base flow of groundwater into the marshes due to dewatering, are likely to be offset by additional inflow from the Talbert Channel Outfall and the Huntington Beach Channel.

Lastly, Energy Commission Staff's proposed Conditions of Certification GEO-1 and GEN-5 require Applicant to prepare a detailed geotechnical report that details the nature and extent of soil conditions. This report will also include a detailed dewatering plan identified in Applicant's response to Data Request #32. The CCC's recommendation is therefore already captured in existing Condition of Certification GEO-1.

Supporting Documents: The following list of documents supports Applicant's position related to this issue.

- Application for Certification, Section 5.4 (Geological Hazards and Resources) and 6.0 (Alternatives) and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant's Responses to Staff's Data Requests, Set 1A (#1-72), dated and docketed November 2, 2012 (*see specifically* Response #32) (TN #68366)
- Applicant's Responses to Staff's Data Requests, Set 2 (#73-98) (*see specifically, Responses to #80-84*), dated and docketed January 22, 2013 (TN #69208)

- Applicant's Comments on Preliminary Staff Assessment Part B (Soil and Water Resources) dated and docketed April 7, 2014 (TN #201969)
- Applicant's Follow-Up to PSA Part B Workshop (Part 1 of 2 Biological Resources & Alternatives/Soil & Water Resources) dated and docketed April 18, 2014 (TN #202108)
- FSA Sections 5.1 (Facility Design) and 5.2 (Geology & Paleontology), dated and docketed June 2, 2014 (TN #202405)

CCC COMMENT: The CCC staff recommends that Condition of Certification BIO-9 be modified to also limit noise levels to no greater than 65 decibels within 100 feet of any active nest site and to allow pile driving only outside of breeding and nesting season.

Applicant's Response: The FSA and Applicant's submittals in this proceeding provide a complete analysis of potential noise and vibration impacts on the ESHA/wetland areas. There are no nearby listed sensitive species that will be impacted. The CCC has not provided any reference or evidence that a 65dBA noise level is an accepted, approved, or evidentiary based standard for protection of nesting birds. If construction noise exceeds the noise level Energy Commission Staff proposed in Condition of Certification BIO-9, additional noise-reducing measures would be implemented and additional noise monitoring conducted to verify the reduction of construction noise levels below the thresholds included in existing Condition of Certification BIO-9. In light of the construction schedule and need to maintain electrical reliability, it is not possible to delay the construction schedule by allowing pile driving only outside the breeding and nesting season. Prohibiting pile driving during this lengthy season has the potential to significantly impair the construction progress and presents significant economic risk to the Applicant by jeopardizing commercial commitments for generation capacity availability.

Supporting Documents: The following documents provide additional information relating to this issue:

- Application for Certification, Section 5.7 (Noise & Vibration) and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- Responses to Intervenor Jason Pyle’s Data Requests, Set 1 (#1-16), dated and docketed December 13, 2012 (TN #68876)
- Additional Responses to Jason Pyle’s Data Requests, Set 1 (#1-16), dated and docketed January 17, 2013 (TN #69180)
- Applicant’s Revision to Construction and Demolition Schedule, dated March 18, 2013; docketed March 19, 2013 (TN #69961)
- Additional Construction and Demolition Information, dated March 29, 2013; docketed March 20, 2013 (TN #69967)
- Applicant’s Comments on PSA, Part A (specific to Noise and Vibration) dated and docketed November 7, 2013 (TN #201142)
- Applicant’s Follow-Up to PSA Part A Workshop (Noise & Vibration section) dated and docketed December 13, 2013 (TN #201437)
- Applicant’s Opening Testimony (Exhibit C), dated and docketed June 30, 2014 (TN #202635)

5. Flood, Tsunami, and Sea Level Rise Hazards

CCC COMMENT: The CCC staff proposes new Condition of Certification Soil&Water-8 that would require Applicant to submit documentation that the facility is protected from the 500-year flood event.

Applicant’s Response: The Energy Commission Staff’s FSA Section 4.9 (Soil and Water Resources) finds the HBEP site is located in Zone X and is protected from the one percent annual chance of flooding (100-year flood) by an accredited levee along the Huntington Beach Channel. There are no LORS requiring 500-year flood protection and HBEP conforms with all flood related LORS. (*See e.g., Title 20, Appendix B(g)(14)(B)(iii).*) Further, there is no evidence to suggest that protection greater than 100-

year is necessary or appropriate for this site. The CCC staff's recommendation, therefore, is overly burdensome and unnecessary, not supported by any evidence, and not commensurate with any risk of impacts.

Supporting Documents: Applicant provides the following list of documents that provide additional information relating to this issue:

- Application for Certification, Section 5.11 (Soils) and 5.15 (Water Resources) and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant's Data Response Set 3, (#99-103, Soil and Water Resources), dated and docketed February 15, 2013 (TN #69595)
- FSA, Sections 4.9 (Soil and Water Resources) and 5.2 (Geology & Paleontology), dated and docketed June 2, 2014 (TN #202405)

CCC COMMENT: CCC staff proposes new Condition of Certification GEO-3 that requires Applicant to submit a Facility Hazard Emergency Response Plan that includes measures needed to protect the facility from expected tsunami run-up levels, 100-year and 500-year flood events, as well as sea level rise. The CCC's proposal would provide that the plan include concurrence from nearby property owners. In addition, CCC staff would like to include structural or nonstructural mitigation measures to address these hazards in final project design submittals required pursuant to Condition of Certification GEN-2.

Applicant's Response: Energy Commission Staff concluded in its FSA that sea level is predicted to rise a maximum of 17 inches above the year 2000 level by the year 2050. As discussed in Applicant's Response to Staff's Data Request #99, the HBEP site is approximately 14 feet above existing sea level. Furthermore, depending on a number of factors, HBEP's operational expectancy is approximately 30 years or until approximately the year 2050. (*See also* Applicant's Responses to Data Requests #100 to

103 (TN #69545).) Based on the Energy Commission’s 2009 report, *The Impacts of Sea-Level Rise on the California Coast* (Docket CEC-500-2009-024-F), the combination of predicted sea level rise (approximately 1.5 feet) and increase wave-induced storm surges (approximately 5 feet) in Southern California could result in an increase depth of inundation in the area of the HBEP site of approximately 6.5 feet. However, as the HBEP existing site elevation is approximately 14 feet above existing mean sea level, there would still be a buffer of approximately 7.5 feet on the HBEP site through its expected operational period. The design and engineering of HBEP will meet applicable laws, ordinances, regulations and standards (“LORS”), including but not limited to the California and federal building codes, as well as applicable LORS of the City of Huntington Beach and Orange County. The detailed design and engineering for HBEP will be submitted to the Chief Building Official (“CBO”) assigned to HBEP. Moreover, any condition that requires “concurrence” from nearby property owners is unworkable and unprecedented. Nearby property owners do not have regulatory authority over the project or emergency response, and such a provision is inappropriate.

Supporting Documents: Applicant provides a list of documents below that provide additional information relating to this issue:

- Application for Certification, Section 5.4 (Geological Hazards and Resources) and Section 5.5 (Hazardous Materials Handling) and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- Applicant’s Responses to Staff’s Data Requests, Set 3 (see specifically, Soil and Water Resources #99 to 103), dated and docketed February 15, 2013 (TN #69545)
- FSA, Section 5.2 (Geology & Paleontology), dated and docketed June 2, 2014 (TN #202405)

CCC COMMENT: The LCP prohibits shoreline protective devices for projects located in a tsunami run-up zone. Proposed Condition GEN-9 therefore would prohibit Applicant from constructing such devices.

Applicant's Response: HBEP does not propose or contemplate construction of any shoreline protective devices, and conforms to LORS, including the LCP. Moreover, it is unnecessary, redundant, and infeasible to identify every LCP policy as a condition of certification.

Supporting Documents: Please see the following documents docketed in this proceeding for additional information related to this issue.

- Application for Certification, Section 5.11 and 5.15 and related Appendices, dated and docketed June 27, 2012 (TN #66003)
- FSA Sections 3.0 (Facility Design) 4.9 (Soils & Water Resources), 5.2 (Geology & Paleontology) and 7.0 (General Conditions), dated and docketed June 2, 2014 (TN #202405)

6. Geologic Hazards

CCC COMMENT: The FSA's Condition of Certification GEO-1 requires Applicant to conduct a site-specific geotechnical investigation, but results of that study are not yet available. CCC staff recommends that GEO-1 be modified so that if the studies and analyses conducted show that mitigation measures necessary to address the site's geologic hazards would result in greater or more significant adverse effects to coastal resources than have thus far been identified, these studies and analyses be provided for additional public comment and review by the Energy Commission.

Applicant's Response: The preliminary site-specific geotechnical investigation provided preliminary recommendations and mitigation measures for addressing hazards associated with seismic shaking, liquefaction/settlement, mass wasting,

compressible/expansive/corrosive soils, groundwater, and tsunami run-up. The investigation's recommendations concluded "[b]ased on the results of our geotechnical evaluation, the project site is considered suitable for the proposed improvements from a geotechnical perspective." and that "[t]he potential geologic and seismic hazards described above may be mitigated by employing sound engineering practice in the design and construction of the new power generating facilities and associated improvements." (TN #66490.) Finally, Conditions GEO-1 and GEN-5 requires the Applicant to prepare a detailed geotechnical report that details the nature and extent of soil conditions. This report will also include a detailed dewatering plan identified in Applicant's response to Data Request #32. The CCC's recommendation is therefore redundant.

Supporting Documents: The following documents are supportive of Applicant's above response:

- Data Adequacy Supplement/Preliminary Geotechnical Report, dated and docketed August 6, 2012 (TN #66492)
- Final Site Investigation Report for Soil & Groundwater for HBGS, dated May 1998 and docketed April 19, 2013 (TN #70403)
- FSA Sections 5.1 (Facility Design) and 5.2 (Geology & Paleontology), dated and docketed June 2, 2014 (TN #202405)

CCC COMMENT: CCC staff recommends a new proposed Condition GEO-4, which, similar to proposed Condition GEO-3, would require Applicant to provide documentation from the City that the facility's mitigation measures resulting from the above site investigations are consistent with the City's hazard mitigation plans.

Applicant's Response: The Energy Commission Staff concluded in the FSA that Applicant will comply with applicable LORS, provided that the proposed Conditions of Certification for HBEP are followed. The Energy Commission CPM and the CBO are

responsible for ensuring that HBEP complies with the City's engineering and design requirements as part of the Project's overall compliance with applicable LORS. CCC staff's proposed new Condition of Certification GEO-4 is redundant and not necessary.

Supporting Documents: The following document is supportive of the above response:

- FSA, Section 5.2 (Geology and Paleontology), dated and docketed June 2, 2014 (TN #202405)

7. Public Access

CCC COMMENT: CCC staff recommends that Condition of Certification TRANS-3 be modified to delete the 225 beach parking area spaces from the project's parking plans. Alternatively, the CCC staff recommends TRANS-3 could be modified to require that the Parking/Staging Plan specify that the Huntington Beach City Parking Area be used only if there is insufficient parking space available in the other four proposed parking areas. Furthermore, the CCC staff recommends that HBEP's cumulative traffic assessment be modified to include two nearby projects – the proposed Poseidon desalination facility and the Ascon Landfill cleanup project and that the modified assessment should be incorporated into HBEP's traffic plan as required pursuant to Condition TRANS-3.

Applicant's Response: A traffic control plan will ensure sufficient construction parking for the Project and that the Applicant will address traffic impacts by requiring contractors and personnel to adhere to the traffic control plan. Furthermore, Applicant will obtain necessary permits for the transport of construction-related materials during site mobilization and maintain adequate emergency access for the duration of project construction and operation. Therefore, the impacts to traffic and beach access are not

significant. Moreover, as set forth in Applicant's Response to Staff's Data Requests, Set 1A (#58) (TN #68366), in a letter from the City of Huntington Beach dated March 16, 2012, the City expressed a willingness to allow parking for up to 225 construction and demolition workers' personal vehicles within the City's South Beach Parking Lot. (See TN #68366.) As a condition of approval for HBEP use of the City's parking lot, the City will prohibit the use of this parking lot on weekends from Memorial Day to Labor Day, and on holidays during the summer (Memorial Day, 4th of July, and Labor Day). The FSA concludes that public access to the shoreline will not be significantly impacted with the implementation of mitigation. As noted above, due to the site configuration and construction schedule, off-site parking is necessary. That said, Applicant is agreeable to CCC staff's alternative proposal to modify TRANS-3 to require that Huntington Beach City Parking Area be used only if there is insufficient parking space available on the other four proposed parking areas.

Energy Commission Staff's analysis in the FSA includes an adequate cumulative traffic and transportation analysis. (See FSA Section 4.10 (Traffic and Transportation), Table 9 at pp. 4.10-17 and 18.) A total of 26 planned development projects were included in Staff's cumulative traffic and transportation analysis, including the Ascon Landfill Site. While the Poseidon desalination project is not included in the list of cumulative projects for traffic and transportation considered by Energy Commission staff, the inclusion of 26 other projects provides a broad cross-section of projects and ensures that Staff's cumulative traffic and transportation analysis is conservative as it is reasonable to expect that not all 26 projects will occur at the same time. Moreover, the CCC proposal that the traffic control plan incorporate traffic that may be generated by

Ascon Landfill and Poseidon is inappropriate and illegal because it would condition the project to mitigate impacts resulting from other projects, for which there is no nexus to HBEP and that are not under Energy Commission jurisdiction.

Supporting Documents: Applicant also provides the below list of supporting materials related to this issue.

- Applicant’s Responses to Staff’s Data Requests, Set 1A (#1-72) (*see specifically*, Response #58), dated and docketed November 2, 2012 (TN #68366)
- FSA, Section 4.10 (Traffic & Transportation), dated and docketed June 2, 2014 (TN #202405)

C. Applicant’s Response to the City of Huntington Beach’s Comments on the FSA

The City of Huntington Beach (the “City”) docketed comments to the Final Staff Assessment on June 30, 2014 (“City’s Comments”). (*See* TN #202629.) Applicant’s responses to such comments are set forth below in the same order as the City’s Comments are presented.

1. Hazardous Materials Handling

CITY COMMENT: The City states that, although the FSA indicates that the proposed project will comply with LORS, the Fire Department requires verification that City Specification 401 Minimum Standards for Fire Apparatus Access will be met.

Applicant’s Response: Applicant concurs with Condition of Certification WORKER-SAFETY-6 and its verification in the FSA that fire access/fire lanes for HBEP shall comply with applicable LORS, including Huntington Beach Fire Department City Specifications.

Supporting Documents: Applicant cites to the following documents in support of the above response:

- Application for Certification, Section 5.5 (Hazardous Materials Handling), dated and docketed June 27, 2012 (TN #66003)
- Applicant’s Opening Testimony re HBEP; FSA Comments docketed June 30, 2014 (TN #202635)

2. Noise

CITY COMMENT: The City states that NOISE-6 appears to address hours for only “heavy equipment operation and noisy construction work.” The City acknowledges the anticipated need for occasional nighttime activity due to critical construction needs (concrete pours) and mitigation measures should reduce potential impacts to sensitive receptors to the maximum extent feasible. The City asserts that the proposed Conditions for Certification should be revised to strictly limit nighttime activity and should specify that no construction staging, warm-up activity, arrival of construction workers at off-site parking facilities, on-site, or queuing outside the facility, should begin before 7:00 AM.

Applicant’s Response: Energy Commission Staff’s FSA includes specific findings and Conditions of Certification for HBEP construction noise Condition of Certifications (NOISE-1, NOISE-2, NOISE-6, NOISE-7 and NOISE-8). Based on the analysis in the FSA, Energy Commission Staff provides evidence that supports the findings and conclusions in the FSA stating that, with HBEP being constructed in conformance with Conditions of Certifications NOISE-1, NOISE-2, NOISE-6, NOISE-7 and NOISE-8, construction activities related to HBEP will comply with all applicable noise and vibration LORS, including the City’s noise standards. (*See FSA, Section 4.6 (Noise) at p 4.6-18.*)

Supporting Documents: The below documents are supportive of Applicant's response set forth above.

- FSA, Section 4.6 (Noise), dated and docketed June 2, 2014 (TN #202405)
- Applicant's Opening Testimony re HBEP; FSA Comments, dated and docketed June 30, 2014 (TN #202635)

CITY COMMENT: The City of Huntington Beach's significance threshold for noise is a 3 dBA increase in noise levels. Energy Commission "staff considers an increase of up to 5 dBA to be less-than-significant." The City asserts that the Energy Commission should utilize the same standards as the City of Huntington Beach and the Proposed Conditions of Certification should be revised accordingly for Operations at the proposed facility to protect nearby sensitive residential uses from noise impacts.

Applicant's Response: As the lead agency, the Energy Commission is able to establish CEQA thresholds of significance. Energy Commission Staff's FSA includes specific findings and Conditions of Certification for operational noise. (*See* proposed Conditions of Certification NOISE-2 and NOISE-4.) Based on the analysis set forth in the FSA, Energy Commission Staff provides evidence that supports the findings and conclusions in the FSA that with HBEP being operated in conformance with Condition of Certifications NOISE-2 and NOISE-4, that HBEP's operation will comply with all applicable noise and vibration LORS, including the City's noise standards and will not result in significant impacts to any sensitive receptors. (*See also* FSA at p 4.6-18.)

Supporting Documents: The documents identified below are supportive of Applicant's above response.

- FSA, Section 4.6 (Noise & Vibration), dated and docketed June 2, 2014 (TN #202405)

- Applicant's Opening Testimony re HBEP; FSA Comments, dated and docketed June 30, 2014 (TN #202635)

3. Traffic and Transportation

CITY COMMENT: The City provided various comments regarding the Traffic and Transportation section of the FSA. Applicant notes that most of these comments are corrections to text that do not require a response. The City commented that TRANS-3 is not appropriate to mitigate traffic at Beach Blvd/PCH and Brookhurst/PCH because it only mentions construction parking, transportation permits, and emergency access.

Applicant's Response: TRANS-3 requires a comprehensive TCP that covers more than the three areas referenced in the City's comment.

Supporting Documents: Applicant identifies the following document in support of the above response.

- FSA, Section 4.10 (Traffic & Transportation) (*see specifically* pp. 4.10-25 and -26), dated and docketed June 2, 2014 (TN #202405)

II. APPLICANT'S REVISED WITNESS LIST

Applicants witness list remains the same as presented at the Prehearing Conference on July 10, 2014, except that Applicant will add witness Stephen O'Kane to the panel for Biological Resources. Mr. O'Kane will provide testimony solely as to the issue of construction schedule impacts. In addition, Applicant identified those witnesses for other parties it wishes to cross-examine during the evidentiary hearing on July 21, 2014. However, Applicant reserves the right to amend the list of witnesses it intends to direct- and cross-examine depending on the contents of the parties' rebuttal testimony.

III. APPLICANT'S EXHIBITS

Applicant presents a list of identified exhibits in Attachment A hereto. Each exhibit and its assigned Energy Commission Transaction Number (TN#) are identified therein. This represents Applicant's final list of exhibits.

IV. CONCLUSION

Applicant believes that the testimony set forth herein, along with the testimony previously presented in this proceeding, provides the Committee with the information needed to prepare a Presiding Member's Proposed Decision. Furthermore, Applicant is confident that the record in this proceeding sets forth a comprehensive environmental analysis of the proposed Project and allows the full Commission to make a favorable decision.

Date: July 11, 2014

Stoel Rives LLP



Kristen Castaños, Esq.
Melissa A. Foster, Esq.
Attorneys for Applicant
AES SOUTHLAND DEVELOPMENT, LLC

ATTACHMENT A
APPLICANT'S EXHIBIT LIST AS OF JULY 11, 2014

In the Matter of:

**The Application for Certification for the
HUNTINGTON BEACH ENERGY PROJECT**

Docket No. 12-AFC-02

**APPLICANT'S EXHIBIT LIST
JULY 11, 2014**

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|---|---|
| 1001 | 66003 | Application for Certification (AFC) Volumes 1 and 2 and related cover letter and CEC Check Receipt for application fees (\$733,965); dated and docketed June 27, 2012 | All Topics |
| 1002 | 66006 | Air Quality Air Dispersion Modeling Data (CD) and Air Quality Appendices 5.1A, dated and docketed June 27, 2012 | Air Quality; Public Health |
| 1003 | 66057 | Application for Designation of Confidential Record re Cultural Resources Records, dated and docketed June 27, 2012 | General; Cultural Resources |
| 1004 | 66490 | Applicant's Data Adequacy Supplement dated and docketed August 6, 2012 | Air Quality; Biological Resources; Cultural Resources; Public Health; Transmission System Engineering |
| 1005 | 66491 | Applicant's Dispersion Modeling Files (Data Adequacy Response 24), dated August 2012; docketed August 6, 2012 | Air Quality; Public Health |
| 1006 | 66492 | Applicant's Data Adequacy Supplement/Preliminary Geotechnical Report, dated and docketed August 6, 2012 | Geological Resources |
| 1007 | 66493 | Applicant's Repeated Application for Confidential Designation – Cultural Resources, dated and docketed August 6, 2012 | General; Cultural Resources |
| 1008 | 66506 | Applicant's Biological Resources page 5.2-2CR (to be included with Applicant's Data Adequacy Supplement) dated August 7, 2012; docketed August 8, 2012 | Biological Resources |
| 1009 | 66913 | Applicant's Letter enclosing correspondence to the California Coastal Commission re HBEP, dated and docketed August 23, 2012 | General; Biological Resources; Water |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|--|
| 1010 | 67020 | Applicant's Comments on the Issues Identification Report, dated and docketed September 6, 2012 | Alternatives; Transmission System Engineering; Waste Management |
| 1011 | 67110 | Applicant's Letter to F. Miller, CEC, re Applicant's Site Visit & Informational Hearing Materials, dated and docketed September 13, 2012 | General |
| 1012 | 67316 | AES (S. O'Kane) letter to D. Jordan, USEPA, re Application for Greenhouse Gas PSD Pre-Construction Permit, dated September 19, 2012; docketed September 26, 2012 | Air Quality |
| 1013 | 67317 | AES (S. O'Kane) Response to South Coast Air Quality Management District's Air Application, dated September 20, 2012; docketed September 26, 2012 | Air Quality |
| 1014 | 67902 | Request for Extension to Submit Data Responses, Set One (#1-72); Objections, dated and docketed October 22, 2012 | General |
| 1015 | 68070 | Emails Between S. O'Kane, C. Perri, SCAQMD, and CH2M Hill re HBEP Emission Rates and Modeling Results, dated October 23, 2012; docketed October 24, 2012 | Air Quality |
| 1016 | 68208 | Email re Huntington Beach Energy Project's Emission Rates and Modeling Results, dated October 25, 2012; docketed October 26, 2012 | Air Quality |
| 1017 | 68366 | Applicant's Responses to Staff's Data Requests, Set 1A (#1-72), dated and docketed November 2, 2012 | Air Quality; Biological Resources; Cultural Resources; Public Health; Socioeconomics; Soil & Water; Traffic & Transportation; Transmission System Engineering; Visual Resources; Waste Management; Worker Safety and Fire Protection |
| 1018 | 68384 | Applicant's Air Quality Modeling Files Related to CEC Staff's Data Request Two, dated and docketed November 5, 2012 | Air Quality |
| 1019 | 68416 | Applicant's Letter to F. Miller, CEC, (enclosing correspondence to US EPA with document dated September 19, 2012 [disc included]), dated and docketed November 7, 2012 | Air Quality |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|-----------------------------|
| 1020 | 68743 | Applicant's Request for Additional Extension of Time to Submit Responses to Staff's Data Requests, Set 1A, dated and docketed December 3, 2012 | General |
| 1021 | 68796 | Applicant's Letter to Jason Pyle and Commrs. McAllister and Douglas, re Request for Extension of Time to Submit Responses to Pyle's Data Requests, dated and docketed December 6, 2012 | General |
| 1022 | 68847 | Applicant's Responses to Supplemental Data Response #36 (Cultural Resources), dated and docketed December 11, 2012 | General; Cultural Resources |
| 1023 | 68848 | Applicant's Correspondence Related to Air Quality (various dates), docketed December 11, 2012 | Air Quality |
| 1024 | 68849 | Applicant's Responses to Supplemental Data Response to Data Request #68 (Visual Resources), dated and docketed December 11, 2012 | General; Visual Resources |
| 1025 | 68850 | Applicant's Response to SCAQMD's October 26, 2012 Email Request re Start/Stop Emissions and GHG Performance, dated December 7, 2012; docketed December 11, 2012 | Air Quality |
| 1026 | 68867 | Applicant's (Jerry Salamy, CH2M Hill) correspondence to CEC Staff and South Coast Air Quality Management District, et al. re HBEP start/stop emissions and GHG Performance, dated and docketed December 12, 2012 | Air Quality |
| 1027 | 68876 | Applicant's Responses to Intervenor Jason Pyle's Data Requests, Set 1 (#1-16), dated and docketed December 13, 2012 | General; Noise & Vibration |
| 1028 | 68934 | Huntington Beach Energy Project Email to SCAQMD Regarding GHG Calculations and Heat Rates, dated December 19, 2012; docketed December 20, 2012 | Air Quality |
| 1029 | 69017 | Applicant's Submittal of Email Correspondence Related to Air Quality (various dates); docketed January 3, 2013 | Air Quality |
| 1030 | 69020 | Supplemental Response to Data Request #27 (Biological Resources), dated and docketed January 3, 2013 | Biological Resources |
| 1031 | 69074 | Applicant's Request for Extension to Submit certain Data Responses Contained in CEC Staff's Data Responses Set Two (#73-98) and Objections, dated and docketed January 9, 2013 | General |
| 1032 | 69098 | EPA's letter to S. O'Kane re Transfer of GHG PSD Permit Application to South Coast Air Quality Management District, dated January 10, 2013; docketed January 11, 2013 | Air Quality |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|--|
| 1033 | 69179 | Air Quality Modeling Files Related to Applicant's Response to Staff's Data Request AQ-11, dated and docketed January 17, 2013 | Air Quality |
| 1034 | 69180 | Additional Responses to Jason Pyle's Data Requests, Set 1 (#1-16), dated and docketed January 17, 2013 | Noise & Vibration |
| 1035 | 69182 | Applicant's Responses to Staff's Data Requests, Set 1 (AQ-11; BIO-23 through BIO-26), dated January 16, 2013; docketed January 17, 2013 | Air Quality; Biological Resources |
| 1036 | 69206 | Applicant's Status Report, dated and docketed January 22, 2013 | General |
| 1037 | 69208 | Applicant's Responses to Staff's Data Requests, Set 2 (#73-98), dated and docketed January 22, 2013 | Noise & Vibration; Public Health; Socioeconomics; Soil & Water; Traffic & Transportation; Visual Resources |
| 1038 | 69214 | Applicant's Supplemental Files in Response to Staff's Visual Resources Data Request (#97), dated and docketed January 22, 2013 | Visual Resources |
| 1039 | 69243 | Chris Perri's (South Coast Air Quality Management District) email to S. O'Kane, et al., and Jerry Salamy's response re HBEP Commissioning Emissions, dated and docketed January 23, 2013 | Air Quality |
| 1040 | 69373 | Applicant's Supplemental Files in Response to Staff's Informal Request (Visual Resources), dated and docketed February 4, 2013 | Visual Resources |
| 1041 | 69415 | Applicant's Response to Staff's Data Requests, Set 1, Data Request #40 (SOCIO-40), dated and docketed February 6, 2013 | Socioeconomics |
| 1042 | 69422 | Correspondence Related to Air Quality – Ammonia Emissions (various dates), docketed February 6, 2013 | Air Quality |
| 1043 | 69446 | Request for Extension to Submit Responses to Staff's Data Requests, Set 2 (#74-77), dated and docketed February 8, 2013 | Public Health |
| 1044 | 69514 | Email from Robert Mason, CH2M Hill, to Felicia Miller, CEC, re HBEP Existing Workforce Question, dated and docketed February 12, 2013 | Worker Safety & Fire Protection |
| 1045 | 69545 | Applicant's Responses to Staff's Data Requests, Set 3 (#99-103), dated and docketed February 15, 2013 | Soil & Water Resources |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|---|---|
| 1046 | 69564 | Applicant's Supplemental Responses to Staff's Data Requests, Set 2 (Water Resources #80-83 and Traffic and Transportation #92-94), dated and docketed February 15, 2013 | Water Resources; Traffic & Transportation |
| 1047 | 69631 | Applicant's Responses to Staff's Data Requests, Set 2A (Public Health #74-77), dated and docketed February 22, 2013 | Public Health |
| 1048 | 69632 | Air Quality Modeling Files Related to Applicant's Responses to Staff's Data Requests, Set 2A (Public Health #74-77) [disc included], dated and docketed February 22, 2013 | Public Health |
| 1049 | 69687 | Letter from South Coast Air Quality Management District Requesting Additional Clarifying Information to Applicant dated February 19, 2013; docketed February 26, 2013 | Air Quality |
| 1050 | 69700 | Applicant's Correspondence Related to Air Quality (January and February 2013); docketed February 27, 2013 | Air Quality |
| 1051 | 69878 | Email to F. Miller from Robert Mason, CH2M Hill re Response to Email Request from CEC Staff on Use and Number of Stories for Specific HBEP Building, dated and docketed March 8, 2013 | General; Project Description |
| 1052 | 69888 | Applicant's Supplemental Responses to Data Requests #31 (Biological Resources), dated and docketed March 11, 2013 | Biological Resources |
| 1053 | 69918 | Applicant's Responses to Staff's Workshop Queries and Related Air Quality Modeling Files [disc included], dated and docketed March 14, 2013 | Air Quality |
| 1054 | 69919 | Applicant's Response to Staff's Informal Inquiry Re HBGS Fuel Oil Tanks, dated March 13, 2013; docketed March 14, 2013 | General; Project Description |
| 1055 | 69920 | Correspondence Related to Air Quality [Costa Mesa Meta Data and Related Files; disc included] (various dates); docketed March 14, 2013 | Air Quality |
| 1056 | 69921 | Applicant's Correspondence Related to Existing HBGS Re Plot Plans [disc included], dated March 12, 2013; docketed March 14, 2013 | Air Quality |
| 1057 | 69947 | Submittal of AutoCAD Files Related to Preliminary Grading and Drainage Plans (Water Resources) [disc included], dated and docketed March 18, 2013 | Water Resources |
| 1058 | 69948 | Submittal of email correspondence re Tanks, dated March 9, 2013; docketed March 18, 2013 | General; Project Description |
| 1059 | 69961 | Revision to Construction and Demolition Schedule, dated March 18, 2013; docketed March 19, 2013 | General; Project Description |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|--|
| 1060 | 69967 | Additional Construction and Demolition Information, dated March 29, 2013; docketed March 20, 2013 | General; Project Description |
| 1061 | 69969 | Applicant's Information regarding Construction Risk Value (Public Health) (various dates); docketed March 20, 2013 | Public Health |
| 1062 | 70167 | Applicant's Submittal of Air Quality Correspondence [disc included] (various dates); docketed March 27, 2013 | Air Quality |
| 1063 | 70291 | Applicant's Status Report, dated and docketed April 15, 2013 | General |
| 1064 | 70403 | Geologic Resources: Final Site Investigation Report for Soil and Groundwater for HBGS, dated May 1998 [disc included]; docketed April 19, 2013 | Geological Resources; Soil & Water Resources |
| 1065 | 70762 | Correspondence Related to Air Quality (various dates); docketed May 10, 2013 | Air Quality |
| 1066 | 70865 | Applicant's Responses to Data Requests, Set 4, #104-106 Air Quality Modeling, dated and docketed May 17, 2013 | Air Quality |
| 1067 | 70870 | Applicant's Responses to Data Requests, Set 5, #107-109 Public Health, dated and docketed May 17, 2013 | Public Health |
| 1068 | 70957 | Applicant's Status Report dated and docketed May 24, 2013 | General |
| 1069 | 71338 | Applicant's Responses to Staff's Informal Requests (Visual Resources), dated and docketed June 19, 2013 | Visual Resources |
| 1070 | 71513 | Applicant's Correspondence Related to Air Quality (various dates), docketed July 3, 2013 | Air Quality |
| 1071 | 71529 | Applicant's Status Report, dated and docketed July 8, 2013 | General |
| 1072 | 71601 | Correspondence with CEC's F. Miller Re Cheng Cycle Technology Information, dated July 12, 2013; docketed July 15, 2013 | Air Quality |
| 1073 | 200042 | Applicant's Correspondence to South Coast Air Quality Management District, dated July 17, 2013; docketed July 25, 2013 | Air Quality |
| 1074 | 200050 | Applicant's Request for Scheduling Conference and/or Scheduling Order dated and docketed July 26, 2013 | General |
| 1075 | 200362 | Applicant's Response to SCAQMD's June 7, 2013 Data Request, dated August 26, 2013; docketed August 28, 2013 | Air Quality |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|---|
| 1076 | 200363 | Applicant's Offsite Consequence Analysis (Hazardous Materials Handling), dated August 27, 2013; docketed August 28, 2013 | Hazardous Materials Handling |
| 1077 | 200375 | Correspondence re Air Quality (various dates); docketed August 29, 2013 | Air Quality |
| 1078 | 200380 | Applicant's Status Report (September 2013), dated and docketed August 30, 2013 | General |
| 1079 | 200424 | Applicant's Response to Staff's Status Report and Request for Status Conference, dated and docketed September 9, 2013 | General |
| 1080 | 200631 | CAISO Phase I Interconnection Study Report Related to HBEP, dated January 31, 2013; docketed September 24, 2013 | Transmission System Engineering |
| 1081 | 200675 | Applicant's Responses to Staff's Informal Data Requests re Alternatives/Water Resources, dated and docketed September 30, 2013 | Alternatives; Soil & Water Resources |
| 1082 | 200698 | Applicant's Status Report, dated and docketed October 1, 2013 | General |
| 1083 | 200949 | Applicant's 1-Hour NO ² Competing Source Inventory, dated and docketed October 18, 2013; <i>see also</i> , Letter from K. Hellwig to Felicia Miller dated December 11, 2013 transmitting related Modeling Files [3 discs] | Air Quality |
| 1084 | 201096 | Applicant's Status Report, dated and docketed November 1, 2013 | General |
| 1085 | 201106 | Applicant's Resubmission of Data Responses, Set 1B, 4, and 5 to DR 23 to 26 (Biological Resources), 104 to 106 (Air Quality), and 107 to 109 (Public Health), dated and docketed November 4, 2013 | Air Quality; Biological Resources; Public Health |
| 1086 | 201109 | Applicant's Letter to F. Miller re AQ Modeling Files Submitted with Revised Responses, Set 1B, 4, and 5, dated and docketed November 4, 2013 | Air Quality |
| 1087 | 201142 | Applicant's Comments on PSA, Part A, dated and docketed November 7, 2013 | Biological Resources; Land Use; Noise; Socioeconomics; Soil & Water Resources; Traffic & Transportation; Visual Resources; Waste Management |
| 1088 | 201229 | Applicant's Air Quality Correspondence and Emails (various dates), docketed November 15, 2013 | Air Quality |
| 1089 | 201352 | Applicant's Status Report (December 2013), dated and docketed December 2, 2013 | General |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------------|---|---|
| 1090 | 201437 | Applicant's Follow-up to PSA Part A Workshop, dated and docketed December 13, 2013 | Biological Resources; Cultural Resources; Land Use; Noise; Socioeconomics; Soil & Water Resources; Traffic & Transportation; Compliance |
| 1091 | 201471 | Applicant's Letter re Receipt of Preliminary Staff Assessment - Part A, Supplemental Focused Analysis, dated and docketed December 23, 2013 | General |
| 1092 | 201469 | CAISO Cluster 5 Phase II Interconnection Study (App. A, Att. #4 submitted separately), dated December 3, 2013; docketed December 23, 2013 | Transmission System Engineering |
| 1093 | 201501 | Applicant's Status Report (January 2014), dated and docketed January 2, 2014 | General |
| 1094 | 201570 | Applicant's Resubmission of Data Responses, Set 4 (Updated Response to Data Request 104 [Air Quality]), dated and docketed January 17, 2014 | Air Quality |
| 1095 | 201572 | Discs Containing Air Modeling Files Related to Resubmission of Data Responses, Set 4, dated and docketed January 17, 2014 | Air Quality |
| 1096 | 201582 | Applicant's Comments on Staff's Supplemental Focused Analysis, PSA Part A, dated and docketed January 21, 2014 | Biological Resources; Cultural Resources; Soil & Water Resources; Visual Resources |
| 1097 | 201632-1 ¹ | Applicant's Status Report (February 2014), dated and docketed on February 3, 2013 | General |
| 1098 | 201820 | Status Report (March 2014) and Request for Scheduling Order, dated and docketed March 3, 2014 | General |
| 1099 | 201840 | Applicant's Comments on SCAQMD's Preliminary Determination of Compliance, dated and docketed March 7, 2014 | Air Quality |
| 1100 | 201938 | Applicant's Status Report (April 2014), dated and docketed April 1, 2014 | General |
| 1101 | 201969 | Applicant's Comments on Preliminary Staff Assessment, Part B, dated and docketed April 7, 2014 | Alternatives; Soil & Water Resources; Air Quality; Public Health |

¹ According to the CEC on 2/3/2014, there were problems with the docketing system and this docket number is a result of those problems.

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|---|
| 1102 | 201970 | Applicant's Status Conference Statement, dated and docketed April 7, 2014 | General |
| 1103 | 202003 | Applicant's Transmittal of South Coast Air Quality Management District's Preliminary Determination of Compliance, dated April 1, 2014, docketed April 11, 2014 | Air Quality |
| 1104 | 202095 | Applicant's Revised TSE Figure 3.1-1R dated April 15, 2014; docketed April 17, 2014 | General |
| 1105 | 202108 | Applicant's Letter to F. Miller re Follow-up to PSA Part B Workshop, dated and docketed April 18, 2014 | Biological Resources; Alternatives (Soil & Water Resources) |
| 1106 | 202186 | Applicant's Revised Data Responses 104 dated and docketed April 22, 2014 | Air Quality |
| 1107 | 202281 | Applicant's Status Report (May 2014), dated and docketed May 1, 2014 | General |
| 1108 | 202292 | Applicant's Comments on the PDOC dated and docketed May 5, 2014 | Air Quality |
| 1109 | 202414 | Applicant's Status Report (June 2014), dated and docketed June 2, 2014 | General |
| 1110 | 202479 | Applicant's Transmittal of the City of Huntington Beach Urban Water Management Plan, dated June 2011; docketed June 23, 2014 | Alternatives; Water Resources |
| 1111 | 202535 | Applicant's Submittal of Historical HBGS Photographs (circa. 1959), dated and docketed June 23, 2014 | Cultural Resources |
| 1112 | 202598 | Declaration of Lisa Valdez in Support of Applicant's Opening Testimony, dated June 24, 2014; docketed June 26, 2014 | Traffic & Transportation |
| 1113 | 202599 | Declaration of Mark Bastasch in Support of Applicant's Opening Testimony, dated June 21, 2014; docketed June 26, 2014 | Noise & Vibration |
| 1114 | 202600 | Declaration of Jennifer Krenz-Ruark in Support of Applicant's Opening Testimony, dated June 23, 2014; docketed June 26, 2014 | |
| 1115 | 202601 | Declaration of Horacio Larios in Support of Applicant's Opening Testimony, dated June 10, 2014; docketed June 26, 2014 | Facility Design; Project Description |
| 1116 | 202602 | Declaration of W. Geoffrey Spaulding, Ph.D. in Support of Applicant's Opening Testimony, dated June 15, 2014; docketed June 26, 2014 | Paleontological Resources |
| 1117 | 202603 | Declaration of Futuma Yusuf, Ph.D. in Support of Applicant's Opening Testimony, dated June 23, 2014; docketed June 26, 2014 | Socioeconomics |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|--|--|
| 1118 | 202604 | Applicant's Correspondence to SCAQMD re Class II Visibility, dated May 16, 2014; docketed June 26, 2014 | Air Quality |
| 1119 | 202605 | Applicant's Correspondence to SCAQMD re Verification of PDOC Public Notice Distribution, dated June 18, 2014; docketed June 26, 2014 | Air Quality |
| 1120 | 202606 | Declaration of Thomas Lae in Support of Applicant's Opening Testimony, dated June 10, 2014; docketed June 26, 2014 | Geological Resources |
| 1121 | 202607 | Declaration of Robert Mason in Support of Applicant's Opening Testimony, dated June 24, 2014; docketed June 26, 2014 | Alternatives; Land Use; Project Description |
| 1122 | 202608 | Declaration of Sarah Madams in Support of Applicant's Opening Testimony, dated June 25, 2014; docketed June 26, 2014 | Hazardous Materials; Worker Safety & Fire Protection; Waste Management |
| 1123 | 202609 | Declaration of Melissa Fowler in Support of Applicant's Opening Testimony, dated June 16, 2014; docketed June 26, 2014 | Biological Resources |
| 1124 | 202610 | Declaration of Matthew Franck in Support of Applicant's Opening Testimony, dated June 23, 2014; docketed June 26, 2014 | Water Resources |
| 1125 | 202611 | Declaration of Thomas J. Priestley, Ph.D. in Support of Applicant's Opening Testimony, dated and docketed June 26, 2014 | Visual Resources |
| 1126 | 202613 | Declaration of Robert Sims in Support of Applicant's Opening Testimony, dated June 25, 2014; docketed June 26, 2014 | Transmission System Engineering; Transmission Line Safety & Nuisance |
| 1127 | 202614 | Declaration of Robert J. Dooling, Ph.D. in Support of Applicant's Opening Testimony, dated June 24, 2014; docketed June 26, 2014 | Biological Resources (Noise) |
| 1128 | 202615 | Declaration of Clint Helton in Support of Applicant's Opening Testimony, dated June 25, 2014; docketed June 26, 2014 | Cultural Resources |
| 1129 | 202616 | Declaration of Jerry Salamy in Support of Applicant's Opening Testimony, dated June 26, 2014; docketed June 26, 2014 | Air Quality; Public Health; Alternatives |
| 1130 | 202626 | Declaration of Stephen O'Kane in Support of Applicant's Opening Testimony, dated and docketed June 26, 2014 | General; Air Quality; Project Description; Facility Design |
| 1131 | 202632 | Applicant's Submittal of Air Quality Correspondence (various dates), docketed June 30, 2014 | Air Quality |
| 1132 | 202635 | Applicant's Opening Testimony, including Exhibits A through M, dated and docketed June 30, 2014 | All Topics |

| TAB # | CEC TN # | BRIEF DESCRIPTION/DATE | TECHNICAL TOPIC(S) |
|--------------|-----------------|---|---------------------------|
| 1133 | 202669 | Applicant's Prehearing Conference Statement, dated and docketed July 7, 2014 | All Topics |
| 1134 | 202084 | City of Huntington Beach Resolution No. 2104-18 Supporting Proposed Architectural Improvements for HBEP, dated April 7, 2014; docketed April 16, 2014 | Visual Resources |
| 1135 | 202677 | Supplemental Declaration of Jerry Salamy, dated July 10, 2014; docketed July 11, 2014 | Air Quality |
| 1136 | 202678 | Supplemental Declaration of Stephen O'Kane, dated July 10, 2014; docketed July 11, 2014 | Air Quality; General |
| 1137 | TBD | Applicant's Rebuttal Testimony, dated and docketed July 11, 2014 | All Topics |