

DOCKETED

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Document Title:	Law needs assessment
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Filer:	Lisa Worrall
Organization:	CEC/ Lisa Worrall
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CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



September 22, 2014

Chief Gary W. Morrison
Carlsbad Police Department
2560 Orion Way
Carlsbad, CA 92010

RE: Potential Law Enforcement Needs for the Proposed amended Carlsbad Energy Center Project (07-AFC-06C)

Dear Chief Morrison,

The Warren-Alquist Act (Public Resources Code § 25000 et. seq.) gives the California Energy Commission (Energy Commission) the exclusive jurisdiction over the permitting of thermal power plants with a net generating capacity of 50 megawatts or larger and appurtenant related facilities to serve it. As part of this jurisdiction, the Energy Commission must evaluate a project's conformance with local, state, and federal laws, ordinances, regulations and standards.

The Energy Commission is considering the May 2, 2014, Petition to Amend (PTA) the Energy Commission's June 2012 Final Decision on the Carlsbad Energy Center Project (licensed CECP). The PTA was filed by Carlsbad Energy Center LLC, the project owner, who is an indirect wholly owned subsidiary of NRG Energy, Inc.

Prior to the May 2nd PTA submittal to the Energy Commission, the project owner filed a PTA on April 29, 2014 requesting to remove obsolete facilities to support the construction of the Carlsbad Energy Center Project. At this time, the two petitions are separate requests, but the Committee assigned to the project may combine the two petitions. The April 2014 PTA request to remove three above-ground storage tanks (numbers 1, 2 and 4), associated piping and oil sands under the tanks, and a berm between two tanks (numbers 4 and 5).

The amended CECP as described in the May 2014 PTA, would be located on a 30-acre parcel on the northeast corner of the Encina Power Station (EPS) in the city of Carlsbad, San Diego County. The new facility would be constructed on land occupied by the "east tank farm" and above ground storage tanks (ASTs) 4, 5, 6 and 7. The PTA also requests Energy Commission approval to decommission and demolish EPS generating Units 1-5.

The 2012 Final Decision concluded that the licensed CECP will not cause an influx of new permanent workers or any noticeable impact upon public services and facilities and will not result in significant adverse effects on law enforcement.

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The changes from the licensed CECP to the amended CECP relevant to law enforcement services involve the construction and operations workforce numbers and duration of construction. Refer to the law enforcement needs assessment form for project details.

To assess impacts of the amended CECP on law enforcement, Energy Commission staff requests information on existing law enforcement resources, services in the project area, and the estimated need for additional services if the PTA is approved. A form is provided as an attachment to this letter with data needs and questions highlighted. Key characteristics of the amended CECP that are considered applicable to law enforcement response needs assessment are briefly summarized on the enclosed form.

The Petition to Amend is available on the Energy Commission's website at:
http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-06C/TN202287-2_20140502T155806_CECP_Petition_to_Anend.pdf.

Section 2.0 Project Description and Section 5.10 Socioeconomics would be the most pertinent sections to review, as well as Section 1.0 Executive Summary and Section 5.12 Traffic and Transportation.

It would be most helpful if you could provide your responses to the needs assessment form, including any comments you may have regarding law enforcement services for the amended CECP by October 6, 2014. Please send your responses to my attention. Thank you in advance for your time and assistance. Please call or email me if you have any questions about this request.

Sincerely,

Original signed by

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Enclosures:

Map showing the approximate location of the project site
Local Law Enforcement Needs Assessment Form

cc. Mike Monasmith, California Energy Commission Project Manager
Amanda Stennick, Planner III/Supervisor

Amended Carlsbad Energy Center Project - Project Site



Law Enforcement Needs Assessment Form	
Project Characteristics, as Proposed by the Project Owner	
Type, Location, Size, and Site Access:	A Petition to Amend (PTA) the CECP power plant is proposed on a 30-acre parcel on the northeast corner of the Encina Power Station (EPS) in the city of Carlsbad, San Diego County. Primary construction access to the site would be through the Cannon Road Service Center gate, west of the railroad tracks. Additional access would be from Carlsbad Boulevard, at an entrance south of the EPS. Heavy haul truck access would be from Cannon Road through the Avenida Encinas entrance to the SDG&E switchyard property, east of the railroad tracks. Also, an existing North County Transit District railroad spur that terminates at the EPS facility would be used for select heavy and oversize equipment deliveries during construction. Primary operations access would be from Carlsbad Boulevard, through the existing EPS site and the Poseidon Desalination plant, using an existing railroad crossing.
Estimated Schedule:	<p>If approved, construction of the amended CECP power plant would begin in October 2015 and conclude in November 2017. The EPS demolition would begin in November 2018 with completion in November 2020.</p> <p>See Tables 2.1-4 and 2.2-2, in Section 2.0 Project Description in the PTA, for a list of the project construction and demolition workforce and schedule.</p>
Construction (Traffic and Work Force):	<p>An average of 120 workers would be employed during the amended CECP's 46-month construction/demolition period and reach a peak of 279 workers during month 13 (October 2016). Construction of the amended CECP power plant would take 24 months; have a peak workforce of 279 and an average monthly workforce of 169. EPS demolition would take 22 months; have a peak workforce of 194 during month 6 (April 2019), and an average monthly workforce of 67. EPS demolition is scheduled to begin one year after the amended CECP plant is online.</p> <p>During construction of the amended CECP power plant, the peak traffic generation period would occur during month 13 (October 2016). The combined workforce trips and truck delivery trips would reach a peak of approximately 640 total average daily trips (one-way), where approximately 285 trips are estimated during the a.m. and p.m. peak hours, with the remainder of the trips occurring at off-peak times. Truck deliveries of construction materials and equipment would generally be made between 6:00 a.m. and 6:00 p.m. Truck trips account for approximately six out of 285 a.m. and p.m. trips. Also, one delivery (annual average) of hazardous materials would be made per month. Construction parking would be provided on the project site.</p>
Operation (Staff and Traffic):	The 18 full-time workers needed for the project would be drawn from the existing 50 workers at the EPS, so no additional operational workers would be hired. The project owner did not estimate operation workforce trips. Assuming there would be no carpooling, 18 inbound and 18 outbound (36 total) daily trips would be generated and would likely occur during the morning and evening peak hour. One delivery (annual average) of hazardous materials (aqueous ammonia) would be made per month.
Security:	<p>Two site security Conditions of Certification (HAZ-7 & HAZ-8) were applied to the licensed CECP and would be carried through to the amended CECP; one requiring a construction site security plan, and the second requiring a site security plan for the commissioning and operational phases.</p> <p>Between the two conditions, requirements included perimeter fencing and security gate, site access control, and written up procedures for employees, contractors, and vendors when encountering suspicious objects or packages on- or off-site. Also included are protocol for contacting law enforcement in the event of suspicious activity or an emergency, and evacuation procedures. Background investigations are required on all project personnel, contractors who visit the project site, and hazardous materials transport vendors; in accordance with state and federal laws regarding security and privacy. Also required are site access controls for employees, contractors, vendors, and visitors and a closed circuit TV monitoring system. During construction, security guards are required and during the commissioning and operations phase, either security guard(s) present 24 hours per day, 7 days per week; or power plant personnel on site 24 hours per day, 7 days per week, and perimeter breach detectors or on-site motion detectors are required to ensure adequate perimeter security.</p>

Law Enforcement Needs Assessment Form		
Existing Law Enforcement Resources and Services in the Project Area (attach additional paper if more room is needed to answer questions)		
	licensed CECP	amended CECP
Names and addresses of the police substations serving the project area and distance of closest dispatch facility to the project site:	Carlsbad Police Department 2560 Orion Way	
Adopted or desired service standard (e.g., one sworn officer per 1,000 population) applicable to the project site:	not provided	
Existing staffing levels for facilities serving the project area (including sworn officers and civilians, totals and per shift):	148 officers	
Estimated response times to the project site: Priority calls: Non-Priority calls:	Average 5 minutes (Type 1) Average 5 to 10 minutes (Type 2)	
Current needs (e.g., facilities and staff) to maintain or meet existing service levels: Additional needs beyond those identified above to maintain or meet existing service levels with the project:	not provided	
Exchange of general law enforcement responsibilities (e.g., formal and/or informal agreements with local municipalities for provision of services) in the project area:	not provided	
Current inventory of specialized equipment (e.g., helicopters or other aircraft):	not provided	
Estimated Need for Law Enforcement Services, Equipment, and Facilities (attach additional paper if more room is needed to answer questions)		
Is there a process or formula used by your department to determine the need for additional law enforcement services to serve a new large-scale power plant? Please explain.	not provided	
Could the project trigger a need for additional law enforcement services for on-site crimes against persons, theft of materials, and/or vandalism? Please explain. During project construction: During project operation:	not provided not provided	
Could increased project-related traffic affect circulation and access on roads near the project site to the extent that an impact to emergency response times might occur? Please explain. During project construction: During project operation:	not provided not provided	

Law Enforcement Needs Assessment Form

Do law enforcement personnel review development site plans for projects to assess potential law enforcement issues (e.g., lighting and other safety factors)? Please explain.	not provided	
Are specific measures recommended to reduce the potential for crimes to occur at or near the project site (e.g., specific types of security fencing)? Please explain.	not provided	
Please explain any other law enforcement concerns that have not been addressed by this needs assessment form.	not provided	

Person Completing This Needs Assessment Form

Name: Title/Position: Telephone No: E-mail Address:	
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