

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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July 20, 2015

California Coastal Commission
c/o Sea-Level Rise Working Group
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RE: Comments on Public Review Draft, California Coastal Commission Sea-Level Rise Policy Guidance

Dear Sea-Level Rise Working Group,

The California Energy Commission appreciates the opportunity to comment on the Public Review Draft of the revised Sea-Level Rise Policy Guidance, dated May 27, 2015. The Guidance was reviewed by several divisions within the agency, and was of particular interest to staff of the Siting, Transmission, and Environmental Protection Division. During the licensing process of thermal power plants 50 megawatts or greater, Energy Commission staff provide an independent assessment of the proposed energy facility and ancillary facilities. As directed by Governor Executive Order S-13-08 for state agencies to plan for sea-level rise and climate impacts, staff include sea-level rise estimates in their assessment of a proposed project.

We support the Coastal Commission's effort to provide an overview of the best available science on sea level rise for California and recommended methodology for addressing it in Coastal Commission planning and regulatory actions. Our only concern is the document's reference to power plants. The Guidance specifically identifies power plants as critical infrastructure (page 80), therefore warranting special considerations such as applying a 500-year event design standard, assuming the highest sea-level rise projections, and protection from the worst-case future impacts (page 138).

Staff analyzes information specific to each proposed project and site location. We are concerned that by presenting all power plants as critical infrastructure, the public and intervening parties may believe that the Guidance recommends special considerations to all power plants without question. While the Energy Commission has exclusive jurisdiction over thermal power plants of 50 megawatts or greater, preempting the jurisdiction of all other state and local agencies, we do not wish to appear to be acting in conflict with the Guidance.

We recommend that "power plants" be removed from the third bullet on page 80 to avoid a default assumption that all power plants and ancillary facilities are critical. Alternatively, adding a statement or footnote to page 80 or 81, such as the following, may clarify how the Guidance document applies to power plants:

“The lists of critical infrastructure can vary widely from community to community. For planning purposes, a jurisdiction should determine criticality based on the relative importance of its various assets for the delivery of vital services, the protection of special populations, and other important functions.”

Also, Appendix F on page 283, under Public Works Facilities, please make the following edit:

- (a) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by any utility subject to the jurisdiction of the Public Utilities Commission, ~~except for~~ except for energy facilities 50 megawatts or greater [which are regulated by the ~~Public Utilities~~ **California Energy** Commission].

Thank you again for the opportunity to provide comments. Please note that this letter contains comments from Energy Commission staff as it pertains to their assessment of new and replacement power plants in the coastal zone. If you have any questions, please contact Matthew Layton at matthew.layton@energy.ca.gov or (916) 654-3868.

Sincerely,

Originally Signed By
Roger E. Johnson, Deputy Director
Siting, Transmission, and
Environmental Protection Division

cc: Robert Oglesby
Matthew Layton
Marylou Taylor