

## DOCKETED

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<b>Project Title:</b>	Sunrise Cogeneration Power Project (Compliance)
<b>TN #:</b>	207312
<b>Document Title:</b>	Notice of Determination (NOD) for Sunrise Petition to Amend to Install New T1 Communication Line
<b>Description:</b>	Notice of Determination (NOD) for Sunrise Power Company Petition to Amend (PTA) requesting to install a new T1 fiber communication line
<b>Filer:</b>	Eric Veerkamp
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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**CALIFORNIA ENERGY COMMISSION**

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**NOTICE OF DETERMINATION  
PETITION TO AMEND  
TO INSTALL A NEW T1 COMMUNICATION LINE  
FOR THE SUNRISE POWER COMPANY**

**(98-AFC-4C)**

On November 24, 2015, Sunrise Power Company, LLC filed a Petition to Amend (PTA) with the California Energy Commission (Energy Commission) requesting to modify the Final Decision for the Sunrise Power Plant Project (Sunrise). The PTA was docketed on December 3, 2015. Sunrise was certified in December 2000 as a 320 megawatt (MW) simple-cycle natural gas-fired power plant, commencing operation in June 2001. The Energy Commission approved an amendment in November 2001, resulting in the expansion of Sunrise to a two-on-one 585 MW combined-cycle facility. The combined-cycle plant commenced operation in June 2002. Sunrise is located approximately 35 miles southwest of Bakersfield, and one mile southwest of the intersection of State Route 33 and Shale Road in Kern County, California.

This Notice of Determination is being provided to interested parties and property owners adjacent to the facility site. This Notice has been mailed to the Sunrise mail list and sent electronically to the Sunrise listserv.

**DESCRIPTION OF PROPOSED MODIFICATION**

The modification proposed in the PTA seeks to replace Sunrise's existing T1 communication line, in service since June 2001. The existing T1 line is currently located on an adjacent property owner's power poles. The use of the existing line would be discontinued and a new approximately one-half mile of Verizon fiber optic cable would be located on existing poles owned by a third party and two new poles. All the poles are located within an existing Sunrise utility corridor already containing natural gas, water, and wastewater lines serving Sunrise, and the work would take about two weeks. The petition is available on the Energy Commission's Sunrise Power Plant Project webpage at <http://www.energy.ca.gov/sitingcases/sunrise>.

**ENERGY COMMISSION STAFF REVIEW AND DETERMINATION**

Energy Commission technical staff reviewed the petition for potential environmental effects and consistency with applicable laws, ordinances, regulations, and standards (LORS). Staff has determined that the technical or environmental areas of Efficiency, Facility Design, Geological and Paleontological Resources, Hazardous Materials Management, Noise and Vibration, Reliability, Soil and Water Resources, Transmission Line Safety and Nuisance, and Transmission System Engineering are not affected by the proposed changes.

For the technical areas of Air Quality, Biological Resources, Cultural Resources, Land Use, Public Health, Socioeconomics, Traffic and Transportation, Visual Resources, Waste Management, and Worker Safety and Fire Protection, staff has determined that impacts on

the environment are less than significant and no revised or new conditions of certification are needed to ensure the project remains in compliance with all applicable LORS. In addition, the project modification would not affect any population including the Environmental Justice population as shown in the Environmental Justice Population Table below. Staff notes the following for each of these technical areas:

- **Air Quality.** With the implementation of existing conditions of certification, the limited amount of construction activity for the proposed modification would not result in any significant air quality or greenhouse gas related impacts. The project would continue to comply with all applicable LORS. Continued implementation of Conditions of Certification **AQ C1** and **C2** related to fugitive dust and engine emissions for off-road equipment will mitigate short-term construction emissions to a less-than-significant level.
- **Biological Resources.** Implementation of the impact avoidance and minimization measures associated with the pre-construction surveys proposed by the project owner in the PTA (completed on December 1<sup>st</sup>, 2015), those contained within the previously issued incidental Take Permit (**BIO-7**) and Biological Opinion (**BIO-8**) coupled with implementation of the original Conditions of Certification, **BIO-1**: Sunrise Power Plant Mitigation; **BIO-2**: Designated Biologist; **BIO-3**: Designated Biologist Duties; **BIO-4**: Construction Manager Duties; **BIO-6**: Worker Environmental Awareness Program; and **BIO-9**: Biological Resources Mitigation Implementation & Monitoring Plan) would ensure that no significantly adverse effects to biological resources would occur as a result of this project modification, and the project would remain in compliance with all LORS. In accordance with the Pre-construction Survey Report, the project owner shall conduct a pre-construction survey 14 days prior to start of construction.
- **Cultural Resources.** Based on the review of previous resource surveys and site locations of cultural resources, installation of the utility poles will not result in a significant effect on known cultural resources. If unknown cultural resources are encountered, implementation of Conditions of Certification **CUL-5**, **CUL-6**, **CUL-9**, and **CUL-12** will ensure any impacts will be less than significant.
- **Land Use.** As required by Condition of Certification **LAND-1** in the Final Decision, the project would remain in compliance with the design and performance standards for the Exclusive Agriculture District.
- **Public Health.** The construction of the T1 line would have a negligible effect on public health from the particulate matter emitted from service vehicles during the 14-day construction period, and the proposed modification would remain in compliance with all applicable LORS.
- **Socioeconomics.** Replacement of the existing T1 communication line would take about 14 days to complete. From a socioeconomics standpoint, the proposed amendment would have insignificant workforce-related impacts on housing and

community services. Conditions of Certification **SOCIO-1** and **SOCIO-2** are not relevant to the proposed change.

- **Traffic and Transportation.** The wooden poles and T1 cables would be installed from Shale Road to Sunrise on an existing dirt service road and modifications would result in approximately 14 days of construction. Based on the location of the installation, the construction duration, and the minimal amount of equipment, the T1 cable replacement would have insignificant impacts on traffic level of service on nearby roadways and would not result in additional road disturbance, crossings, or access roads. The existing conditions of certification would not apply to this proposed modification.
- **Visual Resources.** The installation of the T1 communication cables and poles would be minor changes and would not significantly impact visual resources in the local area. Viewers using nearby Shale Road and the dirt access road to Sunrise are used to seeing existing transmission and communication lines and replacing the existing communication line would not change the visual characteristics of the area. The two new wooden poles will be installed at both ends of the existing communication line and will appear similar to the existing poles. The existing conditions of certification would not apply to this proposed modification.
- **Waste Management.** The project would not result in any additional waste management impacts. Continued implementation of approved Condition of Certification **WASTE-3** would ensure that waste generated during construction is tracked and disposed of at the proper facilities.
- **Worker Safety and Fire Protection.** The short duration for the installation of the fiber optic cable would comply with worker safety and fire safety measures contained in health and safety plans utilized for construction of the main facility already in place per Condition of Certification **SAFETY-1**

The **Environmental Justice Population Table** shows that approximately 14 percent of the population within a six-mile radius of the project site is minority. However, the data in the Environmental Justice Population Table shows approximately 23 percent of the population in Kern County lives below the federal poverty level and would constitute an environmental justice population based on the Environmental Justice: Guidance under the National Environmental Policy Act. As shown in the table, the percent of people in poverty is greater than the percent in the larger geographic area of California by approximately seven percent. For purposes of this analysis, staff considers this population an environmental justice population. Staff has determined that the project modifications would not affect any population including the environmental justice population.

**Environmental Justice Population Table**  
**Poverty Data within the Project Area**

	Total Population <sup>1</sup>			Population Below Poverty Level			Percent Below Poverty Level		
	Estimate	MOE <sup>2</sup>	CV <sup>3</sup> (%)	Estimate	MOE	CV (%)	Estimate	MOE	CV (%)
Kern County	824,972	±1,548	0.11	192,972	±5,008	1.58	23.40	±0.6	1.58
REFERENCE GEOGRAPHY									
California	37,323,127	±3,616	0.01	6,115,244	±38,636	0.38	16.40	±0.1	0.37

**Notes:** <sup>1</sup> Population for whom poverty is determined. <sup>2</sup> Margin of Error. <sup>3</sup> Coefficient of Variation (method of evaluating the reliability of the estimates. US Census staff recommend caution when interpreting estimates with more than 15 percent CV. **Source:** U.S. Census Bureau 2010-2014 Five-Year American Community Survey Estimates.

Staff's conclusions for each technical or environmental area are summarized in the table on the following page.

**Summary of Staff Responses to Petition**

TECHNICAL/ENVIRONMENTAL AREAS REVIEWED	STAFF RESPONSE			Revised Conditions of Certification Recommended
	Technical Area Not Affected	No Significant Environmental Impact or LORS Inconsistency*	Process As Amendment	
Air Quality		X		
Biological Resources		X		
Cultural Resources		X		
Efficiency	X			
Facility Design	X			
Geological and Paleontological Resources	X			
Hazardous Materials Management	X			
Land Use		X		
Noise	X			
Public Health		X		
Reliability	X			
Socioeconomics		X		
Soil & Water Resources	X			
Traffic & Transportation		X		
Transmission Line Safety & Nuisance	X			
Transmission System Engineering	X			
Visual Resources		X		
Waste Management		X		
Worker Safety & Fire Protection		X		

\*There is no possibility that the proposed modifications would have a significant effect on the environment, and the modifications would not result in a change in or deletion of a condition adopted by the Commission in the Final Decision, or make changes that would cause project noncompliance with any applicable laws, ordinances, regulations, or standards (Cal. Code Regs., tit. 20, § 1769 (a) (2)).

Section 1769(a) (2), Title 20, California Code of Regulations states, “(w) here staff determines that there is no possibility that the modifications may have a significant effect on the environment, and if the modifications will not result in a change or deletion of a condition adopted by the commission in the final decision or make changes that would cause the project not to comply with any applicable laws, ordinances, regulations, or standards, no commission approval is required...”

Energy Commission staff has determined for this petition that:

- The modification will not have any significant effect on the environment;
- Existing conditions of certification are sufficient to cover the proposed modification without changes to, or deletions of, any conditions of certification; and
- The project as modified will maintain full compliance with applicable LORS.

Pursuant to section 1769(a) (2) and based on staff’s determinations, formal approval by the full Commission at a noticed Business Meeting is not required.

Any person may file an objection to staff’s determination within 14 days of the date of this Notice on the grounds that the project modification does not meet the criteria set forth in section 1769(a)(2). Absent any relevant objections, this petition will be approved 14 days after this notice is docketed. An objection to staff’s determination may be submitted using the Energy Commission’s e-commenting feature, as follows: Go to the Energy Commission’s Sunrise webpage and click on the “Submit e-Comment” link. Provide contact information—a full name, e-mail address, comment Title, and either a comment or attached documents are required. The comment Title should be “[Your Name]’s Comments re Sunrise Determination.” Type your comments into the “Comment Text” field, or upload a document with your comments. The maximum upload file size is 10MB, and only .doc, .docx, or .pdf attachments will be accepted. Enter the CAPTCHA that is used to prevent spamming. Then click on the “Agree and Submit your Comments” button to submit your comments to the Energy Commission Dockets Unit for review. When your comments are approved and docketed, you will receive an e-mail with a link to them on the facility webpage.

Written comments or objections may also be mailed or hand-delivered to:

California Energy Commission  
Dockets Unit, MS-4  
Docket No. 98-AFC-4C  
1516 Ninth Street  
Sacramento, CA 95814-5512

All comments and materials filed with and approved by the Dockets Unit will be added to the facility Docket Log and be publically accessible on the Energy Commission's webpage for the facility.

If you have questions about this Notice, please contact Eric Veerkamp, Compliance Project Manager, at (916) 654-4611, or by fax to (916) 654-3882, or via e-mail at [eric.veerkamp@energy.ca.gov](mailto:eric.veerkamp@energy.ca.gov).

For information on participating in the Energy Commission's review of the Sunrise petition, please contact the Energy Commission's Public Adviser at (916) 654-4489, or at (800) 822-6228 (toll-free in California). The Public Adviser's Office can also be contacted via e-mail at [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov). News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by e-mail at [mediaoffice@energy.ca.gov](mailto:mediaoffice@energy.ca.gov).

Date: \_\_\_\_\_

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**CHRISTINE ROOT**, Manager  
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Siting, Transmission, & Environmental Protection Division

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