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CALIFORNIA ENERGY COMMISSION

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June 15, 2016

Mayor Martin F. Hernandez
City of Santa Paula
970 Ventura Street
Santa Paula, CA 93061

RESPONSE TO DATA ADEQUACY QUESTIONS

Dear Mayor Hernandez:

Thank you for the questions and comments in your May 13, 2016 letter regarding the Mission Rock Energy Center (Mission Rock) application for certification (AFC). The Mission Rock AFC was deemed complete on May 17, 2016, initiating the Energy Commission review of the proposed project. Many of your questions will be addressed in more detail during the upcoming discovery period, as well as in the Energy Commission's Preliminary and Final Staff Assessments that are required to be filed before hearings and a proposed Decision is issued for the project. A Committee was appointed to oversee the proceeding, consisting of Commissioner Karen Douglas (Presiding Member) and Commissioner Janea Scott (Associate Member).

This letter provides initial responses to each of the fourteen questions and comments contained in your May 13, 2016, letter.

1. Is the Energy Center proposed to be located in the 100 year flood plain? Is building in a flood plain normally permitted by the County? If the Project is proposed to be located in the flood plain, why is this a suitable location?

Response: The proposed Mission Rock project is currently under review by Commission staff. Consultation with the Ventura County Watershed Protection Agency (WPA) has begun regarding their Floodplain Management Ordinance and applicable standards established by the Federal Emergency Management Agency (FEMA). This ordinance and FEMA standards do allow for development in a flood plain provided certain criteria are met. However, if these criteria cannot be met or potential for significant environmental impact remains after the criteria are met, staff's analysis would identify these impacts and provide recommendations for the Committee to consider. WPA's April 5, 2016 letter to staff was instructive in this matter, and staff will continue communications with WPA throughout this process.

2. Are gas fired energy plants which emit PM10 and other chemical substances into the air, state-of-the-art for electric generating facilities or are they becoming obsolete in favor of battery or other type facilities? If this is the case, why propose to build this type of facility?

Response: Operationally flexible, or dispatchable, resources, such as gas-fired power plants, are part of an electricity system that is integrating increasing amounts of variable renewable resources, such as solar and wind facilities. Mission Rock would use batteries and “clutches” to enhance its operational flexibility. The technologies and facility design were chosen by the applicant based on their expectation of future system operations. The Energy Commission does not propose which types of facilities to build.

As part of its review of the Mission Rock AFC, Energy Commission staff will evaluate:

- Whether Mission Rock is likely to conform to applicable federal, state, and Ventura County Air Pollution Control District air quality laws, ordinances, regulations, and standards;
- Whether Mission Rock is likely to cause significant air quality impacts, including new violations of ambient air quality standards or make significant contributions to existing violations of those standards;
- Whether the mitigation measures proposed for the project are adequate to lessen the potential impacts to a level of insignificance.

In addition, Energy Commission and Ventura County Air Pollution Control District staff will review criteria and toxic air emissions, including particulate matter, from proposed equipment across a range of operational scenarios.

3. Have the impacts of the Energy Center on the operations at the Santa Paula Airport been considered? If so, what are they? What is the height of all facilities? And how high in the air will emissions be transported? Will the updraft impact passing aircraft from the nearby Santa Paula Airport?

Response: The tallest Mission Rock structures would be the five, 60-foot tall exhaust stacks and the 36 electric transmission poles, which would range in height from approximately 77 feet to 200 feet. The applicant will file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) for each of the five exhaust stacks and 36 transmission structures to request that the Federal Aviation Administration review the structures for any potential hazards to air navigation. Staff have met with Todd McNamee from the Ventura County Department of Airports and will determine if a thermal plume study and aviation hazard analysis will be necessary for Mission Rock.

4. Are the maps detailing the precise locations of the proposed new gas line to SoCal Gas; the high tension lines connecting to Edison and the new pipeline to the Limoneira recycled water plant available for public review? These are needed to assess the

environmental, health, aesthetic and economic impact, including decreased property values, on Santa Paula and the surrounding unincorporated areas.

Response: Yes, the maps are available for public review in the AFC which can be found at http://docketpublic.energy.ca.gov/PublicDocuments/15-AFC-02/TN207151-3_20151230T154748_10_Introduction.pdf.

5. *What are the future plans for the proposed water discharge pipeline formerly used by Santa Clara Waste Water?*

Response: The Data Adequacy Supplement filed on April 29, 2016 contains information regarding proposed wastewater discharges (pages 5-35 and 5-36 through 5-38). It is staff's understanding that Patriot Environmental Services has acquired certain assets from Green Compass Environmental Solutions and Santa Clara Waste Water (collectively, "Green Compass") earlier this year, but sale of Green Compass/Santa Clara Waste Water's Santa Paula facility remains subject to certain regulatory approvals. Staff will be investigating this new wastewater discharge arrangement.

6. *Will the Energy Center emit carbon monoxide or nitrous oxides that are hazardous to plants, animals and people or cause smog? What impact would the Project have, or any possible contaminants from the Energy Center operation have, on birds that fly into the exhaust plume, the Santa Clara River and the wildlife in the area?*

Response: Energy Commission biology staff will evaluate the proposed construction and operation of Mission Rock for potential impacts on sensitive biological species in the project vicinity. Public health and air quality staff will be reviewing impacts, if any, that could be expected by members of the public, including sensitive receptors, as a result of air and toxic emissions from Mission Rock.

7. *What is the amount of particulate matter expected to be emitted per day of operation of the Energy Center? Please do not average emissions over the year.*

Response: AFC Section 5.1.34 and Appendix 5.1A provide the hourly, daily and annual emissions estimates. The emission estimates will be independently evaluated by Energy Commission and air district staff as part of the analysis for the Mission Rock application. (This information can also be located on the webpage noted above.)

8. *Construction of a gas pipeline and overhead transmission lines along with a lighted facility will scar the land and create a negative visual impact in the area. This could have adverse effects on property values in the surrounding area and, in particular, adversely affect the opportunity to develop high-end homes in neighboring Adams Canyon area, which is a future growth area for the City of Santa Paula. Has this been considered?*

Response: Energy Commission staff will conduct a thorough analysis of the potential visual resources impacts resulting from the proposed project, including the 6.6 mile transmission line and facility lighting.

9. *The Energy Center will be operated by jet engines. Will the Energy Center be noisy when it is in operation? What is the expected decibel level on site during operation and at the neighboring property?*

Response: Energy Commission staff will evaluate the proposed construction and operation of the facility for potential noise impacts based on project specific equipment and modeling and ensure it conforms to Ventura County noise ordinances. Sound attenuation measures would likely be employed to reduce noise from the facility, and, if licensed, operational noise monitoring would be conducted to confirm their efficacy.

10. *What specific risks will the citizens of Santa Paula be exposed to as a result of the proposed Energy Center?*

Response: Energy Commission staff will analyze potential risks, including public health, hazardous materials, and fire safety, during its independent review of the project.

11. *What specific risks will the inmates at the Todd Road facility be exposed to as a result of the proposed Energy Center?*

Response: Please see the response to Question 10 above.

12. *As the closest fire and law enforcement agencies, the Energy Center will place additional economic burdens on the City of Santa Paula in responding to potential emergency situations that may occur at the proposed Energy Center. How is the Project proposed to be served by emergency services?*

Response: Energy Commission staff will contact local fire, police and emergency first-responders to determine whether the project would impact resources and require mitigation.

13. *Does the Energy Center site on Mission Rock Road comply with state social justice laws which prohibit placing this sort of facility in an economically disadvantaged, predominately minority community?*

Response: As required under the environmental justice policy of the California Natural Resources Agency, the Energy Commission must consider environmental justice in its decision-making process if the Commission's actions would have an impact on the environment, environmental laws, or policies. California law defines environmental justice as "the fair treatment of people of all races, cultures and income with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies" (Gov. Code, § 65040.12; Pub. Resources Code, § 72000). Energy Commission staff will be conducting an environmental justice analysis based on demographic screening identifying environmental justice populations based on race and ethnicity and environmental justice populations based on poverty. Demographic screening is based on two federal guidance documents: *Guidance Under the National Environmental Policy Act* and *Guidance for Incorporating Environmental Justice*

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Concerns in EPA's Compliance Analyses. These two documents are not written with such specificity to prohibit where development is located. Furthermore, staff is not aware of any state "social justice laws" that prohibit the placement of a power plant in an economically "disadvantaged" or predominantly minority community.

14. Please cite and explain the demonstrated "need" for this project?

Response: By statute, the Energy Commission does not evaluate "need" when reviewing the environmental, public health and engineering impacts of a proposed project to determine if it should be approved for construction. Analysis of existing and future needs for electricity, capacity and ancillary services is provided by the California Independent System Operator (California ISO) and the California Public Utilities Commission (which approves power purchase agreements between generators and utilities).

In closing, please feel free to inquire with me directly on issues and topics for which you seek further clarification.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Monasmith". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mike Monasmith
Siting Project Manager