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September 15, 2016

Mr. Shawn Pittard, Siting Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re Puente Power Project (15-AFC-01)
Applicant's Comments on the Preliminary Staff Assessment

Dear Mr. Pittard:

On June 20, 2016, California Energy Commission ("CEC") staff issued its Revised Preliminary Staff Assessment, Parts 1 and 2, ("PSA") for the Puente Power Project ("P3" or "Project") (TN #211885-1 and #211885-2). Initially, the Committee provided a 45-day comment period for the PSA (TN #211906), which was subsequently extended at the request of interveners by an additional 45 days, for a total public comment period of 90 days (TN #212398). During the public comment period, CEC staff conducted a PSA Workshop in the City of Oxnard on July 21 and 22, 2016, which provided an opportunity for the parties and the public to provide preliminary input on the PSA.

NRG Energy Center Oxnard LLC ("NRG," "Project Owner" or "Applicant") appreciates the comprehensive and detailed analysis conducted by CEC staff and documented in the PSA. In general, NRG concurs with CEC staff's analysis and conclusions regarding the Project's compliance with applicable laws, ordinances, regulations and standards, as well as staff's conclusion that with implementation of recommended Conditions of Certification the Project will not result in significant adverse impacts on the environment.

The remainder of this letter and the attachments contain NRG's specific comments on the PSA, clarifications and proposed corrections to certain statements in the PSA, and minor changes to proposed Conditions of Certification. We also address certain issues raised by interveners at the PSA Workshop, although this letter does not provide a comprehensive response to all issues raised at the PSA Workshop. Where relevant, we have cited NRG's communications with other resource agencies, such as California Coastal Commission, Los Angeles Regional Water Quality Control Board, Ventura County Air Pollution Control District and U.S. Fish & Wildlife Service, related to P3.

Recap of Public Process Leading to PSA

The PSA is the culmination of over one full year of review and analysis of the Project by the CEC staff, and reflects extensive input from the parties, including NRG and the interveners, and the public.

At least seven non-governmental organizations and individual members of the public have participated actively in the Project review process as formal interveners, most of them since shortly after the AFC was deemed complete. Hundreds of other members of the public have participated in public hearings and workshops, and submitted verbal and written comments on the Project.

During a discovery period that was extended by 90 days at the request of the City of Oxnard (TN # 207182), NRG provided written responses to over 180 formal data requests, including five rounds of data requests from the City of Oxnard and three rounds from the CEC staff.

Over the course of the Project review, NRG made several changes to the Project design in response to comments from public agencies, interveners, and individual members of the public or based on additional information received since submission of the AFC and associated data responses. Those changes include the following:

- Demolition and removal of existing Mandalay Generating Station ("MGS") Units 1 and 2, November 19, 2015 (TN #206698).

- Refinement to the Project's ammonia tank design, February 22, 2016 (TN #210502).

- Refinement to the transmission interconnection, August 26, 2016 (TN #213000).

- Cessation of use and removal of the existing ocean discharge outfall, September 6, 2016 (TN #213624).[1]

Other agencies, in addition to the CEC, have conducted formal reviews of the Project, and provided their input and recommendations to the CEC staff:

- The Ventura County Air Pollution Control District ("VCAPCD") issued its Preliminary Determination of Compliance ("PDOC") on May 20, 2016 (TN # 211570). An initial comment period of 30 days was subsequently extended by VCAPCD to July 29, 2016. The VCAPCD is currently in the process of reviewing and responding to comments received from at least four interveners and multiple individual members of the public.

[1] NRG intends to provide the CEC a separate project refinement document during the week of September 19, 2016 that describes in further detail the removal of the outfall structure and the associated environmental analysis.

- Following extensive hearings and briefings, in which several interveners participated, the California Public Utilities Commission ("CPUC") approved the contract awarded to NRG by Southern California Edison ("SCE") following a competitive solicitation. The proceedings before the CPUC included extensive expert testimony and briefing on issues ranging from climate change and sea level rise to environmental justice.

- The California Coastal Commission ("CCC") staff issued a proposed report on the Project on August 26, 2016 (TN #213337), on which it received input from NRG, interveners and members of the public. Following a public hearing on September 9, 2016, in which the City of Oxnard participated, the CCC approved the proposed staff report, and an addendum thereto, with proposed recommendations on the Project (TN #213627).

The following public hearings and workshops have been held or are scheduled; most of which have been held in the City of Oxnard:

- Informational Hearing and Site Visit, August 27, 2015, City of Oxnard.

- Committee Status Conference, March 28, 2016, Sacramento.

- PSA Workshop, July 21 and 22, 2016, City of Oxnard.

- California Coastal Commission Meeting, September 9, 2016, City of Newport Beach.

- Committee Status Conference, September 27, 2016, City of Oxnard.

As the above summary of the Project review process to date illustrates, the Project has been subject to rigorous scrutiny by a broad range of interested parties, and the CEC staff has been provided extensive information and analysis upon which to base its review of the Project as reflected in the PSA.

Comments on PSA and Preliminary Responses to Certain Issues Raised at PSA Workshop

NRG generally concurs with CEC staff's analysis and conclusions regarding the Project as reflected in the PSA, but does have some comments and clarifications as reflected below. In addition, NRG is taking this opportunity to provide additional information related to certain issues raised at the PSA Workshop on July 21 and 22, 2016. The comments and additional information provided below are organized according to the relevant PSA sections.

NRG generally finds the proposed Conditions of Certification to be acceptable and appropriate, and more than adequate to ensure that P3 will be constructed and operated in compliance with applicable LORS and without significant, unmitigated effects on the environment. However, there are some proposed Conditions of Certification that NRG identified as requiring minor, but

necessary, edits. NRG's proposed edits to specific Conditions of Certification are set forth in bold, underlined or strikethrough text in Table 1 attached to this letter.

Finally, NRG found some inconsistencies and minor errors in the text of the PSA. These are summarized in Table 2 attached to this letter.

NRG's comments and proposed changes are minor, and addressing them will not require staff to conduct significant additional analysis that might delay issuance of the Final Staff Assessment ("FSA").

Executive Summary

In Table 1-2 and on pages 1-5 and 1-30 of the Executive Summary, the PSA states that air quality impacts are not completely mitigated and additional information is required. However, as discussed in the Air Quality section of the PSA (pp. 4.1-1, 4.1-51 and 4.1-67), the CEC staff has developed proposed Condition of Certification AQ-SC9 that ensures that all air quality impacts are mitigated (including emissions of PM10 and SOx). The Applicant accepts proposed AQ-SC9, and agrees with the conclusions in the Air Quality section. Therefore, we suggest that the Executive Summary be revised to note that all air quality impacts have been completely mitigated with implementation of the proposed conditions.

Project Description

The Project Description is consistent with the Application for Certification (TN #204219), as modified by the Project Enhancement and Refinement - Demolition of MGS Units 1 and 2 (TN #207055), and the Refinement to the Ammonia System (TN #210502). However, the Project Description does not reflect two more recent refinements to the Project design that are described below.

First, as a result of SCE's review of the proposed interconnection, a minor change to the transmission interconnection has been made (TN #213003). The 220-kV transmission interconnection for P3 will now consist of a single gen-tie connection that will require one mono-pole structure and one take-off structure providing a direct connection to the SCE transmission system and by-passing the existing Mandalay Switchyard.

Second, in response to comments from the City of Oxnard, the California Coastal Commission, the U.S. Fish and Wildlife Service and others, NRG has committed to removing the existing outfall structure that currently services MGS Units 1, 2 and 3, and which had been proposed for reuse by P3. Once P3 becomes operational, and MGS Units 1 and 2 are retired, the beach discharge will be eliminated and the outfall structure will be demolished and removed. The P3 stormwater and wastewater systems will be reconfigured to direct discharge to the Edison Canal. The details of this Project refinement will be contained in a forthcoming filing with the CEC.

In addition, the following aspects of the Project are not always correctly and consistently addressed throughout the PSA, including in the Project Description, and should be addressed as "global changes":

- The Project rating of 262 MW refers to the net nominal rating for the proposed GE 7HA.01 gas turbine generator. To avoid confusion NRG suggests that the 262 MW rating shown in the PSA include the term "net nominal."

- As presented in the AFC, NRG's responses to Data Requests and the Project Enhancement and Refinement, the current Project schedule is as follows:

  Construction (21 months): October 2018-June 2020
  Decommissioning (3 months): July – September 2020
  Demolition (15 month): July 2021 – September 2022

During the PSA Workshop, questions were raised regarding the height of the Project's stack. The stack height of approximately 188 feet is based on EPA regulations for the test port locations, which require that the ports be at least two stack diameters from the nearest upstream exhaust flow disturbance.[2] The main issue with not meeting the standard EPA test port location requirement is the possibility of significant concentration stratification and/or cyclonic flow at the test ports, which could affect stack testing for particulate emissions (PM10/PM2.5).

Alternatives

The alternative MGS site reconfigurations and alternative offsite locations analyzed by staff in the PSA are not feasible, do not meet basic Project objectives, and/or are not environmentally superior to the Project at the proposed site.

As an initial matter, CEC staff's Alternatives analysis appears to be driven, in part, by a determination that 2.03 acres of the Project site constitutes a wetland pursuant to Coastal Act regulations. This conclusion appears to be based exclusively on the Coastal Commission's highly conservative "one parameter approach" to defining wetlands, in that no portion of the Project site would be deemed a wetland under any other applicable criteria or definition. The PSA states that "[t]he Coastal Commission uses this broad approach (i.e. a one-parameter approach) in determining wetland extent as a conservative means of defining and conserving wetlands, including conserving upland habitat surrounding a wetland." (PSA, p. 4.2-26). This determination is then relied upon as a basis for evaluating alternative sites and configurations to avoid potentially significant impacts to wetlands.

As discussed in Applicant's September 2, 2016 comments to the Coastal Commission (TN #213625), which are incorporated herein by reference, Applicant disagrees with the wetland

[2] The minimum test probe location requirements of two stack diameters downstream and one-half stack diameter upstream of major flow disturbances are found in EPA Method 1 (40 CFR 60, Appendix A, Method 1, Section 1.2).

determination made by the Coastal Commission and reflected in the PSA. Consequently, we do not agree that this determination is an appropriate basis for evaluating alternative sites, and certainly do not agree that it is a basis for recommending relocation of the Project or for increasing the compensation ratio contained in proposed Condition of Certification BIO-9. NRG is prepared to provide compensatory mitigation for the loss of hydrophytic plants on the Project site, at a ratio of 2:1, pursuant to proposed Condition of Certification BIO-9 with the changes identified in Table 1 attached to this letter.

We note that the recommendations provided by the Coastal Commission acknowledge that feasible, environmentally superior alternative sites may not exist, and its report proposes alternative recommendations to ensure that the Project is consistent with coastal polices to the maximum extent feasible at the currently proposed location. As summarized below, each of the alternative sites analyzed in the PSA suffer from serious feasibility and/or environmental issues.[3]

MGS Site Reconfigurations

Staff evaluated two onsite reconfiguration alternatives in the PSA. Applicant's comments on these alternatives are provided below.

Reconfiguration #1 (Alternatives Figure 14)

CEC Staff did not acknowledge the following issues with the suggested reconfiguration:

- This proposed P3 power block location would require the relocation of the existing gas metering station and main 30 in gas line for the existing MGS Units 1, 2, and 3. This would also cause interruption of the existing units operation during the relocation of the metering station and main gas line.

- The existing plant's leach field would have to be relocated for this proposed P3 power block location. A permit for a new leach field is required.

- The Puente CTG unit would need to be rotated 180° from what's shown (i.e., inlet filter facing the road). The unit would need to move west in order to provide the required space for the tempering air fans and ducting which was removed from the sketch. This proposed location would likely require significant additional noise mitigation compared to the base case to avoid offsite noise impacts.

- This proposed location would create significantly greater visual impact by moving the power block approximately 425 feet closer to the roadway.

- This location reduces access for P3 constructability, which would adversely impact the P3 project construction schedule.

[3] Additional analysis of these alternative is included in NRG's September 2, 2016 letter to the California Coastal Commission (TN # 213625), which is incorporated herein by reference.

- This proposed P3 power block location does not show the tempering air fans and ducting; the unit would need to be moved about 75 feet west of the current shown location to fit into the available space.

- The proposed relocation of the stack would require the project air modeling and air permit application to be revised, which could significantly impact the permitting schedule.

- As shown on Figure 14, the northern portion of the power block would be placed directly on the existing earthen dike, which would need to be rebuilt to provide flood protection.

Reconfiguration #2 (Alternatives Figure 15):

CEC Staff did not acknowledge the following issues with the suggested reconfiguration:

- This proposed P3 power block location would require the shutdown of MGS Units 1 and 2 prior to the construction of the P3 project for removal of the existing circulating water piping that partially underlies the proposed site.

- The proposed relocation area for the existing warehouse building is the current location of the existing plant gas metering station and leach field. The relocation of these facilities would have significant impact on the existing units operations and P3 construction schedule.

- This proposed P3 power block location would interfere with the planned demolition of existing MGS Units 1 and 2. The demo execution plan will have to be revised from explosive to mechanical demo, significantly increasing the cost.

- This proposed P3 power block location will have a significant impact on the planned construction corridor for the P3 project electrical and water lines.

- The proposed relocation of the stack would require the project air modeling and air permit application to be revised, which could significantly impact the permitting schedule.

- This proposed P3 power block location will restrict or eliminate a major access area for the construction and assembly of the P3 CTG unit.

- This proposed P3 power block location will restrict access to maintain the GSU, Unit Aux transformer, and GT electrical equipment.

- The suggested reconfiguration would interfere with the existing MGS Units 1 and 2 transmission line interconnection to the SCE switchyard. As laid out on Figure 15, P3's SCR would be in direct conflict with the existing transmission line.

- The suggested reconfiguration does not satisfy P3's objective to reuse existing MGS infrastructure, such as the existing warehouse.

Offsite Alternative Sites

Staff evaluated two offsite alternatives. Applicant's comments on these alternatives are provided below.

Del Norte/Fifth Street Off-site Alternative (similar to Applicant's Alternative Site #6)

CEC Staff concluded that the "Del Norte/Fifth Street Off-site Alternative would avoid the significant impact relating to the risk of inundation by tsunami, but use of this site would result in significant and unavoidable impacts on aircraft and pilot safety. Assumptions for this alternative do not include demolishing and removing MGS Units 1 and 2, which is considered a beneficial visual improvement of the proposed P3."

CEC Staff did not acknowledge the following feasibility and environmental concerns associated with this Alternative Site:

- Potentially significant impacts associated with construction of new linear infrastructure, such as gas pipelines, water supply pipelines, and transmission lines. While impacts to biology, cultural resources, paleontological resources, water resources, would be less than significant with mitigation, there is no construction of offsite linears associated with the proposed Project.

- A new offsite electrical linear would be required for this site. The nearest transmission line is approximately 1,000 feet north of the site; however, it is a 66-kV transmission line. In accordance with SCE RFO requirements, the electrical capacity of the project would require an interconnection to the SCE 220-kV transmission system. To interconnect the project from this site location would require a new 220-kV transmission line to tie into the nearest existing 220-kV transmission line. CEC Staff estimated that this new transmission line could be 6 to 8 miles long. Compared to the Proposed Site's 220-kV transmission interconnection a single gen-tie line that will require one mono-pole structure and one take-off structure providing a direct connection to the SCE transmission system. This site alternative would introduce greater engineering, capital cost, and environmental impacts.

- The nearest natural-gas trunk line is about 1 mile west of this site. Connecting to the 30- to 36-inch diameter natural gas line approximately 1 mile west of the site would require underground pipeline installation, likely along State Highway 34. Construction of the natural gas pipeline would cross a vegetated canal approximately one-half mile west of the site. CEC Staff assumed that the pipeline could be installed using construction methods that allow placement under the canal, thus eliminating any potential impacts on waters of the state. Because a site configuration for the Del Norte/Fifth Street Off-site

Alternative is not known, it is not possible to conclude whether a project at this site could be designed to avoid the potential waters of the state (i.e., the on-site drainage ditch). CEC Staff states that the gas line connection could possibly be aligned along or in the Fifth Street ROW, which could require excavation below the railroad tracks to reach Fifth Street and then excavation in the ROW to connect with the existing natural gas pipeline that parallels Rice Avenue. Compared to the Proposed Site's onsite connection, the 1-mile natural-gas linear for this Alternative Site would introduce greater engineering, capital cost, and environmental impacts.

- Water needs would require a new water service connection. The nearest recycled water pipeline is estimated to be approximately 4 miles from this alternative project site to the City's recycled water main at Ventura Road and 5th Street. CEC Staff indicates that the Oxnard's water distribution system shows a water pipeline paralleling Sturgis Road approximately 970 feet north of the site's north boundary. Compared to the Proposed Site's onsite water connection, this site alternative would introduce greater engineering, capital cost, and environmental impacts.

- The nearest sensitive receptors to this Alternative Site are the residences along Sturgis Road, about 980 feet northeast of the site, which is much closer than the proposed Project's distance to the closest receptors. Additional noise mitigation measures would likely be required to reduce noise impacts during construction and operation to less than significant levels.

- Impacts associated with ground disturbance during construction (e.g., soil erosion, dust, etc.) would be substantially more for this Alternative than for the Proposed Site. While these impacts could be mitigated, the proposed site avoids these extensive impacts associated with the offsite linears.

- Construction phase traffic impacts would also increase, due to the installation of offsite linears. Traffic would be impacted on East Fifth Street during construction of the gas pipeline, on South Del Norte Boulevard during construction of the sewer line, and on Sturgis Road during construction of the water supply pipeline. While these impacts could be mitigated to less than significant levels, the mitigation (Traffic Control Plans) would be more extensive for this Alternative.

- Potential visual impacts also would be more than for the Proposed Site due to the new offsite transmission lines and development of a power-generating facility, with its associated infrastructure, on a site that is generally surrounded by low commercial and industrial structures and farmland. Due to the proximity to the nearest residence (about 980 feet), additional screening and lighting mitigation could be required.

For all of the above reasons, this alternative is not feasible or environmentally superior to the proposed Project site.

Ormond Beach Area Off-site Alternative (similar to Applicant's Alternative Site #8)

CEC Staff concluded that the "Ormond Beach Area Off-site Alternative would avoid three potentially significant effects of the proposed P3 without causing other significant effects. Impacts that would be avoided include filling of jurisdictional wetlands, risk of inundation by tsunami, and temporary water quality impacts during demolition. Assumptions for this alternative do not include removing MGS Units 1 and 2, which is considered a benefit of the proposed P3."

CEC Staff did not acknowledge the following feasibility and environmental concerns associated with this Alternative Site:

- Potentially significant impacts associated with construction of new linear infrastructure, such as gas pipelines, water supply pipelines, transmission lines. While impacts to biology, cultural resources, paleontological resources, and water resources, would be less than significant with mitigation, there is no construction of offsite linears associated with the proposed Project. As such, the proposed Project is environmentally superior to the Ormond Beach Area Alternative.

- Connection to the nearest natural-gas trunk line of sufficient capacity would require an approximately 2,100-foot linear. The natural gas pipeline would require constructing the buried pipeline to cross under Edison Drive and the transmission line that parallels Edison Drive. Compared to the Proposed Site's onsite natural-gas connection, this site alternative would introduce greater engineering, capital cost, and environmental impacts.

- Connection with the City's recycled water supply would require an approximately 4,200-foot linear to the AWPF at West Hueneme Road and South J Street and/or the potable water pipeline that borders the site along Arcturus Avenue and E. McWane Boulevard.

- A new offsite electrical linear would be required for this site. The nearest 220-kV electrical interconnection is approximately 1,000 feet from this site. Compared to the Proposed Site's 220-kV transmission interconnection a single gen-tie line that will require one mono-pole structure and one take-off structure providing a direct connection to the SCE transmission system. This site alternative would introduce greater engineering, capital cost, and environmental impacts.

- Impacts associated with ground disturbance during construction (e.g., soil erosion, dust, etc.) would be substantially more for this Alternative than for the Proposed Site. While these impacts could be mitigated, the Proposed Site avoids these extensive impacts associated with the offsite linears.

- Construction phase traffic impacts would also increase, due to the installation of offsite linears along McWane Boulevard and Edison Drive. While these impacts could be mitigated to less than significant levels, the mitigation (Traffic Control Plans) would be more extensive for this Alternative.

- Potential visual impacts would be more than for the Proposed Site due to the new offsite transmission lines and development of a power-generating facility, with its associated infrastructure, on a site that is generally surrounded by low commercial and industrial structures and farmland.

- This Alternative Site is not in the coastal zone; however, it could be susceptible to sea level rise and tsunami impacts due to its proximity to the coast, less extensive dunes relative to the Proposed Site, and its relatively low elevation. The tops of the dunes along the beach in the southern portion of Oxnard are much lower than the dunes fronting the Proposed Site; therefore, this site would be expected to be more susceptible to sea-level rise and tsunami-related impacts than the Proposed Site.

For all of the above reasons, this alternative is not feasible or environmentally superior to the proposed Project site.

Air Quality

PDOC COCs - The PSA includes proposed air quality conditions of certification (COCs) for the P3. Several of these COCs are based on the draft permit conditions contained in the Preliminary Determination of Compliance (PDOC) for the P3 issued by the Ventura County Air Pollution Control District (VCAPCD) on May 19, 2016 (i.e., AQ-1 to AQ-61, AQ-DE1 to AQ-DE12). In a June 23, 2016 letter to the VCAPCD (see Attachment AQ 1), the Applicant requested changes to a number of the draft permit conditions in the PDOC. Consistent with this letter, the Applicant is requesting that these same changes be made to the relevant PSA air quality COCs.

Based on a comparison between the PSA COCs AQ-1 to AQ-61 and AQ-DE1 to AQ-DE12 and the relevant draft permit conditions in the PDOC, the Applicant discovered some minor discrepancies between the two sets of conditions. Therefore, in addition to the requested changes discussed above, the Applicant requests the following changes to make the two sets of conditions consistent. These changes also include some corrections to apparent typographical errors in the draft permit conditions in the PDOC that were not reflected in the Applicant's June 23, 2016 letter to the VCAPCD. The Applicant has also requested that the VCAPCD make these corrections to apparent typographical errors in to the PDOC.

In addition to the Applicant's June 23, 2016 letter commenting on the PDOC, the Applicant also submitted a letter to the VCAPCD on September 2, 2016 responding to a number of comments on the PDOC made by the City of Oxnard, Robert Sarvey/Rob Simpson, California Environmental Justice Alliance, and the Sierra Club. This letter is provided by reference to these our PSA comments in this response.

Construction COCs - COC AQ-SC3 includes a number of mitigation measures for the construction phase of P3. These include the requirement to periodically clean both onsite and offsite paved roads. Since the purpose of these mitigation measures is to minimize the amount of dirt and/or track-out on to these paved roads, rather than requiring cleaning twice per day the

Applicant is requesting changes to clarify that the paved road cleaning frequency be based on whether there is visible dirt and/or track-out on the roadways. COC AQ-SC4 also includes a number of dust mitigation measures for the construction phase of P3. The Applicant is requesting a change to clarify that the mitigation measures are specific to dust emissions. The Applicant's proposed changes to the PSA COCs to make these conditions consistent with the draft conditions in the PDOC (i.e., changes in addition to the changes proposed in Applicant's June 23 letter) and other revisions such as apparent typographical errors are shown in Table 1.

Biological Resources

In general, Applicant agrees with staff's assessment of biological resources and the conclusions presented in the PSA. The notable exception is staff's conclusion that 2.03 acres of the Project site constitutes a wetland, which appears to be based exclusively on the Coastal Commission's highly conservative "one parameter approach" to defining wetlands, in that no portion of the Project site would be deemed a wetland under any other applicable criteria or definitions. As discussed in Applicant's September 2, 2016 comments to the Coastal Commission (TN #213625), which are incorporated herein by reference, Applicant disagrees with the wetland determination made by the Coastal Commission and reflected in the PSA.

While Applicant disagrees with the conclusion that 2.03-acre P3 site are wetlands, Applicant is willing to provide appropriate mitigation for the removal of 2.03 acres of woolly seablite from the Project site. Applicant's proposed minor modifications to Condition of Certification BIO-9 are provided in Table 1.

Land Use

As indicated in footnote 1 of the PSA Land Use section, on June 7, 2016, the Oxnard City Council approved an amendment to the City of Oxnard General Plan to prohibit power generation facilities of greater than 50-MW capacity in areas subject to coastal hazards, including the MGS and P3 site. The General Plan amendment became effective on July 7, 2016. The City has indicated that it will seek an amendment to its certified LCP which would incorporate this prohibition. However, as pointed out by the California Coastal Commission staff in its proposed report (TN #21337) no proposed LCP amendment has yet been submitted to or approved by the Coastal Commission. Thus, P3 continues to be a conditionally-permitted use of the Coastal Energy Facilities (EC) sub-zone.

As discussed above under Project Description, in response to comments from the City of Oxnard, the California Coastal Commission, the U.S. Fish and Wildlife Service and others, NRG has committed to removing the existing outfall structure that currently services MGS Units 1, 2 and 3, and which had been proposed for reuse by P3. Once P3 becomes operational, and MGS Units 1 and 2 are retired, the beach discharge will be eliminated and the outfall structure will be demolished and removed. The P3 stormwater and wastewater systems will be reconfigured to direct discharge to the Edison Canal. The details of this significant Project refinement will be contained in a forthcoming filing with the CEC.

Cessation of the current discharge onto the beach and removal of the existing outfall structure, will significantly improve public access to, and recreational opportunities on, the beach fronting the MGS site, and satisfy the requirements of Public Resources Code section 25529 related to establishment of an area for public use. This enhancement represents a significant public benefit that will only be achieved with development of P3 at the proposed site. Contrary to statements made by the City of Oxnard at the California Coastal Commission meeting on September 9, 2016, it is not the case that the existing outfall would necessarily have to be removed when operation of MGS Units 1 and 2 cease in 2020. This is because the outfall is also relied upon for MGS Unit 3, and would therefore continue to be a permissible existing use even after cessation of operation of MGS Units 1 and 2. NRG is in the process of preparing a project enhancement document that will describe the removal of the outfall structure and include an evaluation of potential environmental impacts and improved public access, and a review of relevant Conditions of Certification for this project enhancement. With the development of P3 including this proposed enhancement, removal of the outfall structure will satisfy proposed Condition of Certification LAND-1 in the PSA and will satisfy the City's specific project recommendation to satisfy PRC section 25529, as voiced at the PSA Workshop. This project enhancement will also satisfy recommendations from the Coastal Commission.

Soil and Water Resources

In general, Applicant agrees with Staff's assessment of impacts with respect to soils, water resources, flooding, coastal hazards and water supply and the conclusions presented in the PSA. P3 will not use water for power generation and will provide significant water savings.

Applicant has only minor revisions to SOIL&WATER-1 and SOIL&WATER-5 and recommends that Condition of Certification SOIL&WATER-3 be removed, as shown on Table 1. SOIL&WATER- 3 appears on page 4.10-85 of the PSA is essentially the same as SOIL&WATER-4, which address wastewater discharges during operations and not dewatering during construction. There is no need to include a separate condition specific to a dewatering plan, since SOIL&WATER-2 requires compliance with waste discharge permits during construction, which would include the preparation of a dewatering plan.

Compliance Conditions of Certification

During the PSA Workshop, the City of Oxnard requested that the Applicant accept a Condition of Certification addressing removal of the Project's facilities in the event that it becomes damaged from natural hazards. Preparation of a specific condition is not necessary. The CEC has already included Condition of Certification COM-14 Non-Operation and Repair/Restoration Plans that address non-operation for 1 week to 3 months and includes provisions to address non-operation for as long as one year; and Condition of Certification COM-15 Facility Closure Planning that address non-operation for more than one year which may warrant planning for provisional and permanent closure of the facility. The Provisional Closure Plan would include as scope of work that addresses dismantling and demolition, recycling and site cleanup, site remediation and restoration, and interim and long-term monitoring and maintenance.

Engineering Assessment

The Engineering section of the PSA sets forth a comprehensive description of the Project's design, construction, and operation. Applicant concurs with Staff's findings in this section and its related sub-sections, such as Geological and Paleontological Resources, Power Plant Efficiency and Reliability, and Transmission System Engineering. Minor edits are provided in Table 1.

Applicant finds Staff's proposed general Conditions of Certification to be acceptable and has only minor revisions to STRUC-1, ELEC-1, GEO-1, TSE-5 and COM-11 as shown on Table 1.

Conclusions

In conclusion, NRG concurs with CEC staff's analysis and conclusions regarding the Project's compliance with applicable laws, ordinances, regulations and standards, as well as staff's conclusion that with implementation of recommended Conditions of Certification the Project will not result in significant adverse impacts on the environment. That said, NRG has committed to additional project enhancements since the publication of the PSA – transmission interconnection that bypasses the switchyard and connects directly into the radial line; and removal of the outfall structure which significantly enhances P3 by removing a legacy structure from the public beach thereby improving public access. Agreeing to the outfall structure removal aligns with the Coastal Commission's associated recommendation. While NRG is not in agreement with the wetland designation for a portion of the P3 site, we have addressed the compensation for lost vegetation in the associated biological conditions.

Furthermore, NRG believes the comments identified herein can be resolved in a manner that will not delay publication of the Final Staff Assessment nor hinder the overall CEC schedule. Applicant believes that upon publication of the Final Staff Assessment, the Committee will be in a position to quickly move forward toward the Project's evidentiary hearing and a final decision approving the Project.

Sincerely,

/s/ Michael J. Carroll

Michael J. Carroll
of LATHAM & WATKINS LLP

Attachments:
Table 1: Applicant's Proposed Changes to Conditions of Certification in the Preliminary Staff Assessment
Table 2: Applicant's Comments on the Preliminary Staff Assessment

TABLE 1

TABLE 1
APPLICANT'S PROPOSED CHANGES TO CONDITIONS OF CERTIFICATION (COC)
PUENTE POWER PROJECT (15-AFC-01)

Topic Area/COC (only COCs with proposed changes listed)	CEC Staff's COC in the Preliminary Staff Assessment (only text with proposed changes referenced below)	Applicant's Proposed Changes to COC (bold underlined or strikethrough text provided where changes proposed)
Air Quality		
AQ-SC3	Construction Fugitive Dust Control: The AQCMM shall submit documentation to the CPM in each Monthly Compliance Report (MCR) that demonstrates compliance with the following mitigation measures for the purposes of preventing all fugitive dust plumes from leaving the project site and linear facility routes. Any deviation from the following mitigation measures shall require prior CPM notification and approval. h) Construction/demolition areas adjacent to any paved roadway shall be provided with sandbags or other measures as specified in the Storm Water Pollution Prevention Plan (SWPPP) to prevent runoff to roadways. i) All paved roads within the construction/demolition site shall be swept at least twice daily (or less during periods of precipitation) on days when construction/demolition activity occurs to prevent the accumulation of dirt and debris. j) At least the first 500 feet of any public roadway exiting the construction/demolition site shall be swept visually clean, using wet sweepers or air filtered dry vacuum sweepers, at least twice daily (or less during periods of precipitation) on days when construction/demolition activity occurs or on any other day when dirt or runoff from the construction/demolition site is visible on the public roadways." k) All soil storage piles and disturbed areas that remain inactive for longer than ten days shall be covered or shall be treated with appropriate dust suppressant compounds. l) All vehicles that are used to transport solid bulk material on public roadways and that have the potential to cause visible	h) Construction/demolition areas adjacent to any paved roadway shall be provided with sandbags or other measures as specified in the Storm Water Pollution Prevention Plan (SWPPP) to prevent runoff to **offsite** roadways. i) All paved roads within the construction/demolition site shall be swept at least ~~twice~~ **once** daily **or more often if necessary** (or less during periods of precipitation) **to prevent track-out, and to prevent visible fugitive dust from crossing the property line** on days when construction/demolition activity occurs **and dirt, track-out, or runoff is visible on the onsite paved roadways** ~~to prevent the accumulation of dirt and debris~~. j) At least the first 500 feet of any public roadway exiting the construction/demolition site shall be swept visually clean, using wet sweepers or air filtered dry vacuum sweepers, at least ~~twice~~ **once** daily **or more often if necessary** (or less during periods of precipitation) **to prevent track-out, and to prevent visible fugitive dust** on days when construction/demolition activity occurs or on any other day when dirt**, track-out,** or runoff from the construction/demolition site is visible on the public roadways. k) All soil storage piles and disturbed areas that remain inactive for longer than ~~ten~~ **fourteen** days shall be covered or shall be treated with appropriate dust suppressant compounds. l) All vehicles that are used to transport solid bulk material on public

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	emissions shall be provided with a cover or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least two feet of freeboard.	roadways and that have the potential to cause visible **dust** emissions shall be provided with a cover or the materials shall be sufficiently wetted and loaded onto the trucks in a manner to provide at least two feet of freeboard.
AQ-SC4	Step 3: The AQCMM or Delegate shall direct a temporary shutdown of the activity causing the emissions if Step 2 specified above fails to result in effective mitigation within one hour of the original determination. The activity shall not restart until the AQCMM or Delegate is satisfied that appropriate additional mitigation or other site conditions have changed so that visual dust plumes will not result upon restarting the shut-down source. The owner/operator may appeal to the CPM any directive from the AQCMM or Delegate to shut down an activity, provided that the shutdown shall go into effect within one hour of the original determination, unless overruled by the CPM before that time.	Step 3: The AQCMM or Delegate shall direct a temporary shutdown of the activity causing the **dust** ~~emissions~~ if Step 2 specified above fails to result in effective mitigation within one hour of the original determination. The activity shall not restart until the AQCMM or Delegate is satisfied that appropriate additional mitigation or other site conditions have changed so that visual dust plumes will not result upon restarting the shut-down source. The owner/operator may appeal to the CPM any directive from the AQCMM or Delegate to shut down an activity, provided that the shutdown shall go into effect within one hour of the original determination, unless overruled by the CPM before that time.
AQ-SC8	The emergency generator shall not be operated for nonemergency use whenever the GE 7HA.01 combustion turbine is undergoing commissioning operation and/or when the combustion turbine is undergoing a startup/shutdown event. **VERIFICATION** The project owner of this engine shall maintain a month operating log containing, at a minimum, the following: a) Dates and times of emergency generator engine operation; whether the operation was for maintenance and readiness testing purposes or emergency use; and the nature of any emergency, if know; b) Hours of operation for all uses other than those specified above and identification of the nature of that use. The project owner shall submit to the CPM a copy of the monthly emergency generator engine operating log data demonstrating compliance with this condition as part of the Quality Operation Reports (AQ-SC7). The project owner shall make the site available for inspection of records	The emergency generator shall not be operated for nonemergency use **(testing or maintenance)** whenever the GE 7HA.01 combustion turbine is undergoing commissioning operation and/or when the combustion turbine is undergoing a startup/shutdown event. **VERIFICATION** The project owner of this engine shall maintain a **monthly** operating log containing, at a minimum, the following: a) Dates and times of emergency generator engine operation; whether the operation was for maintenance and readiness testing purposes or emergency use; and the nature of any emergency, if known; b) Hours of operation for all uses other than those specified above and identification of the nature of that use. The project owner shall submit to the CPM a copy of the monthly emergency generator engine operating log data demonstrating compliance with this condition as part of the ~~Quality~~ **Quarterly** Operation Reports (AQ-SC7). The project owner shall make the site

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	by representatives of the District, ARB, and the Energy Commission.	available for inspection of records by representatives of the District, ARB, and the Energy Commission.
AQ-1	Prior to completion of construction, the project owner shall submit an application for a revised Title V Part 70 Permit for the Mandalay Generating Station. The application shall also include the Title IV Acid Rain Permit application, VCAPCD Permit to Operate Application, and all applicable supplementary forms and filing fees.	Prior to completion of construction, the project owner shall submit an application for a revised Title V Part 70 Permit for the Mandalay Generating Station. The application shall also include the Title IV Acid Rain Permit application, VCAPCD Permit to Operate application, and all applicable supplementary forms and filing fees. **(Rules 10, 33, 34)**
AQ-2	Prior to operation of the new CTG, the project owner shall surrender NOx emission reduction credits (ERCs) in the amount of 38.91 tons per year. The project owner shall cancel the permit for Mandalay Generating Station (MGS) Unit 2 prior to the commissioning of the new Puente Power Project CTG.	Prior to operation of the new CTG, the project owner shall surrender NOx emission reduction credits (ERCs) in the amount of 38.91 tons per year. The project owner shall cancel the permit for Mandalay Generating Station (MGS) Unit 2 prior to the **start of** commissioning of the new Puente Power Project CTG. **(Rule 26.2)**
AQ-3	The project owner shall use any of the following ERC Certificates to satisfy the NOx emission offset requirements of Rule 26.2: ERC Certificate Nos. 1078, 1079, 1080, 1083, 1085, 1091, 1092, 1094, 1097, 1104, and / or 1107.	The project owner shall use any of the following ERC Certificates to satisfy the NOx emission offset requirements of Rule 26.2: ERC Certificate Nos. 1078, 1079, 1080, 1083, 1085, 1091, 1092, 1094, 1097, 1104, and / or 1107. **(Rule 26.2)**
AQ-8	The exhaust stack of the CTG shall be equipped with permanent provisions to allow collection of stack gas samples consistent with EPA test methods and shall be equipped with safe permanent provisions to sample stack gases with a portable NOx, CO, and O2 analyzer during District inspections. The sampling ports shall be located in accordance with the ARB regulation titled California Air Resources Board Air Monitoring Quality Assurance Volume VI, Standard Operating Procedures for Stationary Source Emission Monitoring and Testing. (Rules 74.23, 101, and 102)	The exhaust stack of the CTG shall be equipped with permanent provisions to allow collection of stack gas samples consistent with EPA test methods and shall be equipped with safe permanent provisions to sample stack gases with a portable NOx, CO, and O2 analyzer during District inspections. The sampling ports shall be located in accordance with the **C**ARB regulation titled California Air Resources Board Air Monitoring Quality Assurance Volume VI, Standard Operating Procedures for Stationary Source Emission Monitoring and Testing. (Rules 74.23, 101, and 102)
A**Q**-15	For the purposes of 40 CFR Part 60, Subpart KKKK, excess emissions shall be defined as any unit operating period in which 4-hour rolling average NOx concentration exceeds the applicable	Should be "AQ-15" instead of "A-15"

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	emissions limit of 15 ppmvd NOx at 15% O2 of Part 60.4320, Table 1. The 4-hour rolling average is the arithmetic average of the average NOx concentration in ppm measured by the CEMS for a given hour (corrected to 15 percent O2) and the three unit operating hour average NOx concentrations immediately preceding that unit operating hour. A period of monitor downtime shall be any unit operating hour in which sufficient data are not obtained to validate the hour for either NOx or O2. (40 CFR Part 60 Subpart KKKK)	
AQ-20	**VERIFICATION** The project owner shall submit the quarterly fuel sulfur content values in the in the Quarterly Operation Reports (AQ-SC7) and make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.	**VERIFICATION** The project owner shall submit the quarterly fuel sulfur content values**, as verified by AQ-21,** in the ~~in the~~ Quarterly Operation Reports (AQ-SC7) and make the site available for inspection of records by representatives of the District, ARB, and the Energy Commission.
AQ-23	The CTG, air pollution control equipment, and monitoring equipment shall be in operated in a manner consistent with good air pollution control practice for minimizing emissions at all times including during startup, shutdown, and malfunction. (40 CFR Part 60 Subpart KKKK)	The CTG, air pollution control equipment, and monitoring equipment shall be ~~in~~ operated in a manner consistent with good air pollution control practice for minimizing emissions at all times including during startup, shutdown, and malfunction. (40 CFR Part 60 Subpart KKKK)
AQ-56	The CTG shall be equipped with continuous monitors to measure, calculate, and record unit operating days and hours and the following operational characteristics and operating parameters (Rule 74.23): a. `Date and time;	The CTG shall be equipped with continuous monitors to measure, calculate, and record unit operating days and hours and the following operational characteristics and operating parameters (Rule 74.23): a. ~~`~~Date and time;
AQ-DE6	NOx emissions shall not exceed shall not exceed the EPA Tier 4-Final Standard for NOx of 0.50 g/bhp-hr. The project owner shall maintain documentation certifying that the emergency diesel engine meets this emission standard. (Rule 26.2)	NOx emissions ~~shall not exceed~~ shall not exceed the EPA Tier 4-Final Standard for NOx of 0.50 g/bhp-hr. The project owner shall maintain documentation certifying that the emergency diesel engine meets this emission standard. (Rule 26.2)
AQ-DE12	The existing 154 BHP emergency fire pump engine and 201 BHP emergency generator engine at the Mandalay Generating Station shall be removed prior to operation of this new 779 BHP Emergency Diesel Engine. (Rules 26.2)	The existing 154 BHP emergency fire pump engine and 201 BHP emergency generator engine at the Mandalay Generating Station shall be removed **from service** prior to operation of this new 779 BHP Emergency Diesel Engine. (Rules 26.2)

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Biological Resources		
BIO-7	The project owner shall implement the following measures during site mobilization, construction, operation, and closure to manage their project site and related facilities in a manner to avoid or minimize impacts to special status biological resources: 4. Spoils shall not be stockpiled adjacent to the northern fence line to minimize potential for spoils to enter into adjacent wetlands. 8. All vehicles and equipment shall be maintained in proper working condition to minimize the potential for spills of motor oil, antifreeze, hydraulic fluid, grease, or other hazardous materials or wastes. The Designated Biologist shall be informed immediately of any spills of hazardous materials or wastes. Servicing of construction equipment shall take place only at a designated area. During construction all trash and food-related waste shall be placed in self-closing containers and removed weekly or more frequently from the site. Workers shall not feed wildlife, or bring pets to the project site.	Applicant recommends deleting item #4 since stockpile runoff is mitigated by the Construction SWPPP and BIO-7 requirement for placement of silt fence. Applicant recommends modifying item #8. ~~4. Spoils shall not be stockpiled adjacent to the northern fence line to minimize potential for spoils to enter into adjacent wetlands.~~ 8. All vehicles and equipment shall be maintained in proper working condition to minimize the potential for spills of motor oil, antifreeze, hydraulic fluid, grease, or other hazardous materials or wastes. The Designated Biologist shall be informed immediately of any spills of hazardous materials or wastes. Servicing of construction equipment shall take place only at a designated area. During construction all trash and food-related waste shall be placed in ~~self-closing~~ containers **with lids** and removed weekly or more frequently from the site. Workers shall not feed wildlife, or bring pets to the project site.
BIO-9	The project owner shall fully mitigate for permanent impacts to on-site wetlands at a 2:1 ratio. The project owner shall provide funds to acquire mitigation land at an existing, or soon to be established, salt marsh or estuary habitat restoration project close to the site of impact as possible to fully mitigate impacts to Coastal Commission wetlands. Mitigation shall occur using an established wetland restoration program or mitigation bank, with preference given to programs within the same watershed as the project (Santa Clara-Calleguas), or any other wetland restoration program approved by the CPM. The project owner shall provide a Wetland Compensation Plan (Plan). The Plan shall include: a) A detailed review of existing physical, biological and hydrological conditions at the mitigation sites(s), including	The project owner shall fully mitigate for permanent impacts to on-site wetlands at a 2:1 ratio. The project owner shall provide ~~funds~~ **up to $500,000** to acquire mitigation land at an existing, or soon to be established, salt marsh or estuary habitat restoration project**, or help fund an established salt marsh or estuary habitat restoration project** close to the site of impact as possible to fully mitigate impacts to Coastal Commission wetlands. Mitigation shall occur using an established wetland restoration program or mitigation bank, with preference given to programs within the same watershed as the project (Santa Clara-Calleguas), or any other wetland restoration program approved by the CPM. The project owner shall provide **the CPM with** **a) available information from the land owner or wetland program restoration program manager pertaining to existing**

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	vegetation present, hydrologic regime of the site(s), known or expected fauna at the site(s), including any known or expected listed sensitive species, known or suspected contaminants that may be present at the site(s), and an analysis of existing ecological functions and values at the sites(s). The review shall also identify any known site constraints that may limit successful creation or restoration efforts. b) A description of legal interests at the mitigation sites(s), and any landowner approval that the project owner may need to use the proposed site(s) for wetland creation or restoration. c) Proposed goals, objectives and performance criteria for the proposed mitigation site(s) that identify specific creation or restoration measures to be implemented, including proposed habitat types to be created or restored, grading and planting plans, the timing of the mitigation measures, and monitoring that will be implemented to establish baseline conditions and to determine whether the sites are meeting performance criteria. Monitoring shall be for at least 5 years and final monitoring for success shall take place after at least 3 years with no remediation or maintenance other than weeding. The plan shall also identify contingency measures that the project owner will implement should any of the mitigation sites not meet performance criteria. These goals, objectives, and performance criteria shall include: i. Creation or restoration of habitat types that will support wetland dependent species. ii. Created or restored areas shall be provided a buffer of a size adequate to ensure protection of wetland functions and values, and at least 100 feet wide, as measured from the nearest upland edge of the transition area. The plan may propose a lesser buffer width if the mitigation area is sited within existing wetland areas that are protected by a buffer meeting these criteria. iii. Measures to be implemented if soil or groundwater contamination is found at the site(s). iv. A planting program that includes initial and ongoing removal of	**physical, biological and hydrogeological conditions at the mitigation site(s), including vegetation present, hydrologic regime of the site(s), known or expected fauna at the site(s), including any known or expected listed sensitive species, known or suspected contaminants that may be present at the site(s), and an analysis of existing ecological functions and values at the sites(s). The review shall also identify any known site constraints that may limit successful creation or restoration efforts**. **b) A description of legal interests at the mitigation sites(s), and any landowner approval that the project owner may need to use the proposed site(s) for wetland creation or restoration.** **c) Proposed goals, objectives and performance criteria for the proposed mitigation site(s) that identify specific creation or restoration measures to be implemented, including proposed habitat types to be created or restored, grading and planting plans, the timing of the mitigation measures, and monitoring that will be implemented to establish baseline conditions and to determine whether the sites are meeting performance criteria.** ~~a Wetland Compensation Plan (Plan). The Plan shall include:~~ ~~a) A detailed review of existing physical, biological and hydrological conditions at the mitigation sites(s), including vegetation present, hydrologic regime of the site(s), known or expected fauna at the site(s), including any known or expected listed sensitive species, known or suspected contaminants that may be present at the site(s), and an analysis of existing ecological functions and values at the sites(s). The review shall also identify any known site constraints that may limit successful creation or restoration efforts.~~ ~~b) A description of legal interests at the mitigation sites(s), and any landowner approval that the project owner may need to use the proposed site(s) for wetland creation or restoration.~~ ~~c) Proposed goals, objectives and performance criteria for the proposed mitigation site(s) that identify specific creation or restoration measures to be implemented, including proposed habitat~~

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	invasive or non-native species and identifies the vegetation species to be planted, local sources of those plants or seeds, measures needed to protect any existing native wetland vegetation species, timing of planting, plans for irrigation if needed to establish plants, and locations of plants. The plan shall also identify soil sources and amendments to be used. v. Formal sampling design to assess performance criteria and shall identify the means by which success will be assessed. Where statistical tests are used, the plan shall include a requirement for a statistical power analysis to demonstrate that there will be sufficient replication to enable a robust test with beta equal to alpha. d. Topographic drawings for the final mitigation site(s) and construction drawings, schedules, and a description of equipment to be used in the project. e. "As-built" plans and annual monitoring reports for no less than five years or until the sites meet performance criteria. f. Identify legal mechanism(s) proposed to ensure permanent protection of the mitigation site(s) – e.g., conservation easements, deed restrictions, or other methods. VERIFICATION At least 90 days prior to the start of project construction, the project owner shall submit to the CPM for approval the wetland restoration program or mitigation bank the project owner wishes to participate in. At least 60 days prior to the start of project construction, the project owner shall provide funding to support an existing, or soon to be established, salt marsh or estuary habitat restoration project. At least 90 days prior to the start of project construction, the project owner shall submit to the CPM a Restoration Management Plan or similar plan (used by the land manager) that discusses the details of the wetland restoration program. No less than 30 days prior to the start of project construction, the	~~types to be created or restored, grading and planting plans, the timing of the mitigation measures, and monitoring that will be implemented to establish baseline conditions and to determine whether the sites are meeting performance criteria. Monitoring shall be for at least 5 years and final monitoring for success shall take place after at least 3 years with no remediation or maintenance other than weeding.~~ The plan shall also identify contingency measures that the **land owner or restoration program manager** ~~project owner~~ will implement should any of the mitigation sites not meet performance criteria. ~~These goals, objectives, and performance criteria shall include:~~ ~~i. Creation or restoration of habitat types that will support wetland dependent species.~~ ~~ii. Created or restored areas shall be provided a buffer of a size adequate to ensure protection of wetland functions and values, and at least 100 feet wide, as measured from the nearest upland edge of the transition area. The plan may propose a lesser buffer width if the mitigation area is sited within existing wetland areas that are protected by a buffer meeting these criteria.~~ ~~iii. Measures to be implemented if soil or groundwater contamination is found at the site(s).~~ ~~iv. A planting program that includes initial and ongoing removal of invasive or non-native species and identifies the vegetation species to be planted, local sources of those plants or seeds, measures needed to protect any existing native wetland vegetation species, timing of planting, plans for irrigation if needed to establish plants, and locations of plants. The plan shall also identify soil sources and amendments to be used.~~ ~~v. Formal sampling design to assess performance criteria and shall identify the means by which success will be assessed. Where statistical tests are used, the plan shall include a requirement for a statistical power analysis to demonstrate that there will be sufficient replication to enable a robust test with beta equal to alpha.~~ ~~d. Topographic drawings for the final mitigation site(s) and~~

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	project owner shall provide a written verification to the CPM that the funding has been paid in full to the land manager approved by the CPM. The project owner shall provide evidence that payment from the funding can be used only to assist in coastal wetland restoration to mitigate the project's effects for the loss of Coastal Commission wetlands. Thereafter, within 30 days after each anniversary date of the commencement of project operation, the project owner shall obtain an annual report from the land manager administering the restoration program(s). The annual reports will document how payments from the endowment required hereunder was used and applied to provide wetland habitat restoration/enhancement at approved locations and shall describe how implementation of the mitigation conformed to the above goals, objectives, and performance criteria. The project owner shall provide copies of such reports to the CPM within 30 days of receipt. This verification shall be provided annually for the operating life of the project. If after five years, the restoration has not achieved the success criteria, the project owner shall submit within 90 days (of the fifth year anniversary) a revised or supplemental plan to compensate for those portions of the original plan which did not meet the approved success criteria.	~~construction drawings, schedules, and a description of equipment to be used in the project.~~ ~~e. "As-built" plans and annual monitoring reports for no less than five years or until the sites meet performance criteria.~~ ~~f. Identify legal mechanism(s) proposed to ensure permanent protection of the mitigation site(s) – e.g., conservation easements, deed restrictions, or other methods.~~ VERIFICATION At least 90 days prior to the start of project construction, the projectowner shall submit to the CPM for approval the wetland restoration program or mitigation bank the project owner wishes to participate in. At least 60 days prior to the start of project construction, the project owner shall provide funding to support an existing, or soon to be established salt marsh or estuary habitat restoration project. At least 90 days prior to the start of project construction, the project owner shall submit to the CPM a Restoration Management Plan or similar plan ~~(~~used by**, or to be used b**y the land manager **or restoration program manager**~~)~~ that discusses the details of the wetland restoration program. No less than 30 days prior to the start of project construction, the project owner shall provide a written verification to the CPM that the funding has been paid in full to the land manager approved by the CPM. The project owner shall provide evidence that payment from the funding can be used only to assist in coastal wetland restoration to mitigate the project's effects for the loss of Coastal Commission wetlands. Thereafter, within 30 days after each anniversary date of the commencement of project operation, the project owner shall obtain an annual report from the land manager **or restoration program manager** administering the restoration program(s). The annual reports will document how payments from the endowment required hereunder was used and applied to provide wetland habitat restoration/enhancement at approved locations and

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		shall describe how implementation of the mitigation conformed to the above goals, objectives, and performance criteria. The project owner shall provide copies of such reports to the CPM within 30 days of receipt. This verification shall be provided annually for the operating life of the restoration program or the Puente Power Project, whichever is sooner ~~project~~. ~~If after five years, the restoration has not achieved the success criteria, the project owner shall submit within 90 days (of the fifth year anniversary) a revised or supplemental plan to compensate for those portions of the original plan which did not meet the approved success criteria.~~
Cultural Resources		
CUL-6	Prior to the start of ground disturbance, the project owner shall notify the CPM and all interested Native Americans of the date on which ground disturbance will ensue. Where excavation equipment is actively removing dirt and hauling the excavated material farther than 50 feet from the location of active excavation, full-time archaeological monitoring shall require at least two monitors per excavation area. In this circumstance, one monitor shall observe the location of active excavation and a second monitor shall inspect the dumped material. For excavation areas where the excavated material is dumped no farther than 50 feet from the location of active excavation, one monitor shall observe both the location of active excavation and inspect the dumped material. The project owner shall obtain the services of one or more NAMs to monitor construction-related ground disturbance in areas slated for excavation into non-fill (native) sediments. Contact lists of interested Native Americans and guidelines for monitoring shall be obtained from the NAHC. Preference in selecting a NAM shall be given to Native Americans with traditional ties to the area that shall be monitored. If efforts to obtain the services of a qualified NAM	Prior to the start of ground disturbance, the project owner shall notify the CPM and ~~all interested~~ Native American~~s~~ **monitor(s) retained as per CUL-1** of the date on which ground disturbance will ensue. The project owner shall **retain** ~~obtain~~ the services of one or more NAMs to monitor construction-related ground disturbance in areas slated for excavation into non-fill (native) sediments.

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	are unsuccessful, the project owner shall immediately inform the CPM. The CPM will either identify potential monitors or will allow construction-related ground disturbance to proceed without an NAM.	
Hazardous Materials		
HAZ-8	A. a statement (refer to sample, Attachment A), signed by the project owner certifying that background investigations have been conducted on all project personnel. Background investigations shall be restricted to determine the accuracy of employee identity and employment history and shall be conducted in accordance with state and federal law s regarding security and privacy;	A. a statement (refer to sample, Attachment A), signed by the project owner certifying that background investigations have been conducted on all project personnel**, as appropriate**. Background investigations shall be restricted to determine the accuracy of employee identity and employment history and shall be conducted in accordance with state and federal laws regarding security and privacy;
Noise and Vibration		
NOISE-4	The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution at the affected residence. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise.	The measurement of power plant noise for the purposes of demonstrating compliance with this condition of certification may alternatively be made at a location, acceptable to the CPM, closer to the plant (e.g., 400 feet from the plant boundary) and this measured level then mathematically extrapolated to determine the plant noise contribution ~~at~~ **to** the ~~affected residence~~ **monitoring locations**. The character of the plant noise shall be evaluated at the affected receptor locations to determine the presence of pure tones or other dominant sources of plant noise.
NOISE-6	Heavy equipment operation and noisy work associated with the construction and demolition work relating to any project features, including pile driving and linear facilities, shall be restricted to the times delineated below: Mondays through Saturdays: 7:00 a.m. to 6:00 p.m. Sundays and federal holidays: Construction and demolition not allowed Demolition and construction work shall be performed in a manner to ensure excessive noise is prohibited and the potential for noise complaints is reduced as much as practicable. Haul trucks and other	Heavy equipment operation and noisy work associated with the construction and demolition work relating to any project features, including pile driving and linear facilities, shall be restricted to the times delineated below: Mondays through Saturdays: 7:00 a.m. to 6:00 p.m. Sundays and federal holidays: Construction and demolition not allowed Demolition and construction work shall be performed in a manner to ~~ensure~~ **avoid** excessive noise ~~is prohibited~~ and **reduce** the potential for noise complaints ~~is reduced~~ as much as practicable. Haul trucks

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	engine-powered equipment shall be equipped with adequate mufflers and other state-required noise attenuation devices. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use (jake braking) shall be limited to emergencies	and other engine-powered equipment shall be equipped with adequate mufflers and other state-required noise attenuation devices. Haul trucks shall be operated in accordance with posted speed limits. Truck engine exhaust brake use (jake braking) shall be limited to emergencies
Soils & Water Resources		
SOIL&WATER-1	VERIFICATION At least thirty (30) days prior to site mobilization, the project owner shall submit the construction SWPPP to the CBO and CPM and a copy of the approved SWPPP shall be kept accessible onsite at all times. Within ten (10) days of its mailing or receipt, the project owner shall submit to the CPM any correspondence between the project owner and the State Water Resources Control Board or the Regional Water Quality Control Board about the general NPDES permit for discharge of storm water associated with this activity. This information shall include the notice of intent, the notice of termination, and any updates to the construction SWPPP.	VERIFICATION At least thirty (30) days prior to site mobilization, the project owner shall submit the construction SWPPP to the ~~CBO and~~ CPM and a copy of the approved SWPPP shall be kept accessible onsite at all times.
SOIL&WATER-3	The project owner shall fulfill the requirements contained in the following Los Angeles Regional Water Quality Control Board (LARWQCB) Waste Discharge Requirements (WDRs) and all subsequent revisions and amendments: LARWQCB Order No. R4-2015-0201 (NPDES No. CA0001180) for storm water and process wastewater discharge to the Pacific Ocean; and LARWQCB Order No. R4-2008-0087 (File No. CI-8561) for municipal domestic wastewater discharge through a subsurface septic system. The project owner shall notify the CPM of any violations of discharge limits or amounts. A monthly summary of industrial wastewater discharge shall be submitted to the CPM in the annual compliance report.	SOIL&WATER-3 pertains to industrial discharges; it should be revised to pertain to dewatering or be deleted since dewatering is referenced in SOIL&WATER-2.
SOIL&WATER-5	The project owner shall record daily water use for the construction and operation of P3 and the decommissioning and demolition of MGS. The project owner shall comply with the water use limits and reporting requirements described below. If water use is forecasted	During construction, the total estimated amount of potable water to be used for construction needs and domestic needs is approximately 4.8 acre-feet. The maximum 12-month use is approximately 2.8 acre-feet. Therefore, this COC should be changed to say:

Topic Area/COC (only COCs with proposed changes listed)	CEC Staff's COC in the Preliminary Staff Assessment (only text with proposed changes referenced below)	Applicant's Proposed Changes to COC (bold underlined or strikethrough text provided where changes proposed)
	to exceed the maximum annual use, the project owner shall notify the CPM and develop a plan to address exceedances. Water supply for P3 construction needs shall be potable water supplied from the city of Oxnard. Potable water use for construction shall not exceed 2.3 acre-feet per year. A monthly summary of project construction daily water use shall be submitted to the CPM in the monthly compliance report. Water supply for MGS decommissioning and demolition needs shall be potable water supplied from the city of Oxnard. Total potable water use for these purposes shall not exceed 2.3 acre-feet per year. A monthly summary of MGS decommissioning and demolition daily water use shall be submitted to the CPM in the monthly compliance report. Water supply for P3 operation and domestic needs shall be potable water supplied from the city of Oxnard. Total potable water use for these purposes shall not exceed 19 acre-feet per year. A monthly summary of daily water use, differentiating between operational and domestic use, shall be submitted to the CPM in the annual compliance report for the life of P3 operation. VERIFICATION The monthly compliance report shall include a monthly summary of daily water use for P3 construction, MGS decommissioning, and MGS demolition (as applicable). The P3 annual compliance report shall include a monthly summary of daily water use, differentiating between operational and domestic use. The project owner shall notify the CPM within 14 days upon forecast to exceed the maximum annual water use as described above. Prior to exceeding the maximum use, the owner shall provide a plan to address exceedances.	Potable water use for construction shall not exceed ~~2.3~~ 2.8 acre-feet per calendar year. During decommissioning and demolition, potable water will be used for domestic needs as well. Therefore, this COC should be changed to say: Total potable water use for these purposes shall not exceed ~~2.3~~ 2.9 acre-feet per calendar year. Please clarify COC to say calendar year, as follows: Total potable water use for these purposes shall not exceed 19 acre-feet per calendar year.

Topic Area/COC (only COCs with proposed changes listed)	CEC Staff's COC in the Preliminary Staff Assessment (only text with proposed changes referenced below)	Applicant's Proposed Changes to COC (bold underlined or strikethrough text provided where changes proposed)
Traffic and Transportation		
TRANS-6	VERIFICATION At least 60 days prior to the start of construction, the project owner shall submit to the CPM for approval final design plans for the CTG stack that depict the required obstruction marking and lighting.	VERIFICATION At least 60 days prior to the start of construction **of <u>the stack</u>**, the project owner shall submit to the CPM for approval final design plans for the CTG stack that depict the required obstruction marking and lighting.
Facility Design		
STRUC-1	VERIFICATION At least 60 days (or project owner- and CBO-approved alternative time frame) prior to the start of any increment of construction of any structure or component listed in the CBO-approved master drawing and master specifications list, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM.	VERIFICATION At least ~~60~~ **<u>30</u>** days (or project owner- and CBO-approved alternative time frame) prior to the start of any increment of construction of any structure or component listed in the CBO-approved master drawing and master specifications list, the project owner shall submit to the CBO the above final design plans, specifications and calculations, with a copy of the transmittal letter to the CPM.
ELEC-1	A. Final plant design plans shall include: 1. one-line diagram for the 13.8 kV, 4.16 kV and 480 V systems; B. Final plant calculations must establish: 5. coordination study calculations for fuses, circuit breakers and protective relay settings for the 13.8 kV, 4.16 kV and 110/480 V systems;	Please delete 13.8 kV, correct voltage is 18 kV. A. Final plant design plans shall include: 1. one-line diagram for the ~~13.8~~ **<u>18</u>** kV, 4.16 kV and 480 V systems; B. Final plant calculations must establish: 5. coordination study calculations for fuses, circuit breakers and protective relay settings for the ~~13.8~~ **<u>18</u>** kV, 4.16 kV and 110/480 V systems;
GEO-1	VERIFICATION The project owner may include the training for tsunami hazard response as a part of the Worker Environmental Awareness Program required in PAL-4 below.	VERIFICATION The project owner may include the training for tsunami hazard response as a part of the **<u>Safety Awareness Training and</u>** Worker Environmental Awareness Program required in PAL-4 below.

Topic Area/COC (only COCs with proposed changes listed)	CEC Staff's COC in the Preliminary Staff Assessment (only text with proposed changes referenced below)	Applicant's Proposed Changes to COC (bold underlined or strikethrough text provided where changes proposed)
Facility Design		
TSE-5	VERIFICATION Within 60 days after first synchronization of the project, the project owner shall transmit to the CPM and CBO:	VERIFICATION Within ~~60~~ **120** days after first synchronization of the project, the project owner shall transmit to the CPM and CBO:
Compliance Conditions		
COM-11	Reporting of Complaints, Notices, and Citations. Prior to the start of construction or closure, the project owner shall send a letter to property owners within one (1) mile of the project, notifying them of a telephone number to contact project representatives with questions, complaints or concerns. If the telephone is not staffed 24 hours per day, it must include automatic answering with date and time stamp recording. The project owner shall respond to all recorded complaints within 24 hours or the next business day. The project site shall post the telephone number onsite and make it easily visible to passersby during construction, operation, and closure. The project owner shall provide the contact information to the CPM and promptly report any disruption to the contact system or telephone number change to the CPM, who will provide it to any persons contacting him or her with a complaint. Within five (5) days of receipt, the project owner shall report and provide copies to the CPM of all complaints (including, but not limited to, noise and lighting complaints, notices of violation, notices of fines, official warnings, and citations). Complaints shall be logged and numbered. Noise complaints shall be recorded on the form provided in the Noise and Vibration Conditions of Certification. All other complaints shall be recorded on the complaint form (Attachment A) at the end of this section. Additionally, the project owner must include in the next subsequent MCR, ACR, or PCR, copies of all complaints, notices, warnings, citations and fines, a description of how the issues were resolved, and the status of any unresolved or ongoing matters.	To be consistent with other reporting requirements, Applicant proposes the following changes: Within **ten (10)** ~~five (5)~~ days of receipt, the project owner shall report and provide copies to the CPM of all complaints (including, but not limited to, noise and lighting complaints, notices of violation, notices of fines, official warnings, and citations).

TABLE 2

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
1	1 Executive Summary	Introduction	Page 1-01, first sentence	...has submitted an Application for Certification to develop and operate a 262- megawatt (MW)…	The project rating of 262 MW refers to the net nominal rating for the proposed GE 7HA.01 gas turbine generator. To avoid confusion we are requesting that the 262 MW rating shown in the PSA include the term "net nominal." Therefore, this text should be changed to say: "...has submitted an Application for Certification to develop and operate a 262 megawatt (MW) (net nominal)..."
2	1 Executive Summary	Introduction	Page 1-01, 1st paragraph	. . . a 188-foot tall exhaust stack.	Change to . . . an approximately 188-foot tall exhaust stack.
3	1 Executive Summary	Introduction	Page 1-02, first bullet	A single General Electric (GE) Model 7HA.01 CTG, with a maximum 271 net MW capability, with a 262 net MW generating capacity, that would entail simple-cycle, fast-start peaking generation capability	Statement should be revised to say: "A single General Electric (GE) Model 7HA.01 CTG, with a maximum 271 MW capability, with a 262 MW (net nominal) generating capacity, that would entail simple-cycle, fast-start peaking generation capability.. "
4	1 Executive Summary	Introduction	Page 1-02, 2nd bullet	A 188-foot-tall exhaust stack,	Change to . . . An approximately 188-foot tall exhaust stack,
5	1 Executive Summary	Introduction	Page 1-02 bullet #3	Four 100-foot-tall poles carrying transmission line connections from the new powerblock to an existing 230 kilovolt)kV) switchyard immediately to the east of P3 owned and operated by SCE;	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the proposed 220-kV interconnection will be a single gen-tie connection that will require 1 mono-pole structure and 1 take-off structure providing a direct connection to the SCE transmission system.
6	1 Executive Summary	Introduction	page 1-02 bullet #4	…extensions of the existing water, storm drain, fire water loop, septic ……	The existing septic system is not being revised with the P3 project.
7	1 Executive Summary	Introduction	Page 1-02, last sentence of Introduction	Following a public hearing, most likely during a monthly Business Meeting, the full Commission will make a final decision on the 33P3 proposal, expected in February of 201720172017.	Should say: "...final decision on the P3 proposal, expected in February of 2017."
8	1 Executive Summary	Project Background	Page 1-02, 2nd sentence	a new, single 262 MW CTG	Should be . . . a new, single 262 MW (nominal) CTG
9	1 Executive Summary	Project Background	Page 1-02, last sentence	The decommissioned facilities and structures would be demolished to existing grade, and the existing 200-foot tall exhaust stack, and Units 1 and 2 boilers, turbines and other power block structures would be removed.	Suggest changing to: The decommissioned facilities and structures, including the existing 200-foot tall exhaust stack, Units 1 and 2 boilers, turbines and other power block structures, would be demolished to existing grade and removed.
10	1 Executive Summary	Project Background	Page 1-02, second to last sentence	If P3 is approved and developed, MGS Units 1 and 2 would be retired by the completion of commissioning of P3.	This should be revised as stated in Air Quality, page 4.1-19 to say: "If P3 is approved and developed, MGS Units 1 and 2 would be decommissioned by the commercial online date of P3. Staff would like to note, MGS Unit 1 would continue to operate after the new CTG is operational, but would be permanently shut down prior to December 31, 2020."
11	1 Executive Summary	PROPOSED PROJECT LOCATION AND DESCRIPTION	page 1-03	The MGS property is accessed from South Harbor Boulevard via a driveway located north of the Edison Canal.	The correct location is North Harbor Boulevard.

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
12	1 Executive Summary	Alternatives	Page 1-04	The two Site Reconfiguration Alternatives would avoid filling 2.03 acres of Coastal Commission jurisdictional wetlands; no other environmental impacts would be reduced or avoided by reconfiguring the power plant facilities on the P3 site. Reconfiguring the site would not create any new environmental impacts compared to the proposed P3. Either site reconfiguration would likely attain the basic project objectives.	Neither of the two site reconfiguration alternatives is technically feasible from both engineering and constructability perspectives. Both would increase visual impacts. The second alternative would not meet the project's objective to reuse existing infrastructure. The alternataives would be unlikely to meet the project schedule.
13	1 Executive Summary	AQ Mitigation	Table 1-2 and pages 1-05 and 1-30	At the time of publication, the proposed P3 project has not been fully mitigated. Staff has identified the need for additional mitigation for particulate matter less than 10 microns (PM10) and sulfur dioxide (a precursor to PM10) emissions impacts under the California Environmental Quality Act (CEQA). Staff is continuing the development of mitigation measures to ensure the proposed Air Quality conditions of certification would include suitable mitigation to reduce the P3's direct and cumulative Air Quality impacts to a less than significant level.	As discussed in the air quality section of the PSA (pp. 4.1-1, 4.1-51 and 4.1-67) the CEC staff has developed COC AQ-SC9 that ensures that all AQ impacts are mitigated (including mitigation for PM10 and SOx). The Applicant agrees with this COC and requests that the Executive Summary be revised to note that all AQ impacts have been completely mitigated with implementation of the proposed COCs.
14	1 Executive Summary	Efficiency	Page 1-06	While the project would consume substantial amounts of energy, it would do so in a sufficiently efficient manner to satisfy the project's objectives of producing peak load electricity and ancillary load-following services. It would not create significant adverse effects on energy supplies or resources, would not require additional sources of energy supply, and would not consume energy in a wasteful or inefficient manner.	The project would not consume substantial amounts of energy. The estimated parasitic load of the P3 generating unit is approximately 1.25 megawatts total at plant standby load. (see TN 210965, Applicant's Response to Robert Sarvey Data Request Number 1)
15	1 Executive Summary	Socioeconomics	Page 1-09	Staff concludes the socioeconomics impacts from the proposed P3 are less than significant.	P3 will provide economic benefits; however, CEC Staff does not acknowledge this in the Executive Summary.
16	1 Executive Summary	Waste Management	Page 1-10	The MGS and P3 site is a highly disturbed brownfield site that requires remediation.	Change from "requires remediation" to "may require remediation"
17	1 Executive Summary	Transmission System Engineering	Page 1-10	The proposed P3 transmission related system equipment, including the step-up transformer, the 230-kV overhead transmission line,…	230 should be 220
18	1 Executive Summary	Transmission Line Safety and Nuisance	Page 1-10	MGS Units 1 and 2 would cease operations once P3 construction is complete;	This should be revised as stated in Air Quality, page 4.1-19 to say: "If P3 is approved and developed, MGS Units 1 and 2 would be decommissioned by the commercial online date of P3. Staff would like to note, MGS Unit 1 would continue to operate after the new CTG is operational, but would be permanently shut down prior to December 31, 2020."
19	1 Executive Summary	Transmission System Engineering	page 1-10 1st sentence	… 230-kV …	revise all "230-kV" ratings to "220-kV" in the document
20	1 Executive Summary	Transmission Line Safety/Nuisance	page 1-10 1st sentence	…one new single-circuit, 220-kilovolt transmission line to connect the proposed P3 to SCE switchyard adjacent to the existing MGS site…	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system by passing the existing Mandalay Switchyard.
21	3 Project Description	Introduction	Page 3-01, first paragraph	proposes to construct a 262-megawatt (MW) gas-powered electrical generating facility	Should be revised to say: 262-megawatt (MW) (net nominal)
22	3 Project Description	Project Overview	Page 3-01 , first pararaph of subsection	If P3 is approved and developed, MGS Units 1 and 2 would be retired by the completion of commissioning of P3.	This should be revised as stated in Air Quality, page 4.1-19 to say: "If P3 is approved and developed, MGS Units 1 and 2 would be decommissioned by the commercial online date of P3. Staff would like to note, MGS Unit 1 would continue to operate after the new CTG is operational, but would be permanently shut down prior to December 31, 2020."

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
23	3 Project Description	Project Overview	page 3-01, 2nd paragraph	The new generating unit would tie into the existing Mandalay Switchyard, owned by Southern California Edison (SCE), using one of the breaker positions that would be vacated when MGS Units 1 and 2 are removed from service and demolished.	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
24	3 Project Description	Project Overview	page 3-01	...The power block would provide peaking power and is expected to operate at up to approximately 30 percent capacity factor…	Per TN206791, Appendix 49-1, page 1, the P3 gas turbine annual capacity factor is approximately 25%. Therefore, the Applicant requests that this sentence in the PSA be revised to indicate a capacity factor of approximately 25%.
25	3 Project Description	Project Overview	page 3-02	Drawing depicts transmission lines through Mandalay Switchyard.	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
26	3 Project Description	Project Setting, Location and Site Description	page 3-03 and top of page 3-4	...and is currently at approximately elevation 14 feet mean lower low water (MLLW) level. The top of the dunes to the west of the P3 site ranges from approximately elevation 20 to 30 feet MLLW…..The top of the engineered berm is at an elevation of approximately 20 feet MLLW	These elevations should be relative to NAVD88 rather than MLLW. Figure 3 refers to NAVD88.
27	3 Project Description	Project Overview	Page 3-03,first paragraph	Total estimated annual water use for P3 is expected to be approximately 16 acre-feet per year (AFY).	During operations, P3 will use approximately 16 AFY for process water needs and 3 AFY for domestic water needs. This facility will not use water for power generation or cooling, and provides significant water savings.
28	3 Project Description	Project Overview	Page 3-03,second paragraph	Decommissioning of MGS Units 1 and 2 is anticipated to begin by December 2020, and take approximately 6 months. Demolition of MGS Units 1 and 2 and other related structures would commence by late 2021 and take approximately 15 months.	Demolition is anticipated to commence in July 2021 and would be completed by September 2022.
29	3 Project Description	Existing Equipment and Structures to be Reused or Repurposed for P3	Page 3-13, 3rd bullet	The existing ammonia receiving and storage system and tanks would be retained and reused, but the ammonia changed from 29 percent to 19 percent aqueous ammonia concentration.	As described in Applicant's Refinement to Ammonia Tank Design (TN 210502), the Applicant intends to construct a new secondary containment and move the existing tank slightly north of the existing tank location.
30	3 Project Description	New P3 Generation Facility	page 3-13, bottom of page	, which would interconnect to the existing SCE switchyard adjacent to MGS site.	Change to ", which would interconnect directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard."
31	3 Project Description	Fuel Gas Supply and Use	Page 3-15	Total annual fuel consumption will be 6,790,000 MMBtu (HHV), based on a 30 percent dispatch. Fuel consumed during start-ups and shutdowns is expected to be 78,000 MMBtu (HHV), based on a total of 200 annual start-up/shutdown events.	Per TN206791, Appendix 49-1, Table 4.1-17 (Revised 11/18/15), the maximum annual heat input for the P3 gas turbine is approximately 5,529,942 MMBtu/year (HHV). Therefore, the Applicant requests that the annual heat inputs listed in this sentence in the PSA be revised to reflect the above expected maximum annual heat input.
32	3 Project Description	Project Construction	Page 3-23	Site mobilization, grading, construction, and start-up/commissioning are estimated to take approximately 21 months. Decommissioning of Units 1 and 2 is expected to occur from June 2020 to August 2020. Demolition of MGS Units 1 and 2 is expected to occur from late 2021 through late 2022.	To clarify, the correct schedule for decommissioning and demolition of MGS Units 1 and 2 is documented in the Project Enhancement and Refinement (AFC Supplement) document dated November 19, 2015. Decommissioning is anticipated to be completed by June 2021. Demolition is anticipated to commence in July 2021 and would be completed by September 2022.
33	3 Project Description	Gas Pipeline Construction	page 3-24	The natural gas pipeline connection would be completed in time to support the construction interface in March 2019.If required, the existing 10 inch and 30 inch underground gas lines serving MGS Unit 3, and Units 1 and 2, respectively, may need to be relocated prior to the start of construction. These two gas lines currently run through the proposed P3 site.	Only the Unit 3, 10-inch gas line would need to be modified. Relocation of the 30-inch line is not necessary.

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
34	3 Project Description	Schedule	Page 3-25	Construction of P3 is expected to occur over a 21-month period, and demolition of MGS Units 1 and 2 is expected to take an additional 18 months.	Demolition is expected to take approximately 15 months as described in the Applicant's Project Refinement submitted in November 2015 (TN206698).
35	4.1 Air Quality	Project Description and Emissions	page 4.1-19	Additionally, demolition of the MGS Units 1 and 2 would begin within 12 months of the start of commercial operation of P3 power plant facilities.	To clarify, the correct schedule for decommissioning and demolition of MGS Units 1 and 2 is documented in the Project Enhancement and Refinement (AFC Supplement) document dated November 19, 2015. Decommissioning is anticipated to be completed by June 2021. Demolition is anticipated to commence in July 2021 and would be completed by September 2022.
36	4.1 Air Quality	Operational Phase Equipment Description	page 4.1-27, 1st bullet	One GE 7HA.01 combustion turbine equipped with dry ultra low NOx (Dry ULN) burners for NOx control, inlet air filters, inlet air evaporative coolers, and natural gas compressor intercooler;	To be consistent with how GE refers to the P3 gas turbine combustors, the Applicant requests that the term “dry ultra low NOx (Dry ULN) burners” be changed to “dry low NOx (DLN) burners.”
37	4.1 Air Quality	Operational Phase Equipment Description	page 4.1-27, 2nd bullet	180-foot tall	Change to "approximately 188-foot tall"
38	4.1 Air Quality	Operational Phase Equipment Description	page 4.1-27, last bullet	One natural gas-driven 50 percent capacity fuel gas compressor.	The Applicant requests that this equipment description in the PSA be revised to refer to “One natural gas-driven 100 percent capacity fuel gas compressor.”
39	4.1 Air Quality	Emission Controls	page 4.1-28, last paragraph	180-foot tall	Change to "approximately 188-foot tall"
40	4.1 Air Quality	4.1 (Air Quality)	page 4.1-30	The footnote to Air Quality Table 20 lists a maximum heat input of 2,510 MMBtu/hr for the P3 gas turbine.	Per TN206791, Appendix 49-1, Table 4.1-17 (Revised 11/18/15) the maximum hourly heat input to the P3 gas turbine is approximately 2,572 MMBtu/hr (HHV). The PSA on p. 4.1-65 is consistent with this and lists the same maximum hourly heat input level. Therefore, the Applicant requests that this footnote to Air Quality Table 20 be revised to show a maximum heat input of 2,572 MMBtu/hr.
41	4.1 Air Quality	4.1 (Air Quality)	Page 4.1-128	While P3 is less thermally efficient than the natural gas-fired combined cycles built in California during the past decade, P3 could be off line until moments before being needed in the late afternoon and early evening, and reach full load within 90 minutes of start-up.	As a new simple-cycle gas turbine generating unit, the P3 is able to achieve full load/full output within approximately 10 minutes following initial combustion during a startup. Therefore, the Applicant requests that this sentence in the PSA be revised to reflect this shorter time to full load.
42	4.1 Air Quality	4.1 (Air Quality)	Page 4.1-132	In this case, the P3 is proposed to operate no more than a 31 percent annual capacity factor.	Per TN206791, Appendix 49-1, page 1, the P3 gas turbine annual capacity factor is approximately 25%. Therefore, the Applicant requests that this sentence in the PSA be revised to indicate a capacity factor of approximately 25%.

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
43	4.1 Air Quality	4.1 (Air Quality)		See comments next column.	The PSA includes proposed air quality conditions of certification (COCs) for the P3. Several of these COCs are based on the draft permit conditions contained in the Preliminary Determination of Compliance (PDOC) for the P3 issued by the Ventura County Air Pollution Control District (VCAPCD) on May 19, 2016 (i.e., AQ-1 to AQ-61, AQ-DE1 to AQ-DE12). In a June 23, 2016 letter to the VCAPCD (see Attachment AQ 1), the Applicant requested changes to a number of the draft permit conditions in the PDOC. Consistent with this letter, the Applicant is requesting that these same changes be made to the relevant PSA air quality COCs. Based on a comparison between the PSA COCs AQ-1 to AQ-61 and AQ-DE1 to AQ-DE12 and the relevant draft permit conditions in the PDOC, the Applicant discovered some minor discrepancies between the two sets of conditions. Therefore, in addition to the requested changes discussed above, the Applicant requests the following changes to make the two sets of conditions consistent. These changes also include some corrections to apparent typographical errors in the draft permit conditions in the PDOC that were not reflected in the Applicant's June 23, 2016 letter to the VCAPCD. The Applicant will also request that the VCAPCD make these corrections to apparent typographical errors in to the PDOC. The Applicant's proposed changes to the PSA COCs to make these conditions consistent with the draft conditions in the PDOC (i.e., changes in addition to the changes proposed in Applicant's June 23 letter) are shown with additions in **Bold Underline** and deletions in ~~**Bold Strikethrough**~~. The proposed changes to the PSA COCs that are corrections to apparent typographical errors in the draft permit conditions in the PDOC are shown in ~~strikethrough~~/underlined text but are not shown in bold. We are also requesting correction of apparent typographical errors in AQ-SC8 and AQ-DE6, shown in ~~strikethrough.~~/underlined text but not shown in bold.
44	4.2 Alternatives	Summary Conclusions	Page 6.1-1, 2nd bullet	The Del Norte/Fifth Street Off-site Alternative would avoid the significant impact relating to the risk of inundation by tsunami, but use of this site would result in significant and unavoidable impacts on aircraft and pilot safety. Assumptions for this alternative do not include demolishing and removing MGS Units 1 and 2, which is considered a beneficial visual improvement of the proposed P3.	Additional impacts would be associated with the offsite linears, i.e.,. gas pipelines, water supply pipelines, and transmission lines. CEC Staff estimates that a new transmission line would be 6 to 8 miles long, but fails to acknowledge the potentially significant impacts that would be associated with this construction.
45	4.2 Alternatives	Summary Conclusions	Page 6.1-1, 3rd bullet	The Ormond Beach Area Off-site Alternative would avoid three potentially significant effects of the proposed P3 without causing other significant effects. Impacts that would be avoided include filling of jurisdictional wetlands, risk of inundation by tsunami, and temporary water quality impacts during demolition. Assumptions for this alternative do not include removing MGS Units 1 and 2, which is considered a benefit of the proposed P3.	This Alternative Site is not in the coastal zone; however, it could be susceptible to sea level rise and tsunami impacts due to its proximity to the coast, less extensive dunes relative to the Proposed Site, and its relatively low elevation. The tops of the dunes along the beach in the southern portion of Oxnard are much lower than the dunes fronting the Proposed Site; therefore, this site would be expected to be more susceptible to sea-level rise and tsunami-related impacts than the Proposed Site. In addition, there would be potentially significant impacts associated with construction of new linear infrastructure, such as gas pipelines, water supply pipelines, transmission lines. Whereas, there is no construction of offsite linears associated with the proposed Project.

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
46	4.2 Alternatives	Summary Conclusions	Page 6.1-1, 4th bullet	Conceptual Site Reconfigurations 1 and 2 would avoid filling 2.03 acres of Coastal Commission jurisdictional wetlands without causing other significant environmental impacts. It is assumed that MGS Units 1 and 2 would be demolished and removed from the site.	Neither of the two site reconfiguration alternatives is technically feasible from both engineering and constructability perspectives. Both would increase visual impacts. The second alternative would not meet the project's objective to reuse existing infrastructure. The alternataives would be unlikely to meet the project schedule.
47	4.2 Alternatives	Summary Conclusions	Page 6.1-1, Last paragraph	The two off-site alternatives could potentially satisfy half of the project's basic objectives. However, their feasibility is uncertain given that the applicant does not have site control over either site. The two site reconfigurations would likely attain all of the project's basic objectives and may be feasible alternatives to the P3. This alternatives analysis considers many factors in comparing the project alternatives to the proposed P3. The Ormond Beach Area Off-site Alternative and the two Conceptual Site Reconfigurations would avoid some of the P3's significant impacts; if avoiding these impacts is the critical factor, this off-site alternative and either of the site reconfigurations would be environmentally superior to the proposed P3.	CEC has not acknowledged nor analyzed the potentially signficianct impacts associated with these alternatives that include offsite linears that would require additional mitigation.
48	4.2 Alternatives	DEL NORTE/FIFTH STREET OFF-SITE ALTERNATIVE	page 6.1-41	This alternative would require construction of an on-site power plant switchyard. Connecting the switchyard to the closest substation (Ormond Beach or andalay) would require installing transmission structures and an overhead 220-kV transmission line along an approximate 6- to 8-mile-long linear alignment.	CEC Staff states that this alternative would require installing 6 to 8 miles of new transmission strucutres, yet does not acknowledge nor analyze the potentially significant impacts associated with this installation that would required mitigation.
49	4.2 Alternatives	DEL NORTE/FIFTH STREET OFF-SITE ALTERNATIVE	page 6.1-41	Oxnard's water distribution system shows a water pipeline paralleling Sturgis Road approximately 970 feet north of the site's north boundary (City of Oxnard 2006).	Staff states that a 970-ft long water pipeline would be required, yet does not acknowledge nor analyze potential impacts associated with construction of this offsite linear.
50	4.2 Alternatives	DEL NORTE/FIFTH STREET OFF-SITE ALTERNATIVE	page 6.1-41	A 30- to 36-inch diameter natural gas pipeline parallels S. Rice Avenue approximately 1 mile west of the site (see Alternatives Figure 1b). Providing natural gas to the site would likely require constructing a natural gas pipeline along E. Fifth Street to connect to the existing pipeline.	Staff states that a one mile gas pipeline connection would be required, yet fails does not acknowledge nor analyze potential impacts associated with construction of this offsite linear.
51	4.2 Alternatives	DEL NORTE/FIFTH STREET OFF-SITE ALTERNATIVE	page 6.1-55	The nearest noise-sensitive receptor to the Del Norte/Fifth Street site is a residence that is located on Sturgis Road, approximately 900 feet northeast of the center of this alternative site. Therefore, the construction and operational noise impact would be greater than P3 for this off-site alternative. Additional mitigation measures would be needed to lower power plant noise at this offsite alternative and reduce the potentially significant impact to less than significant.	On this page, Staff identifies potential noise impacts to the nearest sensitive receptor that would require additional mitigation. Yet, no where else in the PSA is this acknowledged.
52	4.2 Alternatives	ORMOND BEACH AREA OFF-SITE ALTERNATIVE	page 6.1-67	The utility corridor bordering the east side of Edison Drive approximately one-quarter mile east of the Ormond Beach Area Off-site Alternative includes an existing 220- to 230-kV transmission line that extends south to SCE's Ormond Beach Substation adjacent to the Ormond Beach Generating Station (OBGS) (see Alternatives Figures 1b and 7). A 30- to 36-inch diameter natural gas pipeline is located in the same utility corridor along Edison Drive. Providing natural gas to the site would likely require constructing a natural gas pipeline along E. McWane Boulevard to connect to the existing pipeline. The natural gas pipeline would require constructing the buried pipeline to cross under Edison Drive and the transmission line that parallels Edison Drive.	Staff discusses that this alternative would require construction of offsite linears, yet still states that environmental impacts would be less than or similar to P3.

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
53	4.3 Biological Resources	Summary of Conclusions (Adding on to W. Baker's Comment 1)	page 4.2-01	Paragraph 1, line 4, "…; however, one rare plant species, woolly seablite (rare within California), occurs on-site."	"Special-status species" would be a more accurate description for the woolly seablite. Woolly seablite is CNPS Rank 4.2, defined as "common in California, fairly endangered in California" (CNPS 2016a). Rank 4.2 in general is defined as "limited distribution or infrequent throughout a broader area in California" and "moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)" CNPS 2016b. Text should be revised to say "...however, one special status species, woolly seablite, occurs on-site..."
54	4.3 Biological Resources	Coastal Zone Wetlands: Table 2	page 4.2-12	Table 2: First row, "Almost always occur in wetlands"	It is noteworthy that Pickleweed does not always occur in wetlands.
55	4.3 Biological Resources	Wildlife	page 4.2-13	Paragraph 3, line 1, "The site is a former dune location that is currently dominated by iceplant and other non- native vegetation."	This is additional evidence that the site was never at any time in recent history a wetland.
56	4.3 Biological Resources	Construction and Demolition Impacts to Vegetation	page 4.2-22	Last paragraph, "Project impacts to on-site vegetation would not require compensatory mitigation, including woolly seablite as discussed below under "Construction and Demolition Impacts to Special-Status Plant Species.""	Further support that the site does not meet reasonable wetland delineation standards.
57	4.3 Biological Resources	Construction and Demollition Impacts to Special-Status Wildlife	page 4.2-25	Last sentence on page, "The Designated Biologist would prepare the BRMIMP, and it would used by the Biological Monitor(s) and other on-site personnel in daily activities.	Insert the word "be" between the words would and used.
58	4.3 Biological Resources	Construction and Demolition Impacts to Jurisdictional Wetlands	page 4.2-26	Paragraph 5: beginning on line 2, "Appropriate mitigation therefore consist of preservation of an equivalent saline (i.e.not freshwater) system at a 2:1 mitigaiton ration. Estuarine systems are saline, experiencing both tidal flushing as well as surface (freshwater) flows, and therefore can have a wide variety of salinity values fro high to low."	This CEC staff statement uses the definition of wetlands to describe appropriate mitigation. However, the Puente Project site is not saline, is not subject to tidal flushing , has no surface freshwater flows over it, and there is no subsurface water within 5-9 feet. Similar site characteristics are only found in upland areas. (The 2.03-acre site is not saline, and is not subject to tidal flushing or freshwater flows.) The typical habitat occupied by woolly seablite includes: Coastal bluff scrub, Coastal dunes, Marshes and swamps (margins of coastal salt) (CNPS 2016a).
59	4.3 Biological Resources	General Construction and Demolition Impacts: Noise	page 4.2-30	Paragraph 2, last sentence: "Staff has also recommended (BIO-8) that pile-driving, the next loudest activity, also take place outside nesting season."	Applicant's current plan is to avoid pile driving altogether and use alternative methods for construction of P3, such as auger cast, hydraulic or drilled piles, which minimize noise and vibration. In the event that during detailed design or during construction, pile driving becomes necessary, and it is not feasible to schedule and conduct the pile driving outside the February l through August 31 breeding and nesting season, Applicant will work with the biologist and CEC's CPM to develop an appropriate plan to reduce project-related adverse effects on nearby ESHA and wetland areas.
60	4.3 Biological Resources	Air Emissions - Nitrogen Deposition	page 4.2-36	Paragraph 3 "While these levels of nitrogen deposition are considered insignificant, the proposed project would exceed limits for air emissions for particulate matter (PM)."	To be consistent with the Air Quality Section of the PSA (see page 4.1-40), the Applicant requests the following changes: "While these levels of nitrogen deposition are considered insignificant**, the proposed project is located in a nonattainment area for the state PM_{10} ambient air quality standard.** ~~would exceed limits for air emissions for particulate matter (PM)~~. **Therefore, the Staff has proposed a condition of certification requiring PM_{10} mitigation for the project.**
61	4.4 Cultural Resources	Summary of Conclusions	Page 4.4-01, second paragraph	Staff's analysis of the proposed P3 with regard to ethnographic and historical built environment resources concludes that no ethnographic or historical built environment resources are present in the project areas of analysis and therefore no ethnographic or historical built environment resources would be impacted by the construction or operation of the project.	To be more consistent with the language elsewhere used in the PSA, suggest clarify the text by referring to significant built environment resources or built environment resources that qualify as historical resources.

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62	4.4 Cultural Resources	Cumulative Impacts and Mitigation	Page 4.4-31, fourth paragraph,	Although the MGS would be demolished as part of P3, MGS is not eligible to the California Historical Resources Register per CEQA, thus there will not be a cumulative impact to build environment historical resources from P3.	Should be California Register of Historical Resources, not California Historical Resources Register.
63	4.5 Hazardous Materials Management	Hazardous Materials: Appendix B	page 4.5-34	Ammonia is listed in Table 4.5-3.	Ammonia will not be needed for boiler chemical feed.
64	4.5 Hazardous Materials Management	Hazardous Materials: Appendix B	page 4.5-34	Amines are listed in Table 4.5-3.	Amines will not be needed for this plant.
65	4.9 Socioeconomics	Property Tax		Tax rate of 1.122037.	The PSA has typos for the tax rate of 1.1222037 - should be 1.222037
66	4.9 Socioeconomics	Noteworthy Public Benefits		project's future operations as "Not a new benefit"	Characterization of the project's future operations as "Not a new benefit" would be better characterized as "no net change in benefits compared to the existing power plant operations"
67	4.10 Soil & Water Resources	Water Use	page 4.10-15	The estimated total amount of potable water to be used during the 21-month construction period is approximately 3.3 acre-feet (ac-ft). The average use would be approximately 51,500 gallons per month (0.16 ac-ft), peaking for five months at 75,000 gallons (0.23 ac-ft) for hydrostatic testing and flushing (PPP 2015a Table 2.9-4)6F 7.	Please note that this does not include potable water for domestic purposes such as drinking water, showers, etc.
68	4.10 Soil & Water Resources	Water Use	page 4.10-15, footnote 7	Staff found calculation errors in the AFC's table of construction water requirements (PPP 2015a Table 2.9-4). Assuming the values shown for each month is correct, the total amount of water used during construction is 1,085,000 gallons (3.3 ac-ft), the average monthly water use is approximately 51,500 gallons, and the average daily use is pproximately 1,700 gallons.	AFC Table 2.9-4 contained a typographical error. The total construction water use (dust suppression plus other construction) shown as 492,524 average monthly gallons, should be 49,254 average monthly gallons over the 21 month construction period. Nevertheless, CEC's estimate of the total amount (3.3 acrefeet) is comparable to the 3.2 acrefeet shown on Table 2.9-4). Also the average daily water use is approximtely the same (CEC 1,700 gallons vs Table 2.9-4 1,651 gallons).
69	4.10 Soil & Water Resources	Water Use and Supply	pages 4.10-16 and 4.10-17	The largest user of service water is the evaporative cooler, which is not necessary for operation, and would only be used to increase performance when ambient temperature is above an appropriate level (PPP 2015a §2.7.5.1).	As stated in Applicant's response to City of Oxnard Data Request 101, the project has been designed to use a very small amount of water, less than 20 acre-feet per year. Evaporative coolers will be used occasionally (i.e., when ambient temperatures exceed 59 degrees Fahrenheit and the unit is operating at base load) for power augmentation.
70	4.10 Soil & Water Resources	MGS Decommissioning	page 4.10-18	MGS Units 1 and 2 are scheduled to be decommissioned by December 31, 2020. If P3 is approved, its completion and commissioning is expected to occur around the same time.	Decommissioning is anticipated to be completed by June 2021.
71	4.10 Soil & Water Resources	Groundwater	page 4.10-24	Staff recommends Condition of Certification SOIL&WATER-3 requiring review and approval of the dewatering plan prior to excavation of the power block foundation.	SOIL&WATER-3 addresses wastewater discharges, and not review and approval of a dewatering plan.
72	4.10 Soil & Water Resources	Soil Erosion and Dune Impacts	page 4.10-25	Footnote #16 - "16 Assuming a sufficient supply of sediment is available to replace the sand lost during the storm. For further discussion on sediment supply, see "Hazard – Sediment Deficiency to Beaches" in the "P3 Operation" subsection on page 4.10-34."	Footnote page reference should be "4.10-39"
73	4.10 Soil & Water Resources	Water Supply	page 4.10-27	The process water and domestic water supply for P3, an estimated maximum annual water use of 19 afy, would be water from the city of Oxnard through the existing MGS potable water supply	As stated in AFC Table 2.7-5, the 19 AFY is average annual use.
74	4.10 Soil & Water Resources	Sea Level Rise – Consider Timeframe and Risk Tolerance	page 4.10-52	Even with the highest projection of king tides reaching nine feet, the elevation of the proposed site is at 14.0 feet	Add "..and the dunes separate the ocean from the site."

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75	4.10 Soil & Water Resources	Hazard - Sediment Deficiency to Beaches	page 4.10-52 2nd to last paragraph	For example, local tides can raise levels five feet within a day and storm surges can raise sea levels five feet over the course of hours (or up to 25 feet during very extreme events).	Storm surge on the Southern California Coast is usually on the order 1 to 2 feet or less occasionally more. Five feet of storm surge is extreme for Southern California and 25 feet of storm surge occurs during hurricanes in the Gulf of Mexico and along the Atlantic Coast but not along the California Coast.
76	4.10 Soil & Water Resources	Surface Water Quality	page 4.10-61	As discussed above, soil erosion, storm water runoff, and wastewater discharges during MGS decommissioning or demolition would not significantly impact the water quality of nearby water bodies. However when once-through cooling of Units 1 and 2 cease, reduced flows could potentially impact the water quality of the Edison Canal or the discharge to	The elimination of once-through cooling is due to the OTC compliance, not the development of P3.
77	4.10 Soil & Water Resources		page 4.10-83	Condition of Certification SOIL&WATER-3 would minimize groundwater impacts should construction dewatering occur.	SOIL&WATER-3 addresses wastewater discharges, and not construction dewatering. Dewatering is referenced in SOIL&WATER-2.
78	4.10 Soil & Water Resources	Appendix SW-1, Hazard Zone	page 4.10-114	It appears that the differences in SLR scenarios are relatively minor and that the elevation of the P3 site might save it from complete inundation.	Text should be revised to say: "It appears that the differences in SLR scenarios are relatively minor; therefore, inundation of the P3 site would not be anticipated under the SLR scenarios due to the elevation of the P3 site."
79	4.10 Soil & Water Resources	Appendix SW-3, Estimating Flushing Times	page 4.10-128, 2nd paragraph	Due to the mixed semidiurnal tide cycle, staff averaged the Great Diurnal Range (5.46 feet) and the Mean Range of Tide (3.72 feet) resulting in a tidal range value of 4.6 feet.	Great Diurnal Range and Mean Range of tide should not be averaged. Use difference between MHW and MLW (Mean Tidal Range) to get average tidal prism.
80	4.12 Transmission Line Safety & Nuisance	Project Description	page 4.12-03 2nd paragraph	The new P3 generating unit would connect to the existing SCE transmission switchyard…	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
81	4.12 Transmission Line Safety & Nuisance	Project Description	page 4.12-03 3rd paragraph	… to the 220-kV tie-in point at the switchyard. It would be located mostly within the P3 site, but would cross a small portion of the MGS site and then directly enter the SCE switchyard	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
82	4.12 Transmission Line Safety & Nuisance	Project Description	page 4.12-03 3rd paragraph	The 220-kV single circuit line for the project would be a direct intertie between P3 and SEC's switchyard….	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
83	4.12 Transmission Line Safety & Nuisance	Project Description	page 4.12-04	The new 220-kV circuit line from the project switchyard to the SCE switchyard would use four steel pole structures….	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new 220‑kV circuit line from the project switchyard to the new take-off structure will use one steel pole structure. The steel pole and the take-off structure will be constructed of weathered or galvanized steel.
84	4.12 Transmission Line Safety & Nuisance	Conclusions	page 4.12-14	… P3 to SCE's switchyard adjacent to the existing MGS site, …	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
85	5.1 Facility Design	Conditions of Certification	page 5.1-18 ELEC-1	…1. one line diagram for the 13. kV….	delete 13.8 kV, correct voltage is 18 kV.
86	5.1 Facility Design	Conditions of Certification	page 5.1-19 section B item #5	… protective relay settings for the 13.8 kV…	delete 13.8 kV, correct voltage is 18 kV.

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Comment Number	PSA Chapter	PSA Section	Page Number	PSA Statement	Comments to CEC
87	5.1 Facility Design	FACILITY DESIGN APPENDIX A	page 5.1-21	This appendix lists the LORS that would be used in the engineering design and construction of the Redondo Beach Energy Project (RBEP)"	This appears to be a typo, unless this information related to Redondo Beach is intended for illustration purposes
88	5.2 Geology & Paleontology	San Cayetano Fault	page 5.2-18	San Cayetano Fault - First Paragraph, second sentence, "Recent research indicates that the most recent event on the eastern part of the San Cayetano fault generated at least 4.3 m of surface slip."	Should state "up to" 4.3 m, not "at least".
89	5.3 Power Plant Efficiency	5.3 (Power Plant Efficiency)	Pages 5.3-1, 5.3-3, 5.3-3, 5.3-4, 5.3-5, 5.3-6	refers to a P3 efficiency of 42%	Per TN206791, page 7, Data Response 63, the P3 thermal efficiency is approximately 41% (ISO, full load, output at terminals). This efficiency of 41% is also referred to in the PSA on pages 4.1-60 and 4.1-134. For consistency purposes, the Applicant requests that the efficiency of 42% listed in the PSA on pages 5.3-1, 5.3-3, 5.3-4, 5.3-5, and 5.3-6 be changed to 41%.
90	5.5 Transmission System Engineering	Summary of Conclusions	page 5.5-01 1st paragraph	The existing breakers are adequate, no new breakers are required.	This statement no longer applies. Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
91	5.5 Transmission System Engineering	Project Description and Interconnection Facilities	page 5.5-04 1st paragraph	The P3 would be interconnected to the SCE Mandalay Substation.	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
92	5.5 Transmission System Engineering	Project Description and Interconnection Facilities	page 5.5-04 2nd paragraph	The generator tie-line would leave the P3 switchyard connecting to the SCE Mandalay Substation existing breaker position.	The new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system by passing the existing Mandalay Switchyard
93	5.5 Transmission System Engineering	Project Description and Interconnection Facilities	page 5.5-04 2nd paragraph	… 18/230-kV transformer, …The single 230-kV generator tie-line,	revise all 230-kV ratings to 220-kV ratings
94	5.5 Transmission System Engineering	Project Description and Interconnection Facilities	page 5.5-04 4th paragraph	The Mandalay Substation is connected to the SCE Santa Clara Substation.	The new P3 unit will be connected to a single gen-tie line connecting to SCE Santa Clara Substation bypassing the existing Mandalay Switchyard
95	5.5 Transmission System Engineering	Compliance with LORS	page 5.5-06 1st paragraph	The proposed interconnecting facilities include the p3230-kV switchyard,… and the termination at the SCE Mandalay Substation are…	Per the Applicant's Refinement to Transmission Interconnetion docketed on August 26, 2016 (TN213002), the new P3 unit will be connected to a single gen-tie line connecting directly to SCE 220-kV transmission system bypassing the existing Mandalay Switchyard.
96	5.5 Transmission System Engineering	Conclusions and Recommendations	page 5.5-07 bullet #3	The existing breakers are adequate, no new breakers are required.	The P3 project will not use the existing breakers
97	5.6 Waste Management	Non-Hazardous Waste, Waste Management Table 3	page 5.6-16	Waste Management Table 3 has a footnote #1 missing.	Footnote 1 is referenced in Table 3, page 5.6-16 but not defined.
98	5.7 Worker Safety & Fire Protection		5.7-3	1. The potential for impacts on the safety of workers during demolition, construction, and operations activities, and…"	Text within the PSA often omits inclusion of the "commissioning" phase of P3. Commissioning is an integral, critical, unique, and inherently hazardous phase of a project. The term "commissioning" should be included at key descriptive references within the text of the PSA, and applicable Conditions of Certification, e.g., The following sentence on page 5.7-3 of the PSA reads "1. The potential for impacts on the safety of workers during demolition, construction, and operations activities, and…" It is recommended that this sentence (and other similar sentences) read "The potential for impacts on the safety of workers during demolition, construction, commissioning, and operations activities, and..."

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99	Project Description and Power Plant Efficiency	3.0 (Project Description) and 5.3 (Power Plant Efficiency)	pages 3-15 and 5.3-2	The project would burn natural gas at a maximum rate of approximately 2,500 million Btu (mmBtu) per hour and consume 6,790,000 mmBtu annually. Additional fuel consumed to support an estimated 200 annual start-up and shutdown sequences would be about 78,000 mmBtu.	Comment: Per TN206791, Appendix 49-1, Table 4.1-17 (Revised 11/18/15), the maximum annual heat input for the P3 gas turbine is approximately 5,529,942 MMBtu/year (HHV). Therefore, the Applicant requests that the annual heat inputs listed in this sentence in the PSA be revised to reflect the above expected maximum annual heat input.