

DOCKETED

Docket Number:	15-AFC-02
Project Title:	Mission Rock Energy Center
TN #:	222262
Document Title:	Order Suspending Comment Period on Preliminary Staff Assessment Published November 27, 2017
Description:	N/A
Filer:	Maggie Read
Organization:	Energy Commission Hearing Office
Submitter Role:	Committee
Submission Date:	1/19/2018 1:37:08 PM
Docketed Date:	1/19/2018



Before the Energy Resources Conservation and Development
Commission of the State of California
1516 Ninth Street, Sacramento, CA 95814
1-800-822-6228 – www.energy.ca.gov

APPLICATION FOR CERTIFICATION FOR THE:

MISSION ROCK ENERGY CENTER

Docket No. 15-AFC-02

ORDER SUSPENDING COMMENT PERIOD ON PRELIMINARY STAFF ASSESSMENT PUBLISHED NOVEMBER 27, 2017

Introduction

On December 30, 2015, Mission Rock Energy Center, LLC (Applicant) submitted an Application for Certification (Application) to the California Energy Commission (Energy Commission) seeking permission to construct and operate a 275-megawatt (MW) natural-gas-fired power generation facility, the Mission Rock Energy Center (Proposed Project).¹

The Application and all documents that have been filed in the project docket may be viewed at:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=15-AFC-02>

The Energy Commission assigned a committee of two Commissioners² (Committee) to conduct proceedings on the Application.

Background

On November 27, 2017, Energy Commission staff (Staff) published the Preliminary Staff Assessment for the Proposed Project and provided a 60-day comment period deadline of January 26, 2018 in its Request for Comments.³ On December 19, 2017, the Santa Paula Alliance filed a request for the Committee to extend the comment period on the Preliminary Staff Assessment beyond the “wet” season.⁴ The request was made to allow additional time for the local government and community affected by and/or focused on combatting and recovering from the large-scale Thomas Fire and

¹ The Application can be found at <http://www.energy.ca.gov/sitingcases/missionrock/documents/afc.php>.

² The Energy Commission appointed a Committee consisting of Karen Douglas, Commissioner and Presiding Member, and Janea A. Scott, Commissioner and Associate Member, at its Business Meeting on May 17, 2016 (TN 211537).

³ TNs 221860, 221866, and 221875.

⁴ TN 222010.

subsequent mudslides to review and provide comments on the Preliminary Staff Assessment. The Committee sought input from the public and other interested parties about an extension and, if one were granted, an appropriate length of time.⁵

In response, the Committee heard from members of the public, the city of Santa Paula, Ventura County, two members of the state legislature, and Intervenor Wishtoyo Chumash Foundation. These responses all favored an extension, ranging from 60 to 90 days after the January 26, 2018, deadline established by Staff in the notice of availability.⁶

In the Applicant's January 2, 2018 Status Report, they supported a 30-day extension to February 26, 2018.⁷

Staff responded to the Committee's request by noting that the January 26, 2018 comment deadline reflects an extension of the minimum 30-day Preliminary Staff Assessment comment period to 60 days due to the holiday season. Staff further recommended the Committee extend the comment period to March 26, 2018, for a total of 120 days.⁸ Staff also commented that they tentatively plan to hold a Preliminary Staff Assessment workshop on February 15 and 16, 2018, in Santa Paula and would provide at least 14 days' written notice of the workshop.

The Preliminary Staff Assessment is designed to provide Staff's independent assessment of a project's compliance with applicable laws, ordinances, regulations, and standards; mitigation of identified environmental impacts; and the safety and reliability of the proposed project.⁹ Staff identified in the Preliminary Staff Assessment eight review areas that either may not comply with all applicable laws, ordinances, regulations, and standards; sufficiently mitigate impacts; and/or require additional information.¹⁰ Due to the lack of current information and outstanding questions needed for a full analysis, the Preliminary Staff Assessment may require supplementation and re-issuance in order to allow comment on all topics encompassed within it.

The Committee notes and appreciates the work done by Staff in publishing the Preliminary Staff Assessment within the time set by the Committee's Second Revised Scheduling Order.¹¹ The Committee respects the time spent by the parties and other interested persons in reviewing and commenting on the Preliminary Staff Assessment and want to optimize that effort, if possible.

Based on the impact of the Thomas Fire and subsequent mudslides on the local community and Staff's need for additional information, the Committee believes a

⁵ TN 222079.

⁶ TNs 222082, 222114, 222117, 222121.

⁷ TN 222078.

⁸ TN 222122.

⁹ Cal. Code Regs., tit. 20, §1742.

¹⁰ TN 221861. Eight review areas include air quality/greenhouse gases, cultural resources, environmental justice, land use, soil and water resources, traffic and transportation, power plant reliability, and transmission system engineering.

¹¹ TNs 221860, 221866 (PSA Project Description and Cultural Figures).

suspension of the Preliminary Staff Assessment's formal comment period is appropriate at this time. By suspending formal commenting, we encourage Staff to proceed with the Preliminary Staff Assessment workshop tentatively planned for February 15 and 16, 2018, as this workshop may provide some of the information currently needed by Staff to supplement their analysis. While parties and the public are free to submit comments on the Preliminary Staff Assessment currently filed, and are encouraged to do so, it may be beneficial to wait until some of the outstanding questions and issues identified by Staff are resolved and a new Preliminary Staff Assessment reissued.

Further, given the need for more information for the Preliminary Staff Assessment and the unknown amount of time needed to receive this information, the Committee will be issuing a new scheduling order. Staff, the other parties, and the public are requested to provide a list or description of the most important pieces of information needed to supplement and reissue Staff's analysis, as well as the estimated time when this information will be available. The parties are requested to submit such comments **on or before February 28, 2018**.

Public Participation

Information concerning the status of the Proposed Project, as well as notices and other relevant documents, may be viewed on the Energy Commission's web page at:

www.energy.ca.gov/sitingcases/missionrock/

Members of the public are welcome to attend and offer oral or written comments throughout the proceedings. It is not necessary to be an intervenor to participate in the public process. Written comments may also be submitted electronically by visiting the Energy Commission's website at the above address and clicking on the "Submit e-Comment" link in the "Original Proceeding" box. Otherwise, written comments may be submitted by e-mailing them to docket@energy.ca.gov, or by mailing them by U.S. Mail to:

California Energy Commission - Docket Unit
Docket No. 15-AFC-02
1516 Ninth Street, MS-4
Sacramento, CA 95814

For all comments, please include the docket number and proceeding name ("15-AFC-02 Mission Rock Energy Center") in the subject line and on the cover page.

PLEASE NOTE: Written and oral comments, attachments, and associated contact information (e.g., your address, phone, e-mail, etc.) become part of the viewable public record. Additionally, this information may become available via search engines, such as Google and Yahoo.

Public Adviser and Other Energy Commission Contacts

The Energy Commission's Public Adviser's Office provides the public with assistance in participating in Energy Commission proceedings. For assistance, please contact Alana Mathews, Public Adviser, by e-mail at PublicAdviser@energy.ca.gov or at (916) 654-4489, or toll free at (800) 822-6228.

Questions of a procedural nature should be directed to Susan Cochran, Hearing Officer, by e-mail at susan.cochran@energy.ca.gov or at (916) 654-3965.

Technical questions concerning the Proposed Project should be addressed to Mike Monasmith, Project Manager, by e-mail at mike.monasmith@energy.ca.gov or (916) 654-4894.

Media inquiries should be sent to the Media and Public Communications Office by e-mail at mediaoffice@energy.ca.gov or at (916) 654-4989.

Dated: January 19, 2018, at Sacramento, California

Original signed by
KAREN DOUGLAS
Commissioner and Presiding Member
Mission Rock Energy Center Committee

Original signed by
JANEA A. SCOTT
Commissioner and Associate Member
Mission Rock Energy Center Committee