

DOCKETED

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CALIFORNIA ENERGY COMMISSION

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**NOTICE OF DETERMINATION AND STAFF APPROVAL
PETITION TO AMEND
FOR THE TEMPORARY USE OF AN ADDITIONAL CONSTRUCTION
LAYDOWN AREA
AT THE ALAMITOS ENERGY CENTER
(13-AFC-01C)**

On July 5, 2018, AES Alamos Energy, LLC (project owner) docketed a petition to modify the Alamos Energy Center's (AEC) license issued by the California Energy Commission (Energy Commission). The project owner is requesting the temporary use of an additional construction materials and equipment laydown and parking area. Energy Commission staff intends to approve the requested modification to allow for the additional temporary laydown area.

AEC is located on the site of the Alamos Generating Station (AGS), an existing and operating power plant located at 690 North Studebaker Road in the City of Long Beach, California. The AEC license, issued in 2017, is for a 1,040-megawatt (MW), natural gas-fired, combined-cycle electric generating facility to replace AGS. AEC started construction on June 9, 2017, with operation planned to begin by the first quarter of 2020.

DESCRIPTION OF PROPOSED MODIFICATION

The project owner proposes to utilize approximately 2 acres of graveled area located adjacent to the AEC/AGS project site that is located on Southern California Edison (SCE) property. The proposed additional temporary construction material, equipment laydown and parking area is used for the SCE onsite switchyard as maintenance and construction laydown area for the switchyard.

The petition is available on the Energy Commission's AEC project webpage at <https://www.energy.ca.gov/sitingcases/alamitos/index.html> This Notice of Determination is being provided to interested parties and property owners adjacent to the facility site, is being mailed to the AEC mail list, and sent electronically to the AEC listserv.

ENERGY COMMISSION STAFF REVIEW AND DETERMINATION

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

For the technical areas of Air Quality, Biological Resources, Cultural Resources, Facility Design, Land Use, Noise and Vibration, Socioeconomics/Environmental Justice, and Visual Resources, staff has determined that impacts on the environment are less than significant and no revised or new conditions of certification are needed to ensure the project remains in compliance with all applicable LORS and the license. In addition, the project modification would not affect any population including the environmental justice population as shown in the **Environmental Justice Figure 1, Figure 2, and Table 1**.

Staff notes the following for each of these technical areas:

- **Air Quality.** The project owner is proposing the use of an additional laydown area to support construction at AEC. This request is not expected to cause a significant impact to air quality.

The project owner identified an existing 2-acre graveled area located east of the onsite switchyard as an additional laydown area. The laydown area would be used to store construction materials and equipment. Use of the laydown area would require minor preparation activities, including the installation of a fence with posts and the removal/storage of some of the existing gravel. These activities would result in emissions from the vehicles and fugitive dust, however, they are expected take less than a week and would therefore be classified as short term. Existing Conditions of Certification **AQ-SC1** through **AQ-SC5** address all AEC construction/demolition activities, which would include any preparation of the laydown area.

In addition, any construction and equipment used for the proposed project modification would be temporary and stationary source air permits would not be required through the local air district. Any diesel equipment used would still be required to meet the State of California diesel requirements. As applicable, the diesel equipment used would need to be registered through the Statewide Portable Equipment Registration Program or Diesel Off-road On-line Reporting System and associated equipment permits would be retained onsite. The equipment is expected to comply with all applicable LORS and significant impacts to air quality are not expected from the associated short-term construction activity. Therefore, there are no expected significant Air Quality impacts from the proposed modification to any population within the project's six-mile radius, including any environmental justice population. In addition, there are no proposed changes to the Air Quality Conditions of Certification. Therefore, staff is proposing to process the request as a Staff Approved Project Modification.

- **Biological Resources.** Construction activities for the proposed modification are expected to begin during the breeding season: January 1 through August 31. Nesting birds may use the eucalyptus trees that border the boundary of the new laydown and parking area. Therefore, construction activities have the potential to affect nesting birds. Frequent biological monitoring during construction per Conditions of Certification **BIO-1, BIO-2, BIO-4** and **BIO-8** would ensure that any nesting birds are protected as well as any other wildlife. All best management measures shall be followed per **BIO-7** and all construction workers must undergo the Worker

Environmental Awareness Program training per **BIO-5**. Implementation of the above Biological Resources conditions of certification would ensure the project modification would have less than significant impacts on biological resources and the project would comply with all applicable LORS.

- **Cultural Resources.** Staff concludes that the proposed project modification would not affect known cultural resources. In the unlikely event that cultural resources are encountered during construction of the proposed modification, the conditions of certification for AEC would mitigate such an impact. Cultural resources impacts are nonexistent for any population within the project site's six-mile radius, including the environmental justice population identified in **Environmental Justice Population Figure 1, Figure 2, and Table 1**.
- **Facility Design.** Installation of the fencing and entrance gate must comply with the 2016 California Building Code to ensure they are adequately secured in place. Implementation of the existing **Facility Design** conditions of certification adopted in the Decision would ensure this.
- **Land Use.** The proposed modification for an additional laydown area during construction would have a less than significant land use impact. The proposed modification would be consistent with the City of Long Beach's land use and zoning designation for the project site.
- **Noise and Vibration.** The laydown area proposed in this petition to amend is approximately two acres and contiguous to the existing AEC construction site. The use of this laydown area would be temporary and would occur during the daytime hours. It would not be sufficiently near any of the project's noise-sensitive receptors to cause a significant noise impact. Any noise generated during these activities would be controlled with implementation of the existing **Noise** conditions of certification in the Energy Commission Decision.
- **Socioeconomics.** The proposed modification requests an additional laydown area during the construction of AEC. From a socioeconomics standpoint, the proposed amendment would have insignificant workforce-related impacts on housing and community services.
- **Visual Resources.** The additional laydown area would be screened from offsite locations. The use of this area would be temporary. Construction lighting would adhere to the requirements of the existing construction lighting condition of certification (**VIS-1**). There would be less than significant impacts to visual resources.

The **Environmental Justice – Figure 1** shows 2010 census blocks in the six-mile radius of AEC contain a minority population greater than or equal to 50 percent. The population in these census blocks represents an EJ population based on race and ethnicity as defined in the United States Environmental Protection Agency's *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*.

Low Income

Based on California Department of Education data in the **Environmental Justice – Table 1** and presented in **Environmental Justice – Figure 2**, staff concluded that the percentage of those living within the Westminster Elementary School District (in a six-mile radius of the project site) and enrolled in the free or reduced price meal program is larger than those in the reference geographies, and thus are considered an environmental justice (EJ) population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*.

**Environmental Justice – Table 1
Low Income Data within the Project Area**

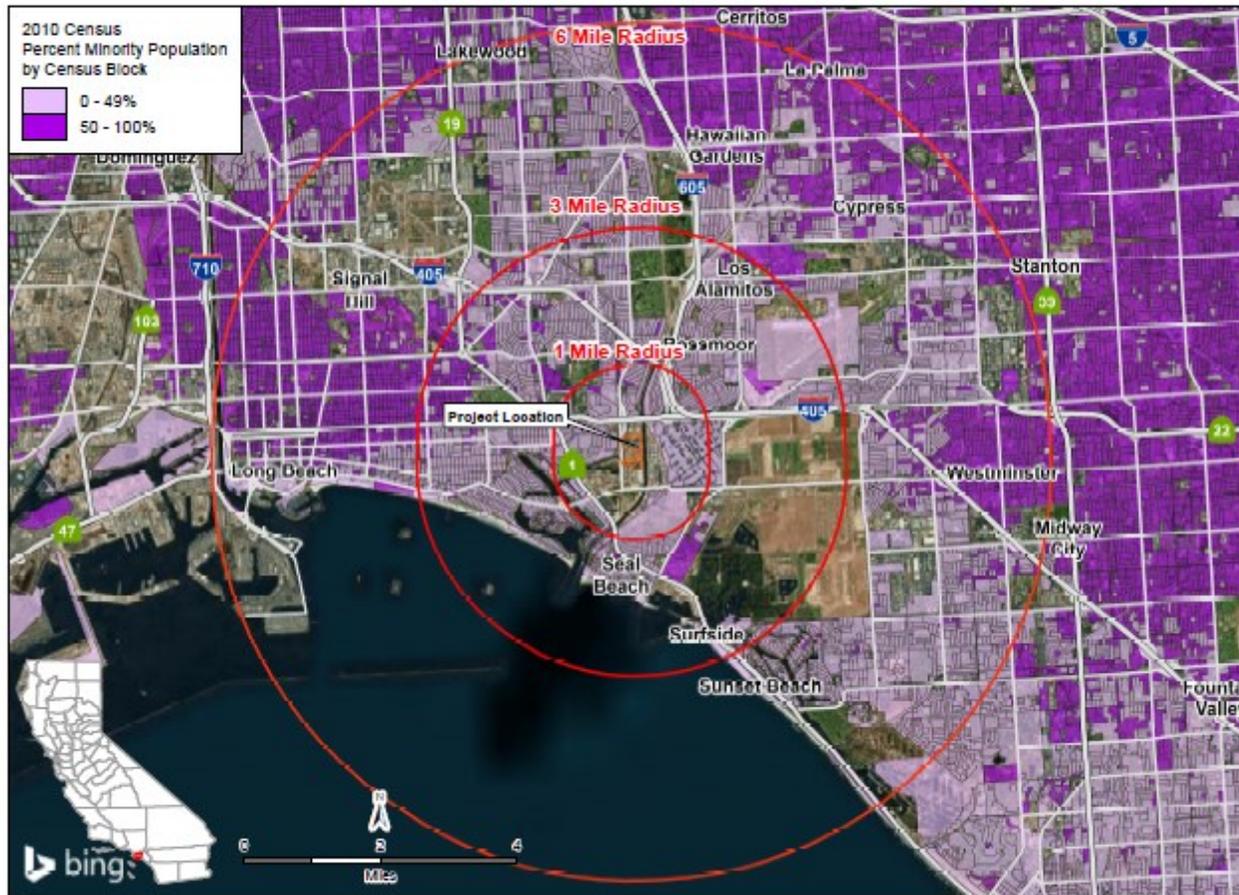
SCHOOL DISTRICTS IN SIX-MILE RADIUS	Enrollment Used for Meals	Free or Reduced Price Meals	
Long Beach Unified School District	76,428	52,811	69.1%
ABC Unified School District	20,768	10,247	49.3%
REFERENCE GEOGRAPHY			
Los Angeles County	1,511,493	1,017,791	67.3%
Cypress Elementary School District	3,969	1,280	32.2%
Los Alamitos Unified School District	9,904	1,381	13.9%
Ocean View Elementary School District	8,467	3,579	42.3%
Westminster Elementary School District	9,338	6,619	70.9%
REFERENCE GEOGRAPHY			
Orange County	490,431	230,464	47.0%
Source: CDE 2017. California Department of Education, DataQuest, Free or Reduced Price Meals, District level data for the year 2016-2017, < http://dq.cde.ca.gov/dataquest/ >.			

Staff’s EJ impact analysis evaluates the project’s impacts on the EJ population living within a six-mile radius of the project site. Staff uses a six-mile radius around the project site based on the parameters for air dispersion modeling used in staff’s air quality analysis to obtain data to gain a better understanding of the demographic makeup of the communities potentially impacted by the project. Air quality impacts are generally the type of project impacts that extend the furthest from a project site. Beyond a six-mile radius air emissions have either settled out of the air column or mixed with surrounding air to the extent the potential impacts are less than significant.

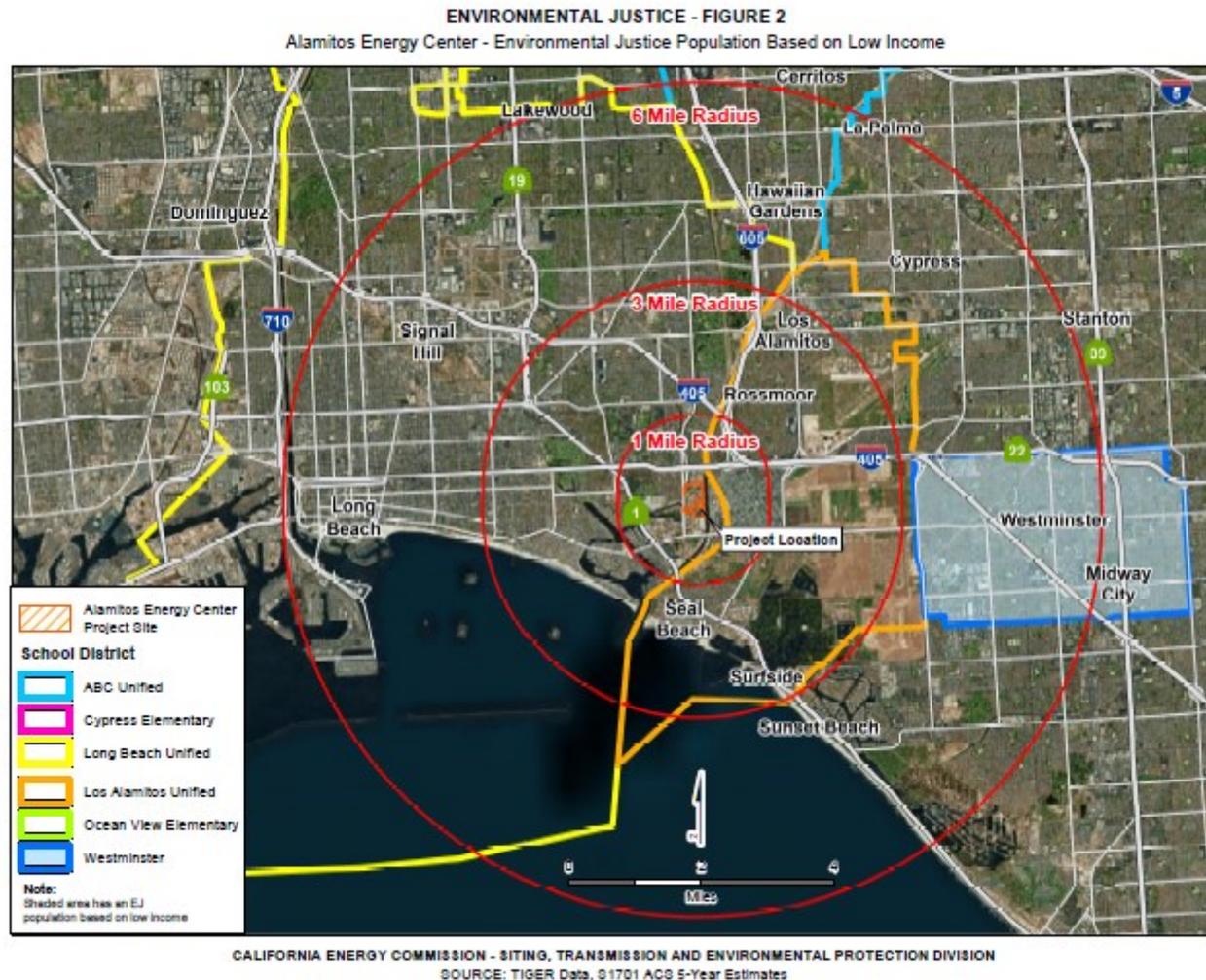
ENVIRONMENTAL JUSTICE CONCLUSIONS

Energy Commission staff identified less than significant impacts in each of the technical areas listed above with the implementation of existing conditions of certification. Therefore, impacts would be less than significant for any population in the project’s six-mile radius, including the EJ population represented in **Environmental Justice - Figure 1 and 2, and Table 1**.

ENVIRONMENTAL JUSTICE - FIGURE 1
Alamitos Energy Center - Census 2010 Minority Population by Census Block



CALIFORNIA ENERGY COMMISSION - SITING, TRANSMISSION AND ENVIRONMENTAL PROTECTION DIVISION
SOURCE: Census 2010 PL 94-171 Data



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

Summary of Staff Responses to Petition

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

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

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

Energy Commission staff has determined for this petition that:

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

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

REFERENCES

AEC 2013a – Alamos Energy Center (TN 201620-1 to -72) Application for Certification Volume 1 & 2, dated December 27, 2013. Submitted to CEC/Docket Unit on December 27, 2013.

CEC 2016cc – California Energy Commission (TN 213768). Final Staff Assessment, Part 1, dated September 2016. Submitted to CEC/Docket Unit on September 23, 2016

CEC 2016ee – California Energy Commission, Keith Winstead (TN 213943). Final Staff Assessment Visual Resources Appendices VR-1 and VR-2, dated October 10, 2016. Submitted to CEC/Docket Unit on October 10, 2016

CEC 2017 – California Energy Commission, Commission Decision on Application for Certification of Alamos Energy Center (13-AFC-01), (TN 217416). Dated April 12, 2017. Submitted to CEC/Docket Unit on May 4, 2017.

AEC 2018a – Alamos Energy Center (TN 224060) Petition to Amend for Additional Laydown Area, dated July 5, 2018. Submitted to CEC/Docket Unit on July 5, 2018.

WRITTEN COMMENTS

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

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

California Energy Commission
Dockets Unit, MS-4
Docket No. 13-AFC-01C
1516 Ninth Street
Sacramento, CA 95814-5512

All comments and materials filed with and accepted by the Dockets Unit will be added to the facility Docket Log and be publically accessible on the Energy Commission's webpage for the facility. If you have questions about this notice, please contact John Heiser, Project Manager, at (916) 653-8236 or via email at John.Heiser@energy.ca.gov.

For information on participating in the Energy Commission's review of the Alamos Energy Center petition, please contact the Energy Commission's Public Adviser at (916) 654-4489, or at (800) 822-6228 (toll-free in California). The Public Adviser's Office can also be contacted via email at publicadviser@energy.ca.gov.

News media inquiries should be directed to the Energy Commission Media Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov.

Date: _____

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