

DOCKETED

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DATE: March 4, 2026

TO: Interested Parties

FROM: Joseph Douglas, Compliance Project Manager

**SUBJECT: Magnolia Power Project (01-AFC-06C)
CEC Staff Analysis of Petition to Amend the Final Commission
Decision**

On September 12, 2024, the City of Burbank (COB) Water and Power (BWP) filed a Post-Certification Petition for Changes in Project Design, Operation or Performance and Amendments to the Commission Decision ([TN 259131](#)) with the California Energy Commission (CEC) for the Magnolia Power Project (MPP), pursuant to California Code of Regulations, title 20, section 1769.

The MPP, a 323-megawatt (MW) combined-cycle, natural gas facility, was certified by the CEC in March 2003 and began commercial operation in September 2005. The MPP electric power generating facility consists of a 1-on-1, combined cycle power island. The facility is located at the Burbank Department of Water and Power (BWP) complex at 164 West Magnolia Boulevard in the central portion of the city of Burbank, in Los Angeles County.

Description of Proposed Change

The project owner proposes to modify text in COC **SOIL AND WATER-6** to accept captured stormwater to be used as a water supply. The additional water supply alternative is due to a stormwater improvement project (SWIP), constructed by the City of Burbank (COB) Water and Power Department (BWP) located on the BWP campus adjacent to the MPP. The purpose of the SWIP is to capture, retain, infiltrate and reuse onsite stormwater. Captured stormwater would either be used by MPP for power plant cooling or infiltrated into onsite soil. The SWIP would incorporate a 37,000-cubic-foot proposed modification that is expected to improve local stormwater quality since the SWIP would capture stormwater instead of discharging it to the Burbank Western Channel. Otherwise, no impacts to hydrology and water quality are expected. Captured stormwater would be conveyed to MPP by connection to the existing underground piping system.

CEC Staff Review and Conclusions

California Code of Regulations, title 20, section 1769 requires a project owner to petition the CEC for approval of any change the project owner proposes to the project, design, operation, or performance requirements of a certified facility. Consistent with these regulations, the CEC staff (staff) has reviewed the petition, for potential environmental effects and consistency with applicable laws, ordinances, regulations and standards (LORS) and MPP's conditions of certification (COCs).

Based on staff's analysis, contained below, staff has concluded that the proposed changes to the MPP would not have a significant effect on the environment, or cause the project to fail to comply with any applicable LORS, as a result of the adoption of one modified COC in the area of Soil and Water Resources.

Staff concludes the proposed modifications of the Condition of Certification **SOIL AND WATER-6** do not meet any of the criteria requiring the preparation of subsequent or supplement review pursuant to Public Resources Code section 21166. Staff also concludes none of the findings specified in California Code of Regulations, title 20, section 1748(b) are applicable to the proposed changes.

As explained in the Staff Analysis, consistent with California Code of Regulations, title 20, section 1769(a)(4), staff is bringing this petition to the Commission for approval. Staff intends to recommend approval of the petition at the April 8, 2026 Business Meeting of the CEC.

The CEC's [project webpage](https://www.energy.ca.gov/powerplant/combined-cycle/magnolia-power-project), [<https://www.energy.ca.gov/powerplant/combined-cycle/magnolia-power-project>] has a link to the petition and the Staff Analysis on the right side of the webpage in the box labeled "Compliance Proceeding." Click on the "[Docket Log \(01-AFC-06C\)](#)" option. If approved, the CEC's Order approving this petition will also be available from the same webpage.

This letter has been mailed to the CEC's list of interested parties and property owners of all parcels within 500 feet of any affected project linears (e.g., transmission lines, etc.) and 1,000 feet of the project site. It has also been emailed to the MPP subscription list. The list is an automated email system by which information about this facility is emailed to parties who have subscribed. To subscribe, go to the [CEC's project webpage](#), cited above, scroll down the right side of the project's webpage to the box labeled "Subscribe," and provide the requested contact information.

Any person may comment on the Staff Analysis. Those who wish to submit comments on the analysis prior to the April 8, 2026, CEC Business Meeting may do so by using the CEC's electronic commenting feature. Go to the [CEC's project webpage](#) and click on either the "Comment on this Proceeding," or "[Submit e-Comment](#)" link. When your comments are filed, you will receive an email with a link to them.

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

California Energy Commission
Docket Unit, MS-4
Docket No. 01-AFC-06C
715 P Street
Sacramento, CA 95814-5512

Comments will also be accepted during the scheduled business meeting. All comments and materials filed with the Docket Unit will be added to the facility Docket Log and become publicly accessible on the [CEC's project webpage](#).

If you have questions about this notice, please contact Compliance Project Manager Joseph Douglas, Compliance Monitoring and Enforcement Unit, Safety and Reliability Branch, at (916) 956-9527 or via e-mail at Joseph.Douglas@energy.ca.gov.

For information on public participation, please contact the CEC's Office of Public Advisor, Energy Equity, and Tribal Affairs at (916) 957-7910 or email at publicadvisor@energy.ca.gov.

News media inquiries should be directed to the CEC's Media Office at (916) 654-4989, or by e-mail to mediaoffice@energy.ca.gov.

Mail List: 7070
Listserv: Magnolia

MAGNOLIA POWER PROJECT (01-AFC-06C)

Petition to Amend Commission Decision

EXECUTIVE SUMMARY

Joseph Douglas

INTRODUCTION

On September 12, 2024, the COB BWP filed a Post-Certification Petition for Changes in Project Design, Operation or Performance and Amendments to the Commission Decision (Petition) ([TN 259131](#)) with the California Energy Commission (CEC) for the Magnolia Power Project (MPP), pursuant to California Code of Regulations, title 20, section 1769.

The MPP, a 323-megawatt (MW) combined-cycle, natural gas facility, was certified by the CEC in March 2003 and began commercial operation in September 2005. The facility is located at the City of Burbank, Burbank Water and Power (BWP) Campus at 164 West Magnolia Boulevard in the central portion of the city of Burbank, in Los Angeles County.

DESCRIPTION OF PROPOSED CHANGE(S)

The project owner proposes to modify text in COC **SOIL AND WATER-6** to accept captured stormwater to be used as a water supply. The additional water supply alternative is due to a stormwater improvement project (SWIP), constructed by the City of Burbank Water and Power Department (BWP) located on the BWP campus adjacent to the MPP. The purpose of the SWIP is to capture, retain, infiltrate and reuse onsite stormwater. Captured stormwater would either be used by MPP for power plant cooling or infiltrated into onsite soil. The SWIP would incorporate a 37,000-cubic-foot proposed modification that is expected to improve local stormwater quality since the SWIP would capture stormwater instead of discharging it to the Burbank Western Channel. Otherwise, no impacts to hydrology and water quality are expected. Captured stormwater would be conveyed to MPP by connection to the existing underground piping system.

The purpose of the CEC's review process is to assess whether the project changes proposed in the petition would have a significant impact on the environment or cause the project to not comply with applicable laws, ordinances, regulations, and standards (LORS) (Cal. Code Regs., tit. 20, § 1769).

NECESSITY FOR THE PROPOSED CHANGE(S)

The primary purpose for this amendment is to allow the use of captured stormwater as an allowed source of water that can be used for cooling purposes and to infiltrate the stormwater into the ground when it is not needed at MPP.

This change promotes environmental stewardship and allows conservation of the primary MPP water sources when stormwater is available. It also avoids having to discharge water to local storm channels when it can be reused onsite at MPP. Furthermore, it adds a layer of protection for any potential spills or possible pollutants entering the Burbank Western Channel.

CEC STAFF REVIEW AND CONCLUSION

Consistent with the California Code of Regulations, title 20, section 1769, staff has reviewed the petition for potential environmental effects and consistency with LORS. Based on staff analysis, contained below, staff has concluded that the proposed changes to the MPP would not have a significant effect on the environment, or cause the project to fail to comply with any applicable LORS, as a result of the adoption of the modified COC in the area of Soil and Water Resources. Consistent with California Code of Regulations, title 20, section 1769(a)(4), staff is bringing this petition to the Commission for approval.

Staff conclude that none of the findings specified in California Code of Regulations, title 20, section 1748(b) apply to the proposed change.

Lastly, staff concludes the proposed change does not meet any of the criteria requiring the production of subsequent or supplemental review pursuant to Public Resources Code section 21166.

STAFF'S ASSESSMENT OF THE PROPOSED PETITION

Staff's assessment of the proposed changes to utilize captured stormwater considered the potential impacts to the population within the disadvantaged community, including the environmental justice population within a six-mile radius of MPP. Staff has proposed modification of Condition of Certification **SOIL and WATER-6** to address the stormwater capture and reuse.

Staff reviewed the petition for potential environmental effects and consistency with applicable LORS. Staff's conclusions for all technical and environmental areas are summarized in **Executive Summary Table 1**.

**Executive Summary Table 1
Summary of Conclusions for all Technical and Environmental Areas**

Technical Areas Reviewed	CEQA				Conforms with applicable LORS
	Potentially Significant Impact	Less Than Significant Impact (with Revised or New COCs)	Less Than Significant Impact (with or without Existing COCs)	No Impact	
Air Quality			X		X
Biological Resources				X	X
Cultural and Tribal Cultural Resources				X	X
Efficiency				X	
Facility Design					X
Geological and Paleontological Resources			X		X
Hazardous Materials Management				X	X
Land Use				X	X
Noise and Vibration			X		X
Public Health			X		X
Reliability					
Socioeconomics				X	
Soil and Water Resources		X			X
Traffic and Transportation				X	X
Transmission Line Safety and Nuisance				X	X
Transmission System Engineering					X
Visual Resources				X	X
Waste Management			X		X
Worker Safety and Fire Protection				X	X

Areas shown in gray are not subject to CEQA consideration or have no applicable LORS that the project must comply with.

For the technical area of Soil and Water Resources, staff have proposed modifications to an existing COC. For the remaining environmental and technical areas, staff has determined that the modified project would continue to comply with applicable LORS, and the project change would not result in any significant adverse environmental impacts or require a change to any COCs. The basis for each of staff's conclusions are provided below:

AIR QUALITY

The MPP proposes to accept captured storm water to be used as a water supply. No long-term operational air quality or greenhouse gas impacts are anticipated as a result of the proposed project modification since there would be no operational vehicle trips or stationary sources resulting from the proposed water supply change. In addition, BWP does not expect there to be a change in operational particulate matter emissions that would exceed the limit of 30.25 pounds per day for the cooling tower in existing Condition of Certification **AQ-36** (TN 261545). Impacts to air quality and greenhouse gases are anticipated to be less than significant with the existing conditions of certification. The MPP would continue to comply with all their currently applicable Air Quality COCs. The project would remain in compliance with all applicable LORS related to Air Quality.

BIOLOGICAL RESOURCES

The proposed modifications to COC **SOIL AND WATER-6** would not result in any ground disturbing activities. Therefore, no impact to biological resources would occur, and the facility would remain in compliance with applicable LORS.

CULTURAL AND TRIBAL CULTURAL RESOURCES

The proposed modifications to COC **SOIL AND WATER-6** would not result in any ground disturbing activities. Therefore, no impact to cultural or tribal cultural resources would occur, and the facility would remain in compliance with applicable LORS.

EFFICIENCY

The MPP's proposed use of stormwater would not affect the power plant's thermal efficiency because no power plant generating equipment would be affected. No LORS apply to power plant efficiency.

FACILITY DESIGN

The MPP's proposed modifications to COC **SOIL AND WATER-6** would not result in a change in Facility Design. Therefore, no impact to Facility Design would occur, and the facility would remain in compliance with applicable LORS.

GEOLOGICAL AND PALEONTOLOGICAL RESOURCES

The proposed modifications to COC **SOIL AND WATER-6** would not result in any ground disturbing activities. Therefore, no impact to geological or paleontological Resources would occur, and the facility would remain in compliance with applicable LORS.

HAZARDOUS MATERIALS MANAGEMENT

The proposed use of the stormwater would not require any changes to the management of hazardous materials. Therefore, the proposed project modification would have no impact on the offsite public or the environment and conform to all applicable LORS.

LAND USE

The proposed modifications to COC **SOIL AND WATER-6** would not result in a change in land use at the site. Therefore, no impact to land use would occur, and the facility would remain in compliance with applicable LORS.

NOISE AND VIBRATION

The proposed modifications to COC **SOIL AND WATER-6** would not involve construction or ground disturbing activities and therefore would not impact the noise and vibration levels of the project.

The MPP would continue to comply with all their currently applicable Noise and Vibration COCs and would also remain in compliance with applicable LORS. Therefore, as the result of this PTA, the proposed modification's impact on Noise and Vibration is expected to remain less than significant.

PUBLIC HEALTH

The MPP proposes to accept captured storm water to be used as a water supply. No long-term public health impacts are anticipated as a result of the proposed project modification, since the proposed project improvements would be limited to water supply change. BWP does not expect there to be a change in operational particulate matter emissions that would exceed the limit of 30.25

pounds per day for the cooling tower in existing Condition of Certification **AQ-36** (TN 261545). Impacts to Public Health would remain less than significant with existing COCs. The project would remain in compliance with all applicable LORS related to Public Health.

RELIABILITY

The MPP's proposed use of storm water in this petition would not affect the power plant's overall reliability and would not affect the operation of the MMP.

SOCIOECONOMICS

The proposed modifications to COC **SOIL AND WATER-6** would not involve any additional workforce. No workforce-related impacts to population and housing, public services, or recreation would occur. There is no socioeconomics LORS or COCs applicable to the change.

SOIL AND WATER

This Petition to Amend (PTA) proposes to modify text in COC **SOIL AND WATER-6** to accept captured stormwater to be used as a first priority backup water supply to the reclaimed water used for power plant cooling. This modification was made possible by the stormwater improvement project (SWIP), constructed by the City of Burbank Water and Power Department (BWP) located on the BWP campus adjacent to the MPP. The purpose of the SWIP is to capture, retain, infiltrate and reuse onsite stormwater. Captured stormwater would either be used by MPP for power plant cooling or infiltrated into onsite soil. The SWIP would incorporate a 37,000-cubic-foot proposed modification that is expected to improve local stormwater quality since the SWIP would capture stormwater instead of discharging it to the Burbank Western Channel. Otherwise, no impacts to hydrology and water quality are expected. Captured stormwater would be conveyed to MPP by connection to the existing underground piping system. The use of stormwater as a preferred backup water supply honors the findings of the CEC's Integrated Energy Policy Report that indicated that power plant developers should use alternative water supply sources unless environmentally undesirable or economically sound. CEC staff are proposing modifications to the existing COC **SOIL AND WATER-6**. Proposed addition of the new texts are shown as bold and underlined and deleted texts are presented as ~~strikethrough~~. The following are the proposed changes:

SOIL AND WATER-6 Only potable water from the COB, recycled water from the BWRP, **off-site captured stormwater**, or contaminated groundwater from beneath the MPP site for which COB has an adjudicated groundwater

right shall be used by the project. The primary water supply shall be reclaimed water provided by the BWRP. The BWRP reclaimed water backup water supply shall be **captured stormwater** ~~COB potable water (containing at least 25 percent properly treated contaminated groundwater)~~ or properly treated contaminated water from beneath the project site. ~~The project owner shall confirm that COB potable water used for backup purposes contains at least 25 percent properly treated contaminated groundwater in the Annual Compliance Report.~~ Properly treated groundwater obtained from the municipal potable water supply shall consist of groundwater treated in a manner consistent with the Second Consent Decree between the COB and the USEPA entered in Federal Court on June 22, 1998, and any subsequent Consent Decrees. The project owner shall comply with the Consent Decree, which requires the removal of all volatile organic compounds to less than Federal Drinking Water Standards. Additionally, properly treated groundwater shall be consistent with the treatment facilities' operating permit issued by California Department of Health Services, Drinking Water Division that requires the treated groundwater to meet all State drinking water standards except for nitrate. Non-potable backup water supplied to MPP from the wells located on the project site shall be treated to remove volatile organic ~~carbons~~ **compounds** (VOCs) to concentrations less than State drinking water standards (Tit. 22, Cal. Code of Regs., § 60301 et seq.)

The project shall be allowed a maximum of 200 acre-feet per year (AFY) COB potable water for all routine sanitary, domestic, and demineralizer feed water purposes. This 200 AFY shall not be considered or reported as part of the backup water supply. Any potable water used in excess of this amount shall be reported as a backup water supply use.

The project owner shall install onsite metering and recording devices and record on a monthly basis all water used by the MPP (primary and backup),

the amount of reclaimed and non-reclaimed water used by the project, with

the source and amount of all reclaimed and non-reclaimed water identified.

The annual summary shall include the monthly range, monthly average, and

total amounts of reclaimed and non-reclaimed water identified by amount and

source used by the project in both gallons-per-minute and acre-feet.

Following the first year of operation the annual summary shall also include the yearly range and yearly average of reclaimed and non-reclaimed water identified by amount and source used by the project. This information shall be supplied to the CPM in the Annual Compliance Report for review and approval.

Verification: ~~At least 60 days prior to the start of operation of MPP,~~ **Within 30 days of commissioning the captured stormwater system,** the project

owner

shall submit to the CPM evidence that metering devices have been installed and are

operational on the pipelines serving and within the project. These metering devices shall be capable of recording the quantities in gallons of water delivered to MPP and

differentiate between uses of these supplies by MPP in order to report water demand.

The project owner shall provide a report on the servicing, testing and calibration of the

metering devices and operation in the annual compliance report.

The project owner shall submit the required water use summary to the CPM for review

and approval as part of the Annual Compliance Report for the life of the project.

The modification would conform to applicable LORS related to soil and water resources and a change to the existing COC **SOIL&WATER-6** is proposed.

Therefore, the impacts to soil and water resources of the proposed PTA would be less than significant with mitigation.

TRAFFIC AND TRANSPORTATION

The proposed modifications to COC **SOIL AND WATER-6** would not generate any additional vehicle trips. Impacts to transportation, including vehicle miles traveled, would not occur and the facility would remain in compliance with applicable LORS.

TRANSMISSION LINE SAFETY AND NUISANCE

The proposed modifications to COC **SOILS and WATER-6** would have no impact on TLSN. The MPP would continue to comply with all their currently applicable transmission line safety and nuisance COCs and LORS.

TRANSMISSION SYSTEM ENGINEERING

The proposed modifications to COC **SOILS and WATER-6** does not include activities affecting the transmission lines and would not impact the transmission grid. Therefore, the project would not change the Transmission System Engineering analysis. In addition, the project would comply with applicable LORS and would not require a change to any of the COCs.

VISUAL RESOURCES

The proposed modifications to COC **SOIL AND WATER-6** would not introduce a visual change to the existing physical environment on the site or in the surrounding vicinity. There would be no impacts to visual resources, and the facility would remain in compliance with applicable LORS.

WASTE MANAGEMENT

The proposed modifications to COC **SOILS and WATER-6** would conform to applicable LORS related to waste management and changes to the existing Waste Management COCs would not be required. Therefore, the waste management impacts of the proposed PTA would be less than significant.

WORKER SAFETY AND FIRE PROTECTION

The proposed modifications to COC **SOILS and WATER-6** would not introduce any activities impacting Worker Safety and Fire Protection. There would be no impacts to Worker Safety and Fire Protection and the facility would comply with applicable LORS and not require a change to any COCs.

ENVIRONMENTAL JUSTICE

CALENVIROSCREEN

Staff reviewed CalEnviroScreen 4.0 data to determine whether the United States census tract where the Magnolia Power Project is located (06037310800) is identified as a disadvantaged community. This science-based mapping tool is used by the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities based on geographic, socioeconomic, public health, and environmental hazard criteria pursuant to Health and Safety Code section 39711 as enacted by Senate Bill 535 (De León, Chapter 830, Statutes of 2012). The CalEnviroScreen 4.0 overall percentile score for this census tract is 63.3 and, thus, is not identified as a disadvantaged community⁽¹⁾.

ENVIROMENTAL JUSTICE

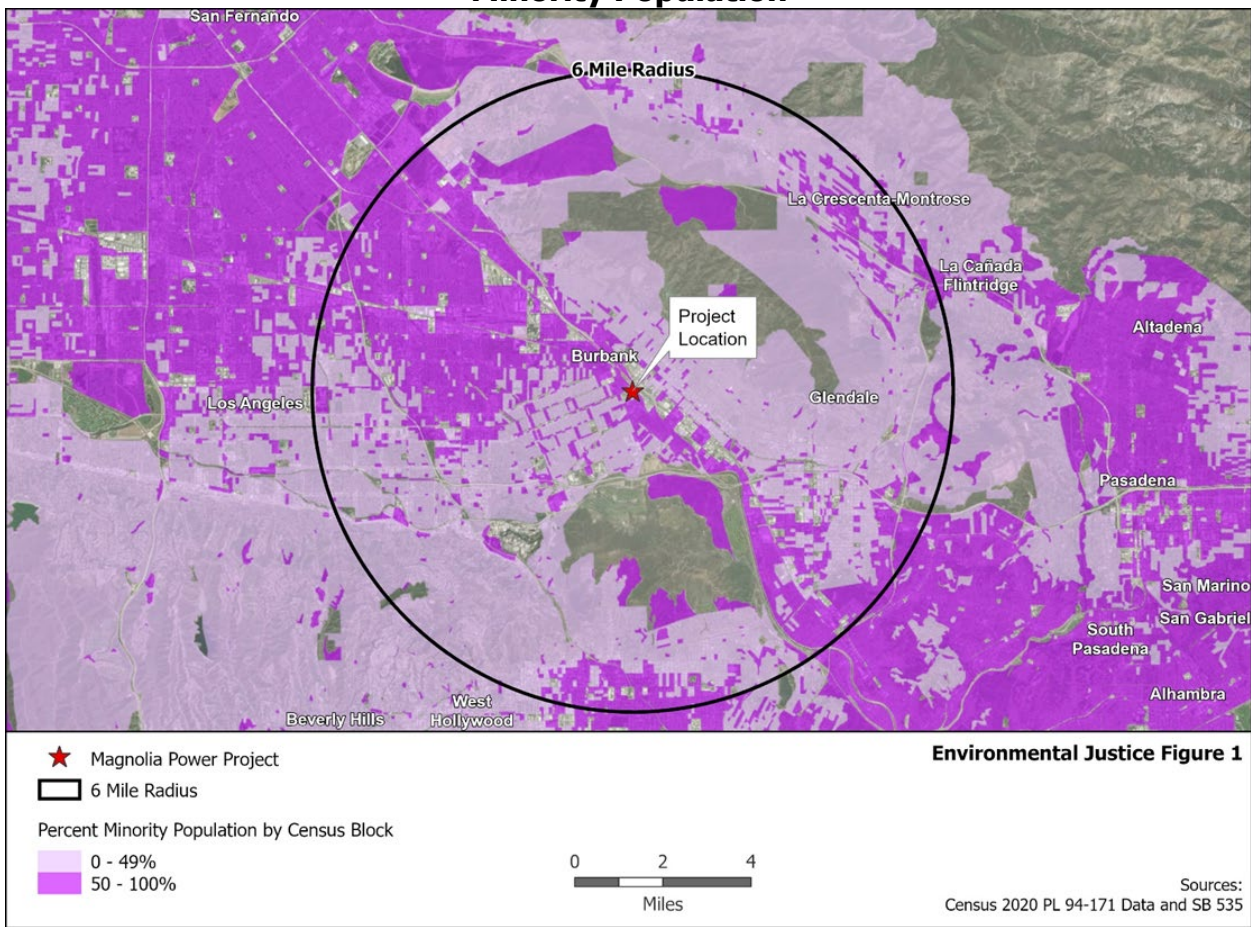
Environmental Justice Figure 1 shows 2020 census blocks in the six-mile radius of the MPP with a minority population greater than or equal to 50 percent. The population in these census blocks represents an environmental justice (EJ) population based on race and ethnicity as defined in the United States Environmental Protection Agency’s *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. Staff conservatively obtains demographic data within a six-mile radius around a project site based on the parameters for dispersion modeling used in staff’s air quality analysis. 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. The area of potential impacts would not extend this far from the project site for most other technical areas included in staff’s EJ analysis.

Based on California Department of Education data in the **Environmental Justice Table 1**, staff concluded that the percentage of those living in the Los Angeles Unified School District (in a six-mile radius of the project site) and enrolled in the free or reduced-price meal program is greater than those in the reference geography. Thus, it is considered an EJ population based on low income as defined in *Guidance on Considering Environmental Justice During the Development of Regulatory Actions*. **Environmental Justice – Figure 2** shows where the boundaries of the school district are in relation to the six-mile radius around the Magnolia Power Project site.

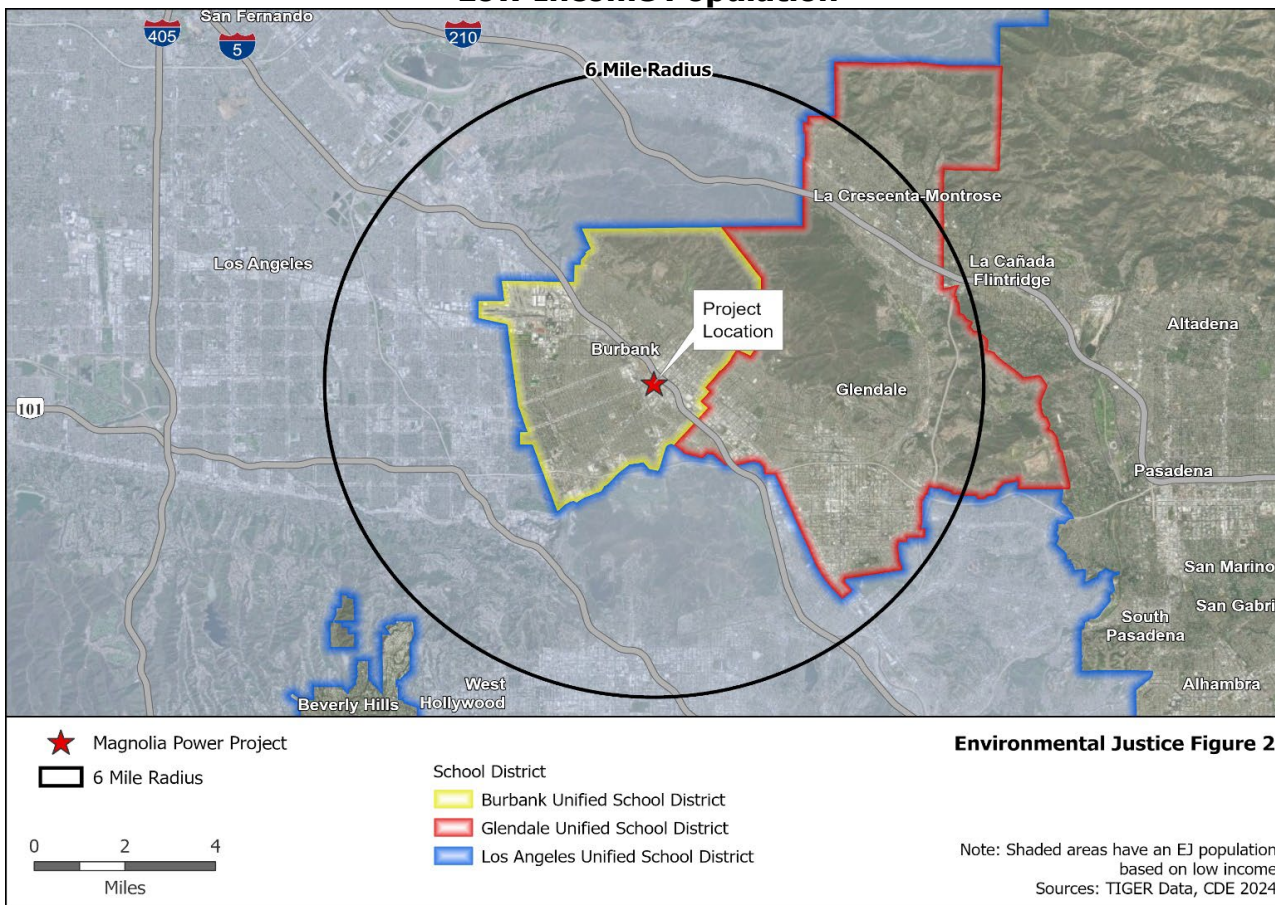
**Environmental Justice – Table 1
Low Income Data within the Project Area**

SCHOOL DISTRICTS IN SIX-MILE RADIUS	Enrollment Used for Meals	Free or Reduced Price Meals	
Burbank Unified	14,2168	4,626	32.7%
Glendale Unified	25,329	12,589	49.7%
Los Angeles Unified	516,685	423,432	82.0%
REFERENCE GEOGRAPHY			
Los Angeles County	1,275,769	887,305	69.6%
Source: CDE 2025. California Department of Education, DataQuest, Free or Reduced Price Meals, District level data for the year 2024-2025, http://dq.cde.ca.gov/dataquest/ .			

**Figure 1 Environmental Justice
Minority Population**



**Figure 2 Environmental Justice
Low Income Population**



Environmental Justice Conclusions

For this petition, the following technical areas consider impacts to EJ populations: Air Quality, Cultural Resources (indigenous people), Hazardous Materials Management, Land Use, Noise and Vibration, Public Health, Socioeconomics, Soil and Water resources, Traffic and Transportation, Transmission Line Safety and Nuisance, Visual Resources, Waste Management, and Worker Safety and Fire Protection. For these technical areas, staff concludes that impacts would be less than significant and thus would be less than significant on the EJ population represented in **Environmental Justice Figure 1, Figure 2, and Table 1.**

Staff has determined that the modifications to the existing COCs would not result in significant impacts for any population in the project's six-mile radius, including the EJ population. Impacts to the EJ population are less than significant.

CEC STAFF RECOMMENDATIONS AND CONCLUSIONS

Staff has reviewed the petition, and all the information provided to staff related to the petition pursuant to California Code of Regulations, title 20, section 1769 for potential environmental effects and consistency with applicable LORS. Consistent with these regulations, the CEC staff has reviewed the petition for potential environmental effects, consistency with LORS, and MPP's COCs.

Staff concludes that none of the findings specified in California Code of Regulations, title 20, section 1748(b) are applicable to the proposed change. Staff also concludes the proposed modifications of the Soil and Water COC do not meet any of the criteria requiring the preparation of subsequent or supplement review pursuant to Public Resources Code section 21166 or California Code of Regulations, title 14, sections 15162 and 15163.

Consistent with California Code of Regulations, title 20, section 1769(a)(4), staff is bringing this petition to the Commission for approval.

^[1] The four categories of geographic areas identified by CalEPA as disadvantaged are: 1) Census tracts receiving the highest 25 percent of overall scores in CalEnviroScreen 4.0, 2) Census tracts lacking overall scores in CalEnviroScreen 4.0 due to data gaps, but receiving the highest 5 percent of CalEnviroScreen 4.0 cumulative pollution burden scores, 3) Census tracts identified in the 2017 DAC designation, regardless of their scores in CalEnviroScreen 4.0, and 4) Lands under the control of federally recognized Tribes. Source: CalEPA Final Designation of Disadvantaged Communities: May 2022
<https://calepa.ca.gov/envjustice/ghqinvest/>