California Energy Commission

South Bay Replacement Project

Application for Certification
06-AFC-3

Data Response and Issues Resolution Workshop

DOCKET
06-AFC-3
DATE DEC 11 2006
RECD. DEC 12 2006

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Project Manager
Energy Facility Licensing

December 11, 2006

CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov

Data Response and Issues Resolution Workshop Agenda
South Bay Replacement Project (06-AFC-3)

Chula Vista City Council Chambers
276 Fourth Avenue
Chula Vista, California

Monday, December 11, 2006

Sequence of presentations/questions for each topic:

- Energy Commission Staff – clarification of questions/issue resolution
- Applicant – Response
- Agencies' Comments
- Intervener's Comments
- Public Comments

10:00 AM to 5:00 PM (Lunch break from 12:00 to 1:00)

Introductions/Project Description
Discussion of Energy Commission Permitting Process and Jurisdiction

Biological Resources
Environmental Justice
Hazardous Materials
Land Use
Traffic and Transportation
Transmission System Engineering
Waste Management
Water and Soil Resources
Worker Safety
Visual Resources
Alternatives

Note: Air Quality, Cultural Resources and Public Health data responses will be discussed in a future workshop.

(Dinner break from 5:00 to 6:00)

6:00 to 9:00 PM
Summary of Major Topics
Public Comments

Purpose of Siting Process

" …ensure that a reliable supply of electrical energy is maintained at a level consistent with the need for such energy for protection of public health and safety, for the promotion of the general welfare, and for environmental quality protection."

Public Resources Code 25001

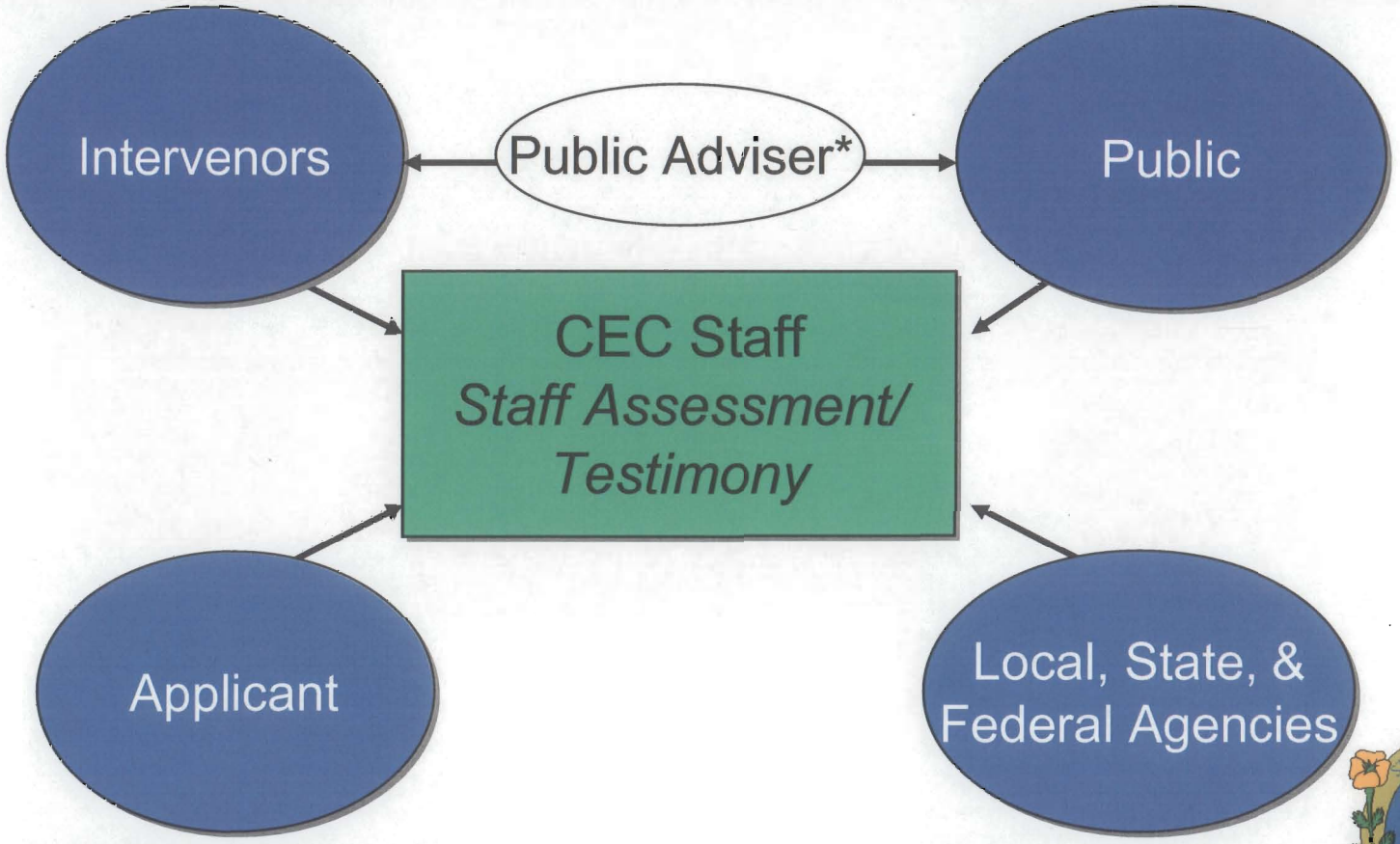
Energy Commission's Role

- Energy Commission permitting authority
  - Thermal power plants 50 megawatts or greater
  - Related facilities
    - electric transmission lines
    - water supply pipelines
    - natural gas pipelines
    - waste disposal facilities
    - access roads
- Lead state agency for California Environmental Quality Act (CEQA)

Overview of Three-Step Licensing Process

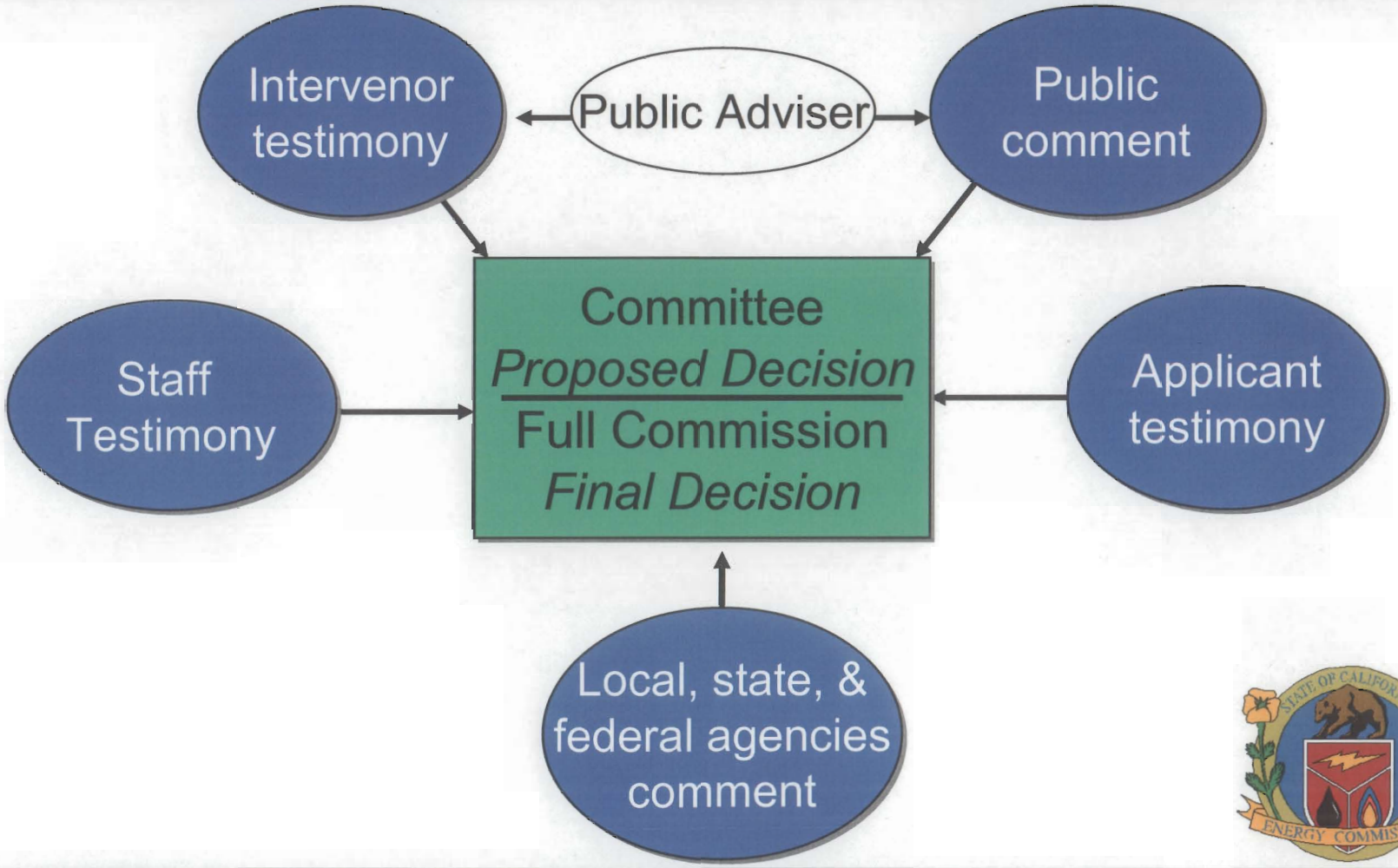
1. Data Adequacy
   - Minimum requirements to accept application
2. Discovery and Analyses
   - Issues Identification
   - Data requests
   - Workshops
   - Staff Assessments (Preliminary and Final)
3. Evidentiary Hearing and Decision
   - Committee holds evidentiary hearings
   - Committee produces PMPD
   - Goes before full Commission for decision

Staff Discovery and Analyses Process



* The Public Adviser provides assistance on how to participate in the CEC's public process.

Evidentiary Hearing & Decision Process



Staff's Analysis of the AFC

- Determine if proposal complies with Laws, Ordinances, Regulations, Standards (LORS)
- Conduct engineering and environmental analysis
  - identify issues
  - evaluate alternatives
  - identify mitigation measures
  - recommend conditions of certification
- Facilitate public and agency participation
- Staff products: Preliminary and Final Staff Assessments
- Make recommendations to the Committee

Alternatives Analysis

- Staff examines alternatives that may avoid or mitigate potentially significant, adverse impacts
- Need a reasonable range of alternative sites, technologies, and project size options that are capable of meeting most of the basic project objectives
- Staff also examines the no project alternative

Local, State and Federal Coordination

- Staff works closely with local, state and federal agencies, for example:
  - Local/Regional
    - Port of San Diego
    - City of Chula Vista
    - San Diego Air Pollution Control District
    - San Diego Regional Water Quality Control Board
  - State
    - CA Air Resources Board
    - Department of Toxic Substances Control
    - California Coastal Commission
  - Federal
    - US Environmental Protection Agency
    - US Fish & Wildlife Service

What Happens after the FSA

- Committee issues Presiding Member's Proposed Decision (PMPD)
  - Contains findings relating to
    - environmental impacts, public health, engineering
    - project's compliance with LORS
  - Recommends conditions of certification
  - Recommends whether or not to approve the project
- Full Commission makes decision
- CEC monitors compliance with all conditions of certification, for the life of the project
  - includes facility closure

A Bit About the Public Process

- Open Public Process
  - Workshops and Hearings noticed at least 10 days in advance
  - Mailing lists
- Documents are available for public review at:
  - Public Libraries in Chula Vista (also Sacramento, Los Angeles, San Francisco, San Diego, Fresno, and Eureka)
  - Energy Commission Library in Sacramento
  - Energy Commission Web site: www.energy.ca.gov/sitingcases/southbay
  - Energy Commission Docket
    1516 9th Street, MS - 4
    Sacramento, CA 95814-5512

Ways You May Participate

- Submit written comments or statements to the Commission
- Provide oral comments at public meetings
- Become a formal intervenor (Contact Public Adviser, Margret Kim)
- Provide written comments on the PSA/FSA
- Provide written comments on the Proposed Decision

South Bay Project Schedule

Date	Milestone / Event
August 30, 2006	AFC is deemed Data Adequate at business meeting
Sept. 12, 2006	Staff issues Issue Identification Report w/tentative schedule
Sept. 15, 2006	Committee Informational Hearing and Site Visit
Oct. 31, 2006	Staff issues first set of data requests
Nov. 29, 2006	Applicant provides responses to data requests
Dec. 11, 2006	Staff holds Data Request/ Issues Resolution Workshop
January 2007	Staff holds Data Response/Issues Resolution Workshop
February 2007	Local, state, and federal agency draft determinations (e.g., San Diego Air Pollution Control District files Preliminary Determination of Compliance)
January 2007	Staff issues second set of data requests
February 2007	Applicant provides responses to second data requests
March 2007	Staff files Preliminary Staff Assessment (PSA)
April, 2007	Staff holds PSA workshops
May 2007	Local, state, and federal agency final determinations (e.g., San Diego Air Pollution Control District files Final Determination of Compliance)
June 2007	Staff files Final Staff Assessment (FSA)
TBA	Committee Prehearing Conference/Hearings/Proposed Decision

Staff's Proposed Schedule

- Meeting this schedule will depend on:
  - Applicant's timely response to staff's data requests
  - Timing of the Air District's filing of the Preliminary and Final Determinations of Compliance
  - Determinations of other local, state, and federal agencies
  - Other factors not yet known

Contacts

- California Energy Commission (CEC)
  - Bill Pfanner, Project Manager
    - (916) 654-4206, e-mail: bpfanner@energy.state.ca.us
    - Web page: www.energy.ca.gov/sitingcases/southbay/index.html
  - Garret Shean, Commission's Hearing Officer
    - (916) 654-3893, e-mail: gshean@energy.state.ca.us
  - Margret Kim, Public Adviser
    - (916) 654-4489 or (800) 822-6228
    - e-mail: pao@energy.state.ca.us
- LSP South Bay, LLC
  - David Hicks, Manager of Public Affairs
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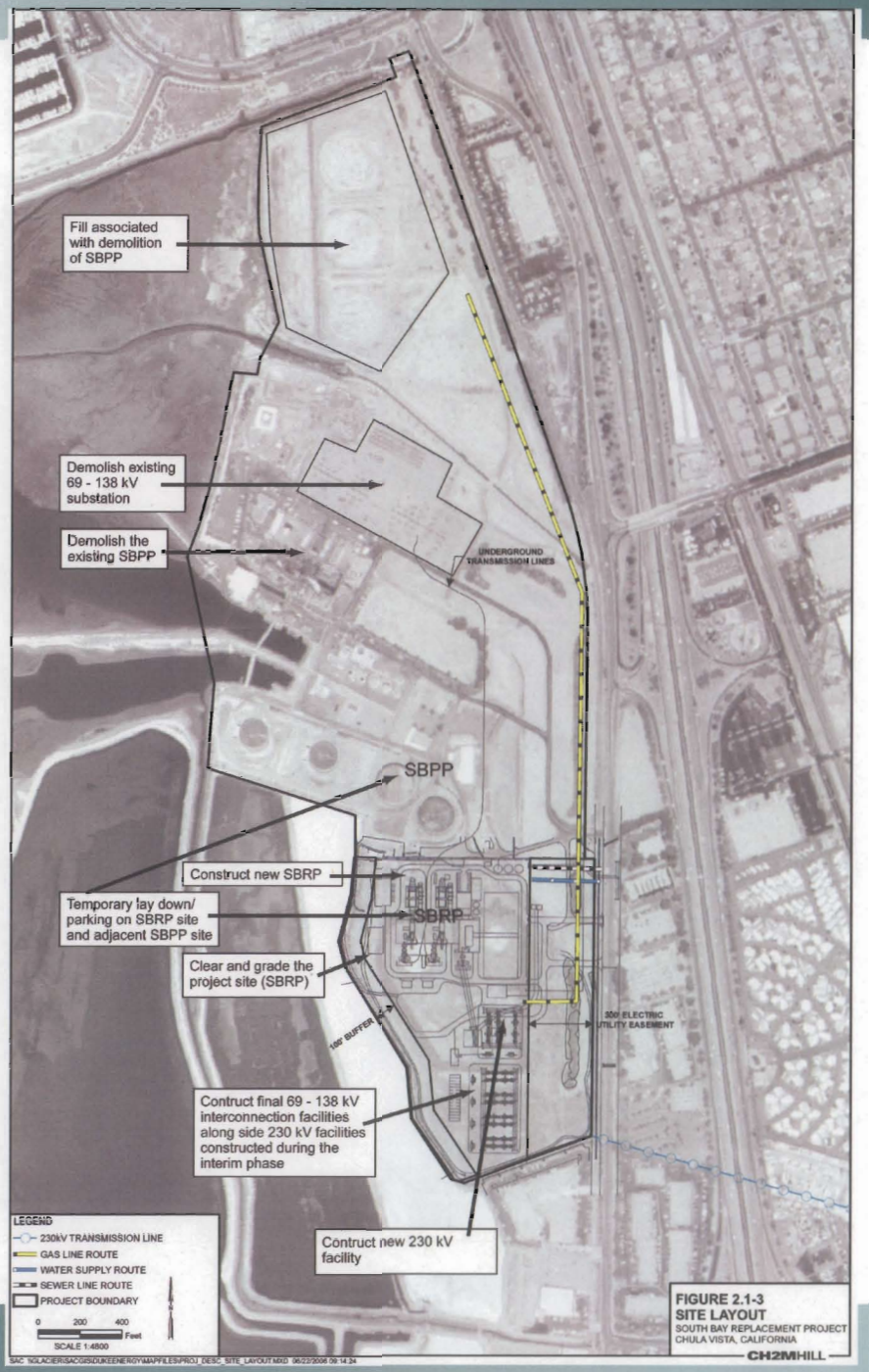
  - Kevin Johnson, LS Power
    - (408) 572-1290 e-mail: KJohnson@LSPower.com

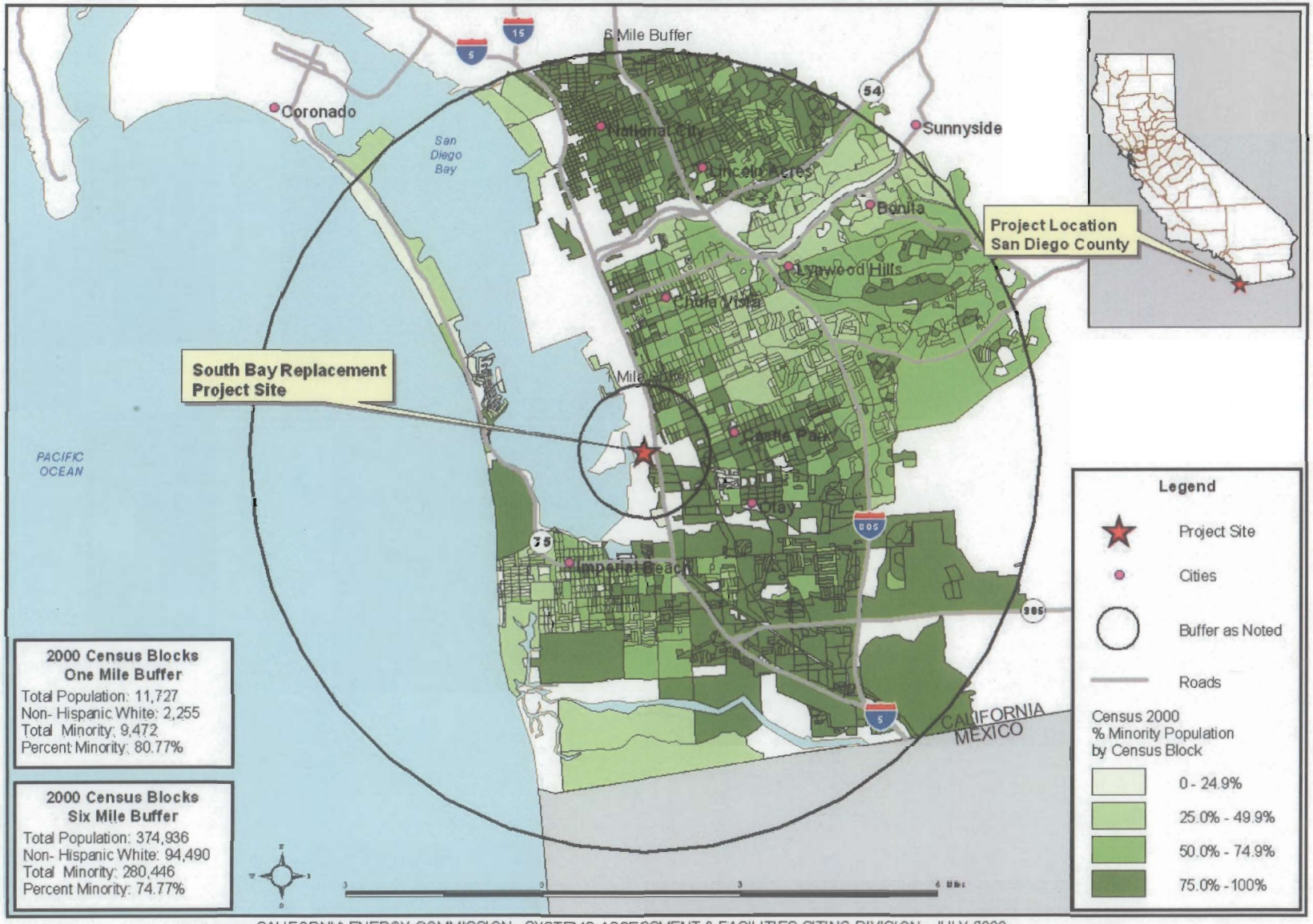

Fill associated with demolition of SBPP
Demolish existing 69 - 138 kV substation
Demolish the existing SBPP
UNDERGROUND TRANSMISSION LINES
SBPP
Construct new SBRP
Temporary lay down/ parking on SBRP site and adjacent SBPP site
SBRP
Clear and grade the project site (SBRP)
100' BUFFER
320' ELECTRIC UTILITY EASEMENT
Contruct final 69 - 138 kV interconnection facilities along side 230 kV facilities constructed during the interim phase
Contruct new 230 kV facility
LEGEND
230kV TRANSMISSION LINE
GAS LINE ROUTE
WATER SUPPLY ROUTE
SEWER LINE ROUTE
PROJECT BOUNDARY
0 200 400 Feet
SCALE 1:4800
SAC \GLACIER\SAC\GIS\DUKEENERGY\MAPFILES\PROJ_DESC_SITE_LAYOUT.MXD 06/22/2006 09:14:24
FIGURE 2.1-3
SITE LAYOUT
SOUTH BAY REPLACEMENT PROJECT
CHULA VISTA, CALIFORNIA
CH2MHILL

SOUTH BAY REPLACEMENT PROJECT (06-AFC-3)

CONSTRUCTION PHASE									
Activity	**Included in the AFC?**	**Who carries out activities?**	**Who operates/or maintains?**	**Who is responsible for CEQA?**	**Property Lessee**	**Property Leaser**	**Acres Impacted**	**Phase**	**Permitting Jurisdiction**
Clear and grade the project site (SBRP)	Yes	LSP South Bay LLC, (Applicant)	LSP South Bay (Applicant)	Energy Commission	LSP South Bay (Applicant)	San Diego Port District	12.9	Construction	Energy Commission
Temporary lay down/parking on SBRP site and SBPP site	Yes	Applicant	Applicant	Energy Commission	Applicant	Port	7 acres SBRP 13 acres SBPP site	Construction	Energy Commission
Construct new SBRP	Yes	Applicant	Applicant	Energy Commission	Applicant	Port	12.9 acres	Construction	Energy Commission
Construct new 230 kV facility	Yes	SDG&E	SDG&E	Energy Commission	SDG&E	Port	0.6 acres	Construction	Energy Commission
DEMOLITION PHASE									
Demolish the existing SBPP	Yes	Applicant	NA	Energy Commission	Applicant	Port	109 acres	Demolition	Port
Fill from demolition	No	Applicant	Applicant	Energy Commission	Applicant	Port	9 acres	Demolition	Port
FINAL INTERCONNECTION PHASE									
Construct final 69-138 kV interconnection	Yes	SDG&E	SDG&E	Energy Commission	SDG&E	Port	6.5 acres	Final Interconnection	Energy Commission
Demolish old 69-138 kV substation	No	SDG&E	SDG&E	Energy Commission	SDG&E	Port	6 acres	Future Project	Port
Construct new 69-138 kV substation	Yes	SDG&E	SDG&E	Energy Commission	SDG&E	Port	6.5 acres	Post SBRP construction	Energy Commission

SOCIOECONOMICS - FIGURE 1

South Bay Replacement Project- Census 2000 Minority Population by Census Block - One and Six Mile Buffer

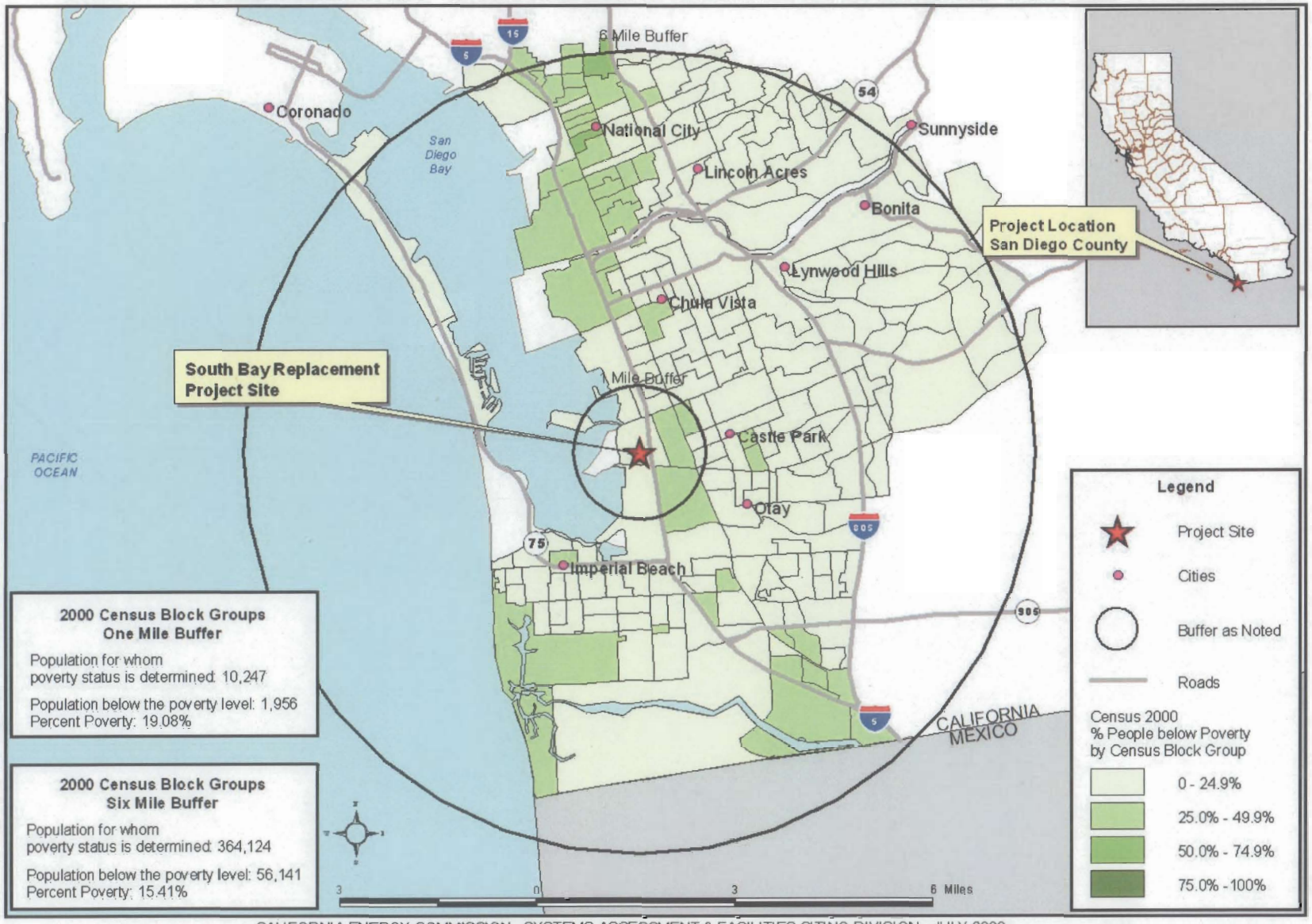


CALIFORNIA ENERGY COMMISSION, SYSTEMS ASSESSMENT & FACILITIES SITING DIVISION, JULY 2006

SOURCE: California Energy Commission Statewide Transmission & Power Plant Maps 2006, Census 2000 PL 94-171 Data - Matrix PL2

SOCIOECONOMICS - FIGURE 2

South Bay Replacement Project - Census 2000 Percentage of People below Poverty by Census Block Group - Six Mile Buffer



CALIFORNIA ENERGY COMMISSION, SYSTEMS ASSESSMENT & FACILITIES SITING DIVISION, JULY 2006

SOURCE: California Energy Commission Statewide Transmission & Power Plant Maps 2006, Census 2000 SF3

CALIFORNIA ENERGY COMMISSION STAFF APPROACH TO ENVIRONMENTAL JUSTICE

Staff's environmental justice (EJ) approach conforms with the Resources Agency's EJ policy:

> It is the policy of the Resources Agency that the fair treatment of people of all races, cultures and income shall be fully considered during the planning, decision-making, development and implementation of all Resources Agency programs, policies and activities. The intent of this policy is to ensure that the public, including minority and low-income populations, are informed of opportunities to participate in the development and implementation of all Resources Agency programs, policies and activities, and that they are not discriminated against, treated unfairly, or caused to experience disproportionately high and adverse human health or environmental effects from environmental decisions.

Staff's approach is also consistent with the U.S. EPA 1998 Guidance, and is composed of three primary factors: Demographics, Public Outreach and Impact Assessment

Demographics

- Census block data are used to develop a demographic screening map covering a one and six-mile radius around the proposed project.
- The demographic screening map is used to identify populations, or pockets, of greater than 50 percent people of color or low-income. Areas with such populations or pockets are considered to have potential EJ issues.
- During impact assessment, environmental, public health, and safety disciplines define their areas of potential impacts within the one and six-mile radius.

Public Outreach

- Information on proposed project is disseminated to all local area media and public library(ies)
- Energy Commission Public Adviser contacts community individuals and groups, local leaders, and community activists to inform them of the project and the Commission's process and to assist with public participation
- Energy Commission staff makes similar contacts with community to provide project details, answer questions about the project and application proceeding, and to explain staff's analysis
- Multiple local public participation workshops and hearings
- Translations / translators provided as needed

Impact Assessment

The technical areas that typically deal with environmental justice issues include: air quality, public health, hazardous materials, noise, waste management, and transmission line safety and nuisance.

Generally, technical staff:

1. Describe the existing setting.
2. Analyze "unique circumstances," if any, of the affected population.
3. Analyze the project's direct, indirect and cumulative impacts.
4. Assess and recommend appropriate mitigation.
5. Determine whether the project creates an unavoidable significant adverse impact on the affected population and, if so, considers whether the impact is disproportionate.