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September 17, 2002

Mr. James Bartridge
Project Manager
California Energy Commission
Systems Assessment and Facilities Siting Division
1516 Ninth Street, MS 3000
Sacramento, CA 95814-5504

Subject: Comments – Inland Empire Energy Center Preliminary Staff Assessment

VIA: FACSIMILE (916.651.8868) AND AIR MAIL

Dear Mr. Bartridge:

Thank you for the opportunity to submit this letter of comments on the Preliminary Staff Assessment (PSA) on the Inland Empire Energy Center, LLC (IEEC). This letter has been prepared by The Planning Center on behalf of the Romoland School District. The purpose of this letter is to provide comments on the PSA prepared by the California Energy Commission (CEC) staff. We appreciate the efforts of the CEC staff to assess the concerns identified in this letter and to provide written findings to our comments prior to the approval of the proposed project and preparation of the Final Staff Assessment.

1. Land Use

1.1 The land use analysis only deals with existing land use plans, ordinances, and policies. Riverside is unique in that it has a set of proposed land use designations and policies on Transportation, Habitat, and Land Use slated for adoption as the Riverside County Integrated Project (RCIP) in early Spring 2003. The proposed land use designations (in the RCIP) for the IEEC may be consistent with current land use designations (from the existing General Plan), but zoning consistency cannot be determined until it is brought into conformance with the new General Plan.

1.2 The existing general plan, which was adopted in the 1980's, contains land use maps and policies that are dated. The goals and policies of the existing General Plan were created to accommodate a particular growth pattern that, almost two decades later, is now obsolete. The life of the proposed power plant, estimated at 30 years, stretches further into the future than the existing General Plan's forecasts on land use and population growth. Therefore, the implementation of the proposed project may have land use planning implications that cannot be mitigated or accounted for by the existing general plan.

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1.3 The PSA is based on the existing Riverside County General Plan and associated Community Plans. What are the steps that will be taken to reconcile the differences that will arise in this report upon adoption of the new Riverside County General Plan?

1.4 Riverside County is in its third year of the Riverside County Integrated Plan process. The new general plan forecasts growth patterns and populations projections to the year 2020. This plan, slated for adoption in the spring of 2003, has not been reviewed by the CEC to ensure that the proposed IEEC would comply with proposed land uses. The Hearing Draft Version of the General Plan and EIR are currently available for public review and are in the process of being reviewed by the Riverside County Planning Commission and the Board of Supervisors.

1.5 One of the steps taken during the update of the Riverside County General Plan was to consolidate the existing 200+ Land Use Designations within the County of Riverside into a more streamlined and easy to decipher smaller set of Land Use Designations. The new draft General Plan has four major Land Use Categories called Foundation Components, and they contain a total of 24 Land Use Designations.

1.6 In order to accurately reflect approved Specific Plans within the County, each land use designation within the approved Specific Plan was evaluated and matched to one of the 24 new Land Use Designations. The Menifee North Specific Plan (SP 260) designates the IEEC property as Industrial. The new General Plan has reflected this land use designation as Light Industrial. The new General Plan describes the Light Industrial Land Use as a designation that:

> "Allows for a wide variety of industrial and related uses, including assembly and light manufacturing, repair and other service facilities, warehousing, distribution centers, and supporting retail uses. Building intensity ranges from 0.25 to 0.6 FAR."

The Current Zoning of the IEEC property is in the Specific Plan, which allows for manufacturing uses and industrial parks as well as other uses. Once the new General Plan is adopted, the Zoning designation must be brought into conformance with the General Plan Land Use Designation.

1.7 If the General Plan is adopted prior to the approval of the proposed project, then it is the responsibility of IEEC to revise the document and ensure conformance with the new General Plan and the new development code. If the IEEC Plant is approved prior to the adoption of the new General Plan, the California Energy Commission may have to ensure compliance with the new General Plan per the request of Riverside County Planning Director.

1.8 Were the proposed Multiple Species Conservation Plan (MSHCP) map and the Community Environmental Transportation Acceptability Process (CETAP) maps (habitat and transportation maps of the RCIP) consulted when the site was selected? What are the implications of the power plant on these planning programs? The proposed power plant does not appear to be consistent with the transportation portion of the plan.

1.9 The Perris Valley Land Use Plan Area Profile discusses policy on land use constraints, including the overcrowding of schools within the Perris Union High School District. This problem may only be exacerbated by the proposed project, for the Perris Union High and Romoland School Districts. The development of the proposed project would eliminate future schools sites, including Ashby Elementary School and a 36-acre high school site across from the Valley Substation. The PSA indicates that a number of residential developments are planned within the project site. The proposed project site may divide existing and future school populations. Students may begin to attend schools that are farther away from these planned communities. The school districts may be required to provide bussing. Additional mitigation, beyond developer fees should be negotiated between the school districts and IEEC to appropriately mitigate school site losses.

1.10 The Public Facilities and Services Element states, "The County recognizes the need for new utility services with growth and new development and has stated that it will provide necessary utilities in areas of minimal environmental and community impact." The placement of the power plant proximate to the Romoland Elementary School would cause considerable impact on the community by creating a potentially hazardous condition within proximity of the school.

1.11 The Energy Resources section of the Public Facilities and Services Element states, "Plants are to be sited at appropriate distances from existing communities and land use impacts must be consistent with the general plan." This plant is sited within one mile of residential areas and within one half mile of school use. How does the County quantify an appropriate distance to place a power plant away from sensitive land uses?

1.12 In July of 2001, Riverside County adopted a set of design guidelines applicable to new development within the 3rd and 5th Supervisorial Districts. Since the proposed site is within the 3rd Supervisorial District, these design guidelines contain industrial design policies that encourage the developer to utilize designs and materials that evoke a sense of quality and permanence.

1.13 The PSA indicates that all land will be returned to original condition upon completion of linear facilities. Are there unavoidable impacts associated with the installation of linear facilities to land uses such as agriculture and open space? These land uses are easily disturbed, and mitigation measures may be necessary to avoid detrimental effects from temporary construction.

1.14 Ordinance 348: The zoning code for the existing Riverside County General Plan will become obsolete upon adoption of the new General Plan in the spring of 2003. If the IEEC project is adopted after approval of the new General Plan, the existing zoning code must be brought into conformance with the new General Plan. The new zone for the proposed site may not permit a power plant. Additional research is needed regarding the new zoning.

1.15 Ordinance 348: Will the variance application process and criteria for variances and conditional use permits change as well?

1.16 Ordinance 460-Subdivision Map Act: Will the parcels that make up the proposed IEEC site be subject to the Subdivision Map Act? How will IEEC ensure compliance? Will linear facilities be subject to the Subdivision Map Act as well?

1.17 Ordinance 460-Subdivision Map Act: Will permitting be necessary for any linear facilities that do not fall within a public ROW?

1.18 Sun City Menifee Community Plan: A portion of the Sun City Menifee Community Plan will be replaced by the Harvest Valley/Winchester Area Plan upon adoption of the new General Plan. Further study is necessary to ensure that the proposed policies and land use designations within the new Area Plan would allow for a power plant.

1.19 City of Perris General Plan: The land where the linear facilities will be placed has been designated as Community Commercial, which does not expressly allow public utilities within the designation. How will the CEC seek approval of linear facilities within this designation?

1.20 City of Perris General Plan: The zoning for the Community Commercial parcel will be in conformance with the land use designation. Does the zoning of the parcel designated Community Commercial allow linear facilities?

1.21 What does the Perris General Plan say about the placement of power plants within the City's Sphere of Influence?

1.22 Romoland Elementary School is listed as a surrounding land use located approximately 1,200 feet from the proposed IEEC site. A school is considered a sensitive land use according to the State of California's General Plan Guidelines, yet no discussion has been given to the potential dangers that children may be exposed to because of the implementation of the proposed project.

1.23 Surrounding rural residential developments are currently buffered from the proposed site by undeveloped land. This land is designated as residential, and may be developed at any time. The buffer of vacant land between residential and heavy-industrial use is not sufficient. Other mitigation measures should be identified for the proper siting of the energy facility.

1.24 There is a proposed development project approximately ¼-mile southwest of the proposed energy facility. The project would involve the development of 667 new dwelling units. This sensitive land use may be negatively impacted by the construction, installation, and operation of the energy facility. Hoes does the CEC plan to mitigate these impacts?

1.25 Menifee Ranch Specific Plan (SP 301) was adopted in February 2002. The Specific Plan calls for a series of uses immediately east of the proposed energy facility site. These uses include residential and other sensitive receptors.

1.26 Thresholds Of Significance: "According to Appendix G of the Guidelines to CEQA, a project may have a significant effect on land use if a proposed project: conflicts with any applicable land use plan, policy or regulation of an

agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect." The proposed power plant site may conflict with the Riverside County Integrated Plan, especially the CETAP (transportation) section with respect to potential major transportation corridors. A potential transportation corridor has been proposed in proximity to the IEEC site and the ROW for that corridor overlaps with the IEEC site. Further study regarding the RCIP should be undertaken.

1.27 Consistency With LORS: Though the power plant may be a "convenience" and possibly a "necessity" as regional growth encroaches on the rural lands of Western Riverside County, there are negative impacts on sensitive receptors like the Romoland Elementary School that must be mitigated prior to implementation of the proposed IEEC project.

1.28 The power plant contains hazardous materials including sulfuric acid, cyclohexylamine, sodium hydroxide, sodium hypochlorite, ammonia, and hydrogen. Accidents related to the transport of these chemicals would be hazardous to the students' health. Additionally, a boiling liquid evaporative explosion may occur with the various propane tanks. The Romoland Elementary School attendance boundary includes the area west and south of the proposed project site. Students may walk past the IEEC facility. Therefore, the Romoland Elementary School should NOT be dismissed as compatible with a power plant until further study has been given to the DIRECT impacts of the implementation of the proposed IEEC power facility.

1.29 A Risk Analysis Study should be conducted for the Romoland Elementary School to determine any safety hazards.

1.30 The criteria listed on pages 4.5-19 and 20, Land Use Table 5, should be used on the Romoland Elementary School.

1.31 The PSA states that the County has not provided the CEC with comments for the entire PSA at the time of print, and because of the absence of comments, the CEC assumed that County Staff does not believe that the IEEC proposed site would pose significant impact. It was apparent at the past couple workshops that not all County departments were aware of the proposed project. Has the CEC received comments from County Staff since the printing of the PSA that say differently?

1.32 Land Use Table 6 lists the potential projects in the area. It does not list the RCIP process.

1.33 Would the 12-month notification of decommissioning be followed by a period of plant operation at less than 100%? In the AFC pages 3-55 to 3-56 state that in the event of a full shutdown of the power plant, whereby the facility would be operating at base load, "the facility will experience operational limitations including exceedance of air quality limits at outputs below 50 to 60 percent of combustion turbine generators output." Should the CTG operate below 50-60 percent of output, or at threshold where air quality limits would not suffer, especially in the local area, all operations at the entire plant should be halted so that no exceedance of air quality limits occur.

1.34 The IEEC site is located on a 45.8-acre parcel, of which 35 acres are designated as the actual facility (power plant, switchyard, landscape &

access roads). The remaining 10.8-acre area is located to the north and south of the 35 acres. Please provide information on how much land is located to the north and south of the 35 acres. What is the distance in feet between the legal north property line description and the location of the northern fence of the 35-acre facility?

1.35 The letter from the CDE's School Facilities Planning Division to the CEC, dated January 30, 2002 notes, "the highway and the railroad tracks are substantially closer to this school... than the proposed power plant." This statement suggests the location of the power plant is located farther than the highway and railroad tracks. The PSA response to the January 30 CDE letter, "the proposed IEEC is considered compatible with the land use character and the pattern of development within the area. Impacts would be less than significant," is conclusory. In fact, the highway, train tracks, power plant, and other industrial uses within the vicinity of the school site pose a significant cumulative environmental impact on the school.

1.36 The AFC and PSA do not identify any county or state maintained regional parks within a one-mile radius of the project site. The Romoland Elementary School and County share a joint use park. This park should also be considered as a sensitive land use.

2. Liquid Storage Tanks

2.1 The PSA and AFC identifies four storage tanks: two water storage tanks – one raw water storage tank with a capacity of 2.1 million gallons and one 250,000 gallon water storage tank for fire protection system, and two 16,000-gallon aqueous ammonia tanks. Page 5.1-8 provides a list of structures and equipment on the project site, including all storage tanks. Please indicate the design and operating capacities of the tanks and whether the material stored in each tank is hazardous.

2.2 No analysis has been prepared for potential seiches, which are generally created by earthquake activity. Seiches are of concern relative to water storage facilities because inundation from a seiche can occur if the wave overflows a containment wall, such as the wall of a reservoir, water storage tank, dam or other artificial body of water. If the 2.1 million gallon water storage tank is located on the northern portion of the project site, a seiche may potentially impact Romoland Elementary School. Given that the project site is located in a highly active seismic region, please provide discussion on such an impact.

3. Hazards

3.1 The health hazards analysis is based upon the same premise as air quality dispersion in concluding that project impacts will be widely dispersed and occur far from the source. The analysis does not recognize the potential that non-Gaussian effects may understate the impact potential near the source.

3.2 The analysis also fails to make the distinction between the much greater cancer risk to children than to adults from equivalent exposures reported in current epidemiological studies (Los Angeles Times, July 15, 2002). Conclusions based upon Gaussian dispersion models, assuming linear

dose-response relationships, may thus understate impacts to children living or attending school close to the proposed facility.

3.3 Page 4.4-1, last paragraph states, "None of these materials pose significant potential for off-site impacts as a result of the quantities on-site, their relative toxicity, and/or their environmental mobility." This statement is conclusory, especially since there is an elementary school located 500 feet of the truck route to be used to transport aqueous ammonia, among other hazardous materials to the IEEC plant.

3.4 The Hazardous Materials Management document prepared by Alvin Greenberg and Rick Tyler states that "restricting the route and hours of transportation would be important in keeping the risks of accidents to negligible levels." It is proposed that delivery of aqueous ammonia by tanker truck not be attempted when children are going to or from school. Since this is identified as mitigation against spills which could affect schoolchildren it should specify delivery during non-operating school hours only. Children are in transit in the morning and afternoon but could also be impacted by a spill if it occurred during normal school activities (recess, lunchtime, outdoor classes, or if vapor entered classrooms through air ducts/vents) at a location adjacent to the existing school site.

3.5 Factors affecting delivery success are identified as: skill of tanker truck driver, type of vehicle used for transport, and historic accident rates. In some instances where ammonia spills have occurred, operator inexperience was identified as an accident factor. Because delivery of aqueous ammonia is proposed to occur 17 times per year (a relatively low amount) there is less opportunity for operators to develop skill and familiarity with delivery process. For this reason a training program should be developed and operators should be recidivists as often as possible.

3.6 Hazardous Materials Response #53 discusses the dimensions of the proposed containment berm. Of what kind of material would the berm be composed? Would it be coated with any epoxy or other chemically impervious residue? If composed of earth, what is the understanding of possible ammonia drainage into soils and groundwater? This should be specified, and mitigation proposed if necessary.

3.7 The stated capacity of the storage tanks is 16,000 gallons. What is the anticipated fill level of these tanks? Are there additional risks specifically associated with filling tanks to capacity? What kind of safety mechanisms would be installed to contain possible ammonia vapor leaks?

3.8 Would the aqueous ammonia process be equipped with safety and emergency shut-off valves in the event of an accidental hose or tank rupture?

3.9 Please provide a final site plan identifying the location of all facilities within the 46-acre site.

3.10 Response #57 to the Data Requests states, "IEEC *estimates* that the on-site storage for hydrogen is less than 1,000 pounds." Please provide the exact of hydrogen storage.

3.11 Page 4.4-7 states, "the moderate quantity [of hydrogen gas] present indicates that any blast effect will be confined to the site and not significantly impact off-site." Although IEEC estimates that storage of hydrogen is about 1,000 pounds, this statement is conclusory without a risk assessment of the tank. Furthermore, hydrogen will be transported to the site. An accident may potentially impact nearby land uses, including Romoland Elementary School.

3.12 Page 4.4-7. Likewise, the PSA indicates that other hazardous materials, including sulfuric acid, cyclohexylamine, sodium hydroxide and sodium hypochlorite will not pose a risk of off-site impacts because they have relatively low vapor pressures and spills would be confined to the site. Similar to comment 3.10, this comment is conclusory. The hazardous substances will be transported to the site and an accident near the IEEC facility may impact the Romoland Elementary School.

3.13 Page 4.4-4 states, "The closest school is located 0.34 miles (approximately 360 miles or 1,181 feet)." Please note 1,181 feet is 0.2237 miles, not 0.34 miles. Also, the southern property line of the Romoland Elementary School is the southern boundary of the joint-use park. The distance between the school and IEEC is less than 0.25 miles.

4. Natural Gas Pipelines.

4.1 Title 5, California Code of Regulations §14010(h) states, "The (school) site shall not be located near an above-ground water or fuel storage tank or within 1,500 feet of the easement of an above ground or underground pipeline that can pose a safety hazard." The California Department of Education is unlikely to approve school sites located within 1,500 feet of high-pressure natural gas pipelines, especially in rural areas with new residential development. Approval of this project and subsequent linear facilities may eliminate potential school sites.

4.2 In light of State Department of Education School Siting and Safety guidelines, will IEEC or CEC prepare risk analyses on the aboveground and underground storage tanks, and natural gas and water pipelines? It is the school district's burden to provide studies that indicate the IEEC will not impact the Romoland Elementary School, located at 25890 Antelope Road - less than ¼-mile from the north property line of the plant. If the proposed project were approved, Romoland Elementary School would be identified as the closest school located to a power plant in the state of California.

4.3 Page 4.4-3 and -4 indicate that Natural Gas pipeline will meet PG&E standards. Why is this so? The PSA states that Sempra owns the existing pipeline in Menifee Road and the proposed new 0.9-mile pipeline would be owned either by IEEC or Sempra.

4.4 Three transmission pipelines (Nos. 1027, 1028, and 6900) are located in Menifee Road. The new 0.9-mile pipeline will be connected to the transmission line servicing between Blythe and San Diego. Which one of the pipelines (1027, 1028, or 6900) corresponds to this line? How old is this pipeline? Does it have high quality arc welding techniques; what type of weld/joint type was used? Was this pipeline manufactured and installed to

modern code requirements? Does this pipeline traverse any earthquake faults?

4.5 The gas compressor will increase the operating pressure of the existing pipeline in Menifee Road. How many pounds per square inch (psi) of pressure will the operating pressure increase? What is the design capacity of the existing pipeline? Can it handle the increase in pressure? Will the existing transmission line in Menifee Road be upgraded or modernized to meet current regulation requirements?

4.6 Where are the closest shut-off valves for the three mainlines? Are they automatic or manual?

4.7 Please provide the analysis of the risk of explosion and fire resulting from sparks generated from heavy equipment rupturing the pipeline. (Page 4.4-10)

4.8 As an additional safeguard, Sempra personnel should be present during construction of the pipeline to reduce the potential for construction damage to the pipeline and risk of explosion and fire.

4.9 Will any new or existing pipelines associated to the proposed IEEC facility traverse the railroad tracks? In the event of a train derailment, the pipelines may break and materials in the lines may leak, burst, explode, etc. and impact neighboring areas, including sensitive uses. What kind of preventative measures will be implemented to prevent such an incident?

5. Water Pipeline

5.1 The proposed project includes implementation of a 4.7-mile long wastewater pipeline. Design of such a pipeline includes a wide margin of safety for the operating water pressures within the pipe, but a severe earthquake, damage by an adjacent construction activity, or highly corrosive conditions in surrounding soils can contribute to leakage or even failure of the pipe. A sudden rupturing of a high-pressure pipeline can result in the release of a large volume of water at the point of failure and fragments of concrete pipe being hurled throughout the immediate area. Subsequent flooding of the immediate area and along the path of drainage to lower ground levels might also occur.

5.2 The Romoland School District has proposed schools located within 1,500 feet of the water pipeline easement. To ensure the protection of students, faculty, and school property, the school district would need to provide answers to the following questions for the California Department of Education when reviewing this future school site:

- The pipeline alignment, size, type of pipe, depth of cover
- Operating water pressures in pipeline
- Estimated volume of water that might be released from the pipeline should a rupture occur

Please provide answers to the above points related to the proposed water pipeline easement.

6. Air Quality

6.1 The staff report substantially fails to distinguish between ultra-fine diameter particulate emissions (PM 2.5) as the source of plant impact versus the anticipated mitigation of paving dirt roads that generate primarily larger diameter particulates (PM-10). The chemically active PM-2.5 emissions that reach deep lung tissue are proposed to be offset by reductions of much more benign PM-10 particulates that have less lung penetration ability. Upwind reductions of PM-10 suggested as supplementing the road dust control may benefit the Romoland area under certain conditions, whereas PM-2.5 emissions from plant operations will impact local residents much more assuredly. Even if the mitigation package passes SCAQMD tests for applicability, those tests are not sufficiently sophisticated to incorporate spatial and chemical variations of impacts versus mitigation.

6.2 The analysis focuses on regional effects at the peril of very localized impacts. The revised cumulative impact analysis identifies possible emissions sources in the planning stages. However, baseline conditions in the Romoland area are presumed to be adequately characterized by one SCAQMD monitoring station in Perris. The Romoland area is home to a variety of local emissions generators that may create air pollution "hot spots" that are not adequately characterized by the assumed baseline. Without an adequate definition of baseline conditions at sensitive receptor sites such as Romoland Elementary School, meaningful cumulative impact analysis is not feasible.

6.3 The impact analysis identifies most power plant plume operational impacts as occurring miles from the source based upon the ISC dispersion model. That model has limitations that naturally lead to this conclusion by assuming that atmospheric dispersion is a steady-state process during a given time period. In the real atmosphere, portions of the plume that departed several hours ago may return as winds reverse directions occur at various altitudes. Recalculation and localized stagnation may thus impact the immediate vicinity of the source in the real world in ways that a "Gauss Ian" dispersion model can never simulate.

6.4 The air quality analysis relies almost entirely on satisfaction of SCAQMD rules and regulations as the basis for concluding that air quality impacts are acceptable. This interpretation fails to acknowledge that air quality impacts may be adverse while all applicable rules and regulations are being met.

6.5 The report fails to include any meaningful discussion of ultra-fine diameter particulate matter (PM-2.5) other than to note that PM-2.5 standards are in litigation, and that there is limited baseline PM-2.5 data. That litigation has been settled in several subsequent trials, and California has adopted a state PM-2.5 standard that is not even mentioned in the document. The analysis is based upon PM-10 particulates, but a substantial fraction of project-related particulates are likely to be in the PM-2.5 size range, which has far different health implications.

6.6 Although regional air quality impacts are quantified, local air quality impacts are not assessed. The document focuses upon impacts at locations as far as 50 miles away, while the analysis contains almost no discussion of local area impact potential from any ground level releases (ammonia, lubricants, dusts,

cooling tower particulates, algaecides, etc.) of air pollutants and possible local area impacts.

6.7 Wind analysis data used to quantify the wind conditions at the project site, discussion of local meteorology, and associated atmospheric dispersion patterns were based on data collected in downtown Riverside. There is substantial variation in wind patterns even over a short distance as reflected in meteorological differences between downtown Riverside and March ARB. The use of inappropriate data again distorts the resulting impact determination.

6.8 There is negligible construction activity impact analysis, including no mention of diesel equipment exhaust exposure cancer risk, fugitive dust or truck traffic.

6.9 Emissions from diesel truck engines, including particulate matter, should be detailed and analyzed to determine impacts on nearby sensitive receptors, including residences and the elementary school.

6.10 The suggested PM-10 emissions offsets are from paving dirt roads. Dirt road emission factors are notoriously imprecise, and the emissions that would be eliminated by this measure would be large diameter and substantially inert material, while the generated particulates will be corrosive or otherwise unhealthful. As with much of the rest of the document, the philosophy seems to be that as long as newly generated particulates are offset elsewhere out of the local area according to established rules, local impacts are acceptable even if there is no relation to human health impacts in the process.

6.11 The PSA to date has an inadequate cumulative air quality impact regarding operation of the proposed energy center along with the nearby asphalt plant, asphalt recycling, concrete block plant, sewer plant, and other nearby manufacturing or industrial sources in conjunction with the proposed project.

6.12 The current document fails to consider environmental justice implications of siting additional heavy industry in an already impacted environment with an economically disadvantaged, minority-dominant community.

6.13 Page 3-55 to 3-56 states that in the event of a full shutdown of the power plant, whereby the facility would be operating at base load, "the facility will experience operational limitations including exceedance of air quality limits at outputs below 50 to 60 percent of combustion turbine generators output." Should the CTG operate below 50-60 percent of output, or at threshold where air quality limits would not suffer, especially in the local area, all operations at the entire plant should be halted so that no exceedance of air quality limits occur.

6.14 During the construction of linear facilities, will there be considerable off-road use of construction vehicles? What measures will be taken to minimize vehicle impacts on land and within nearby communities. Issues such as fugitive dust and PM10 can become problematic in particularly dry and windy areas of Riverside County. Will there be staging areas where vehicles will be inspected and treated to reduce particulate matter?

7. Noise

7.1 Riverside County CUP # 03353, Condition Planning 23, require that noise levels not exceed 45 dB (A) for a 10-minute average LEQ between 10 p.m. and 7 a.m. at any residence. Condition Planning 21 imposes the same constraints on the compressor station. The noise section of the PSA does not identify CUP #03353 as a LORS and does not apply this regulation in any of the discussions.

7.2 The PSA addresses power plant noise exposure in terms of the General Plan Noise Element standard of 65 dB CNEL, but fails to acknowledge the Riverside County Environmental Health Department (EHD) noise control policy of limiting nocturnal noise to 45 dB LEQ (10-minute average). If the project were required to undergo EHD approval, it would not be approved based upon the far less stringent noise standard used to develop structural noise controls for the project. The County nocturnal noise policy is stated as follows:

The projected acoustical impact of a stationary source on the exterior of an affected property must not exceed the following (W. Redden, Riverside County Dept. of Env. Health [1993]):

1) 45-dBA (10-minute LEQ) from 10 p.m. - 7 a.m.
2) 65-dBA (10-minute LEQ) from 7 a.m. - 10 p.m.

Please reconsider noise impact mitigation in light of this policy applied to all other stationary noise generators under County use permit authority.

7.3 What are typical noise measurements from compressor stations? The surrounding land contains some residential uses, and the placement of a compressor may exceed the noise levels for interior and exterior living areas established by the County.

8. Visual Resources

8.1 None of the answers to the questions related to aesthetics used to determine aesthetic impacts of the proposed project, per CEQA consider State Route 74 as an Eligible State Scenic Highway. State Route 74 from the Orange County border to the western edge of the San Bernardino National Forest has been designated as an Eligible State Scenic Highway. The intent of such designation is to conserve significant scenic resources for future generations and to manage development along scenic corridors so that it will not detract from the area's natural characteristics. The IEEC facility is a visual detriment to the adjacent Scenic Highway. Development of the project would include structures that would block or disrupt the view of Lakeview Mountains located northeast of the project site or Double Butte, located east-southeast of the project site. A set of Industrial Design Guidelines is suggested.

8.2 The Key Observation Points were selected based on the view areas most sensitive to the Energy Center's potential visual impacts. Romoland Elementary School, located less than ¼-mile from the IEEC, should have been selected as a KOP for further analysis. The elementary school is the most immediate sensitive land use to the plant. Currently located between the school site and proposed IEEC facility is vacant land, Highway 74, and an asphalt plant. Schoolchildren attending Romoland Elementary School would a have perfect view of the facility.

8.3 VIS-3 states that plants "of sufficient density and height" will be selected to screen the proposed project, including the gas compressor station. The plants should be selected so that within 5-years after first turbine roll they would be about 30-feet high to effectively conceal buildings and tanks, at the very least.

9. Social Economics

9.1 The immediate area surrounding the project site, within a one-mile radius, includes a minority population of 64 percent. There are other areas proximate to the project site that include a minority population of over 50 percent. CEC Staff "concludes that there are no significant adverse socioeconomic impacts and no environmental justice issues" related to proposed project. This is conclusory in light of the immediate minority population of 64 percent. Please provide a focused Environmental Justice analysis.

9.2 The 1990 census income data was used to determine whether the project area qualified for environmental justice. The 2000 census income data should now be available. Please update discussion on income and environmental justice.

9.3 The PSA and AFC indicate that the statutory school impact fee is $0.33 per square foot of commercial and industrial development. Please note the industrial development fee of $0.33 per square was based on Years 2000 – 2002. Government Code Section 65995(b)(3) requires the maximum assessment for development be adjusted every two years. In January 2002, the State Allocation Board at its January Board meeting increased the Level I commercial and industrial development fee to $0.34 per square foot. Calpine shall pay a total amount of $4,284 in industrial/commercial developer fees to both school districts for the total assessable space of 12,600 square feet.

9.4 The AFC indicates that Steve Long at the Riverside County Office of Education was contacted for information. The IEEC plant is located within the Romoland School District (RSD) and Perris Union High School District (PUHSD). Roland Skumawitz, Superintendent of RSD, and Dennis Murray, Superintendent of PUHSD, should have been contacted as well.

10. Traffic and Transportation

10.1 Ethanac road is scheduled to be closed for a period of time. When is that period of time, and is there a chance that the closure could coincide with construction or operation of the IEEC facility?

10.2 Figure 1 on page 4.10-22 shows the closure of Ethanac Road. When will this occur, and how will it impact the IEEC?

10.3 The majority of truck traffic to the proposed IEEC site is assumed to be coming from I-215. There still may be some truck traffic that must travel to the IEEC site from the east, possibly traversing the at-grade railroad crossing at Ethanac. This could pose a threat to the surrounding land uses if the truck contains hazardous materials.

10.4 Page 4.10-13 (last paragraph) indicates that IEEC traffic may cross the BNSF railroad tracks. This contradicts with page 4.10-12, which suggests that employees, visitor, and delivery traffic would be exiting on I-215 at Ethanac, which bypasses the train tracks. Please clarify whether vehicles, in particular those transporting hazardous material will be crossing the train tracks on Ethanac Road.

10.5 According to the proposed RCIP General Plan, there is a CETAP corridor proposed to run along the existing BNSF ROW. The proposed CETAP ROW is 400 ft in width (See figure C-4, Conceptual CETAP Transportation Corridor Sections, of the RCIP General Plan), and could cross a small section of the IEEC property. Would the proposed corridor affect any of the structures?

10.6 The PSA indicates that the Transportation Element of the Riverside County General Plan does not provide specific detail size and weight/load limits for the roadways in the county (Page 4.10-5). There may be a more recent analysis of truck traffic within Riverside County as a result of the preparation of the new General Plan. The AADTs may change. County Staff may be able to provide these statistics.

10.7 The County has not updated the airport noise contours for County airports in several years. Additionally, the noise contour of the March Air Reserve Base should be reviewed. The contours may have changed, and further research is needed to accurately assess the affect of the proposed IEEC facility on existing airports.

10.8 The PSA states that one-third of the employees will carpool to work based on the assessment of the IEEC Facility in Contra Costa County. The potential employees of the IEEC facility would be traveling farther distances to the facility than their Contra Costa County counterparts based on the extremely low residential densities present in the Romoland area. The potential employees would also be traveling from many different locations around the County, which would not be conducive to carpooling.

10.9 The lack of a signal indicating an at-grade rail crossing across Ethanac Road could pose a significant danger to motorists and surrounding sensitive land uses if any trucks carrying hazardous materials cross the railway.

10.10 Will the traffic control plan mentioned in the PSA negatively impact sensitive uses surrounding the IEEC facility, or has the traffic plan taken these sensitive land uses into account.

10.11 Will the proposed number of available parking spaces be adequate for the type of use and square footage of the building?

10.12 Will the timing of the shift change coincide with the commencing and dismissal of the Romoland Elementary School? This could increase the traffic on rural roads. (Operational Phase Section)

10.13 The RCIP (and County approval of new Specific Plans) has resulted in an increase in proposed development in the Harvest Valley/Winchester/Romoland area. This includes the expansion of Specific Plan 301-Menifee Ranch to include the land east of the IEEC site. Further

research on this topic is recommended, as there have been dozens of General Plan Amendments approving new development since the beginning of the General Plan Update process.

11. Transmission Line Safety

11.1 The California Department of Education policy on power line safety should be included in the LORS and discussed in this section. The California Code of Regulations, Section 14010 c states that a school site property line is limited from the following high-voltage power transmission line easements:

100 feet for 50-133 kV
150 feet for 220-230 kV
350 feet for 500-550 kV

Implementation of the proposed project would eliminate future school sites, as a result of the above set back.

According to the AFC, Menifee Ranch Specific Plan, submitted to the County of Riverside, calls for a 36-acre high school site across from the Valley Substation. The proposed 500-kV line to be connected between the IEEC and Valley Substation may eliminate this proposed school site. Please provide the closest distance between the proposed kV line and proposed high school site.

12. Alternatives

12.1 It is interesting that Alternative Site A (page 3-60), located immediately to the East of the Southern California Edison's Valley Substation, was eliminated because of the following reasons: 1) the area is not currently zoned for industrial development, 2) the area adjacent is planned for residential development, and 3) the planned area adjacent to the Alternative A site may include a high school. *The proposed location of the IEEC plant, on Antelope Road, is located south of existing residences, planned for an expanded traffic corridor, but more importantly, an existing elementary school!* Alternative A is still a viable option (although Alternative B appears to be better, being that there are no existing or proposed nearby schools). Alternatives A and B could be rezoned and the residential development and high school planned elsewhere. Romoland Elementary School is a developed facility. If the proposed project is approved, Romoland Elementary School may need to be relocated, which would be costly. Moreover, if the IEEC plant were located at either Alternatives A or B, there would be no need for the 162-feet high transmission lines, stretching 0.9 miles in length; the project site would be connected directly to the adjacent substation.

Thank you for the opportunity to comment on the PSA. If you have any questions regarding the comments made in this letter, please call me at 714.966.9220.

Sincerely,

THE PLANNING CENTER

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Dwayne Mears, AICP
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Transmittal

Date: September 17, 2002

To: California Energy Commission
Systems Assessment and Facilities Siting Division
1516 Ninth Street, MS 3000
Sacramento, CA 95814-5504

Attn: Mr. James Bartridge

From: Barbara Wu

Subject: PSA Comments for IEEC

Project No.: ROM 01.0E

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General Remarks:

Thank you for your patience.

From: Barbara H. Wu

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