



CA Marine Terminal Infrastructure Constraints & Outlook

Prevention First 2008

Long Beach, CA

September 9, 2008

Eugenia Laychak

Special Projects

Energy Facilities Siting Division

elaychak@energy.state.ca.us / 916-654-4543

California Energy Commission

www.energy.ca.gov



Permitting Challenges

Liquid Transportation Fuels

- Energy Planning Results
- Infrastructure Needs
- Regulatory Framework
- Challenges & Guidelines

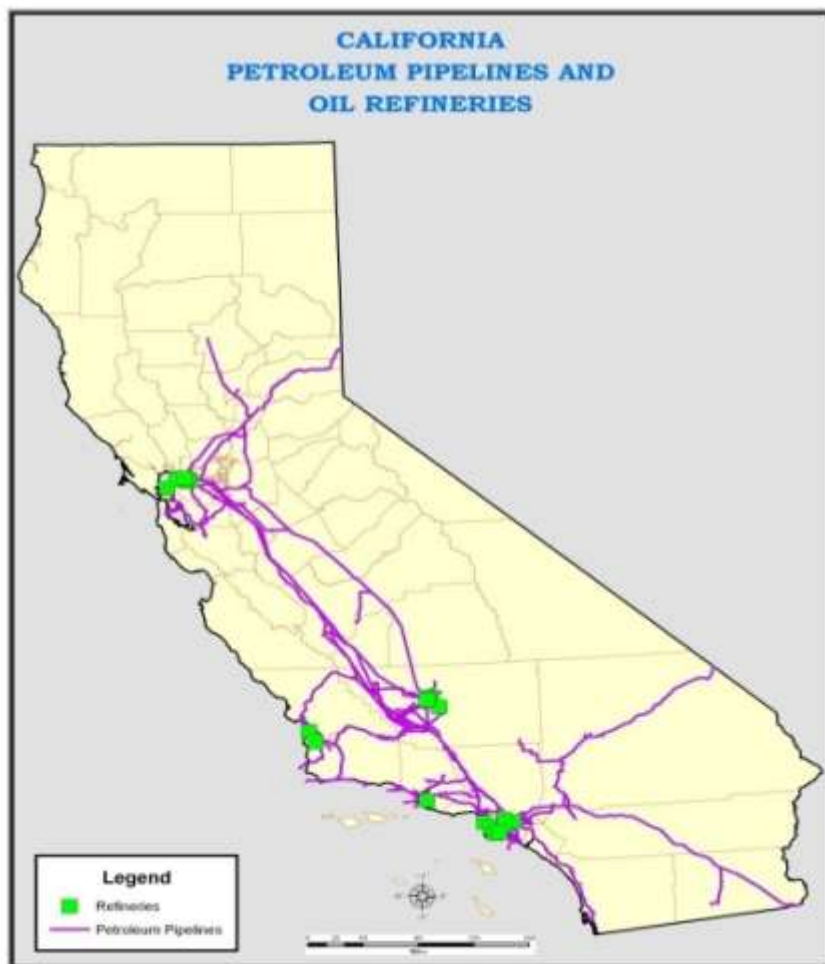


2007 IEPR:

- CA needs reliable & safe supply of fuels
- Constraints lead to higher costs
- Need robust, environmentally & technologically sound infrastructure



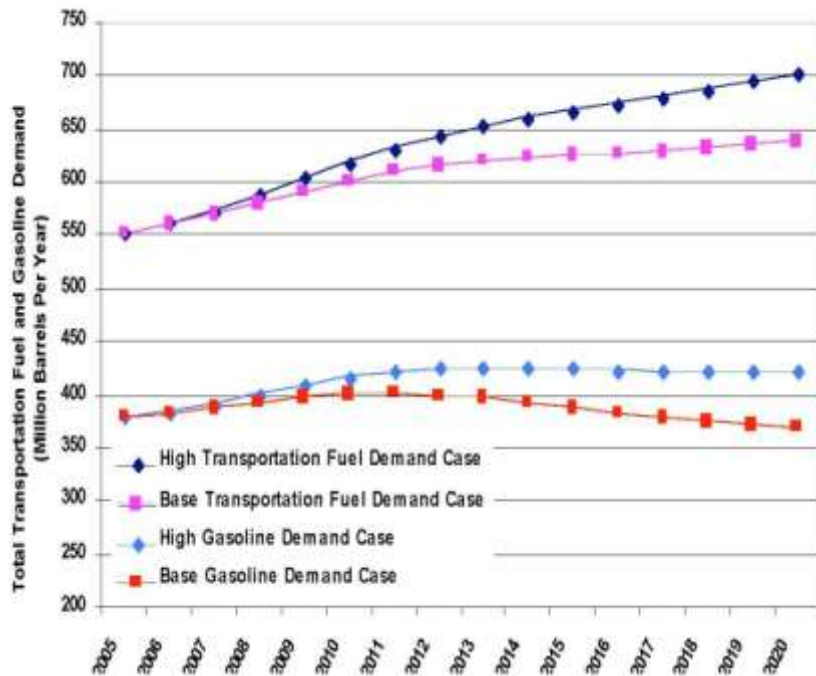
CA Fuels Infrastructure



- 51 Marine Terminals
- 52 Storage/Distribution Facilities
- 22 Refineries
- 5,560 Miles of Pipeline



Concerns



- Growing demand for fuel products
- Infrastructure at or near capacity
- Capacity may decline
- Infrastructure must upgrade or expand



Infrastructure Needs

- Ongoing maintenance, repairs & replacements
- Future expansions for all fuels
 - including clean/alternative fuels
- Federal plans for energy corridors
- Continuing need for permits



CALIFORNIA
ENERGY
COMMISSION

2008 BEST PERMITTING PRACTICES
GUIDELINES FOR LIQUID TRANSPORTATION
FUELS INFRASTRUCTURE

STAFF REPORT

May 2008
CEC-700-2008-0025F



Arnold Schwarzenegger, Governor



Complex Regulatory Framework



Key:

Federal Agencies, Tribal Governments, Local Jurisdictions, State Agencies



Permitting Could Involve Any Of:

- 25 state/federal agencies
- 58 counties
- 478 cities
- 2,300 special districts
- 107 sovereign Native American nations



Permits

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none"> •Army Corps •Bureau of Land Management •National Park Service •Fish & Wildlife Service •Aviation Admin. •Tribes 	<ul style="list-style-type: none"> •Caltrans •Regional Water Boards •Coastal Commission •Bay Commission •Air Quality Man. Districts •OSHA •Toxics •Fish & Game 	<ul style="list-style-type: none"> •Cities •Counties •Ports •Airports •Special Districts



Consultations

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none">•NOAA Fisheries•Advisory Council on Hist. Preserv.•Tribal Monitors•Fish & Wildlife Service•Bureau of Indian Affairs•Coast Guard	<ul style="list-style-type: none">•Historic Preservation Officer•Air Resources Board•Dept. of Fish & Game•Lands Commission	<ul style="list-style-type: none">•Resource Conservation Districts



Leases/Agreements & Approvals

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none">•Bureau of Indian Affairs•Forest Service	<ul style="list-style-type: none">•Dept. of Fish & Game•Fire Marshall – Office of Pipeline Safety•Public Utilities Commission•Lands Commission	<ul style="list-style-type: none">•Cities•Counties•Notification Centers•Ports/Airports



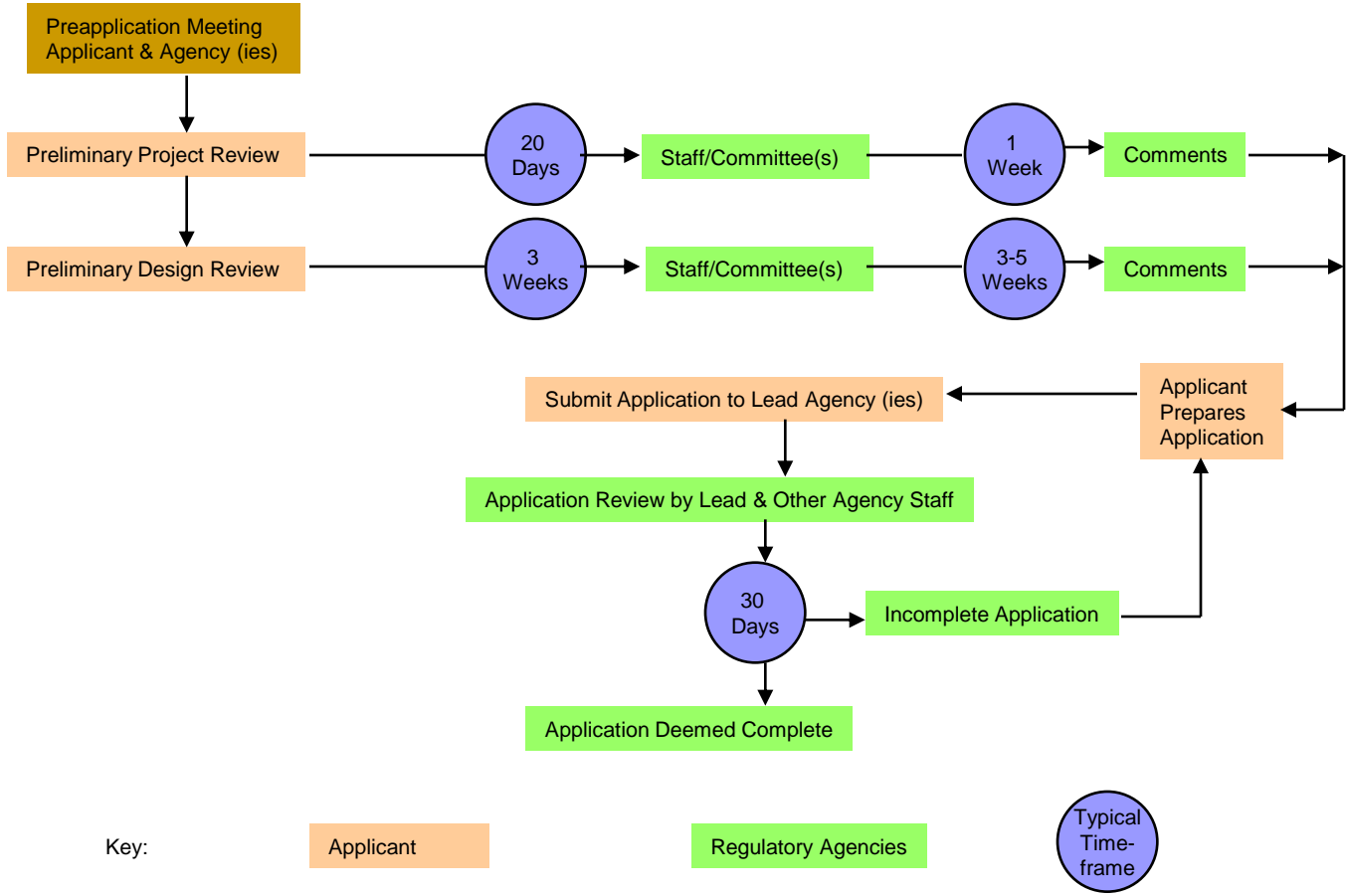
Certifications/Decisions & Determinations

Federal/Tribes	State/Regional	Local
<ul style="list-style-type: none">•Lead NEPA Agencies	<ul style="list-style-type: none">•Lead CEQA Agencies•Coastal Commission•Bay Commission•Lands Commission•Regional Water Boards	<ul style="list-style-type: none">•Lead CEQA Agencies



Typical Permitting Process

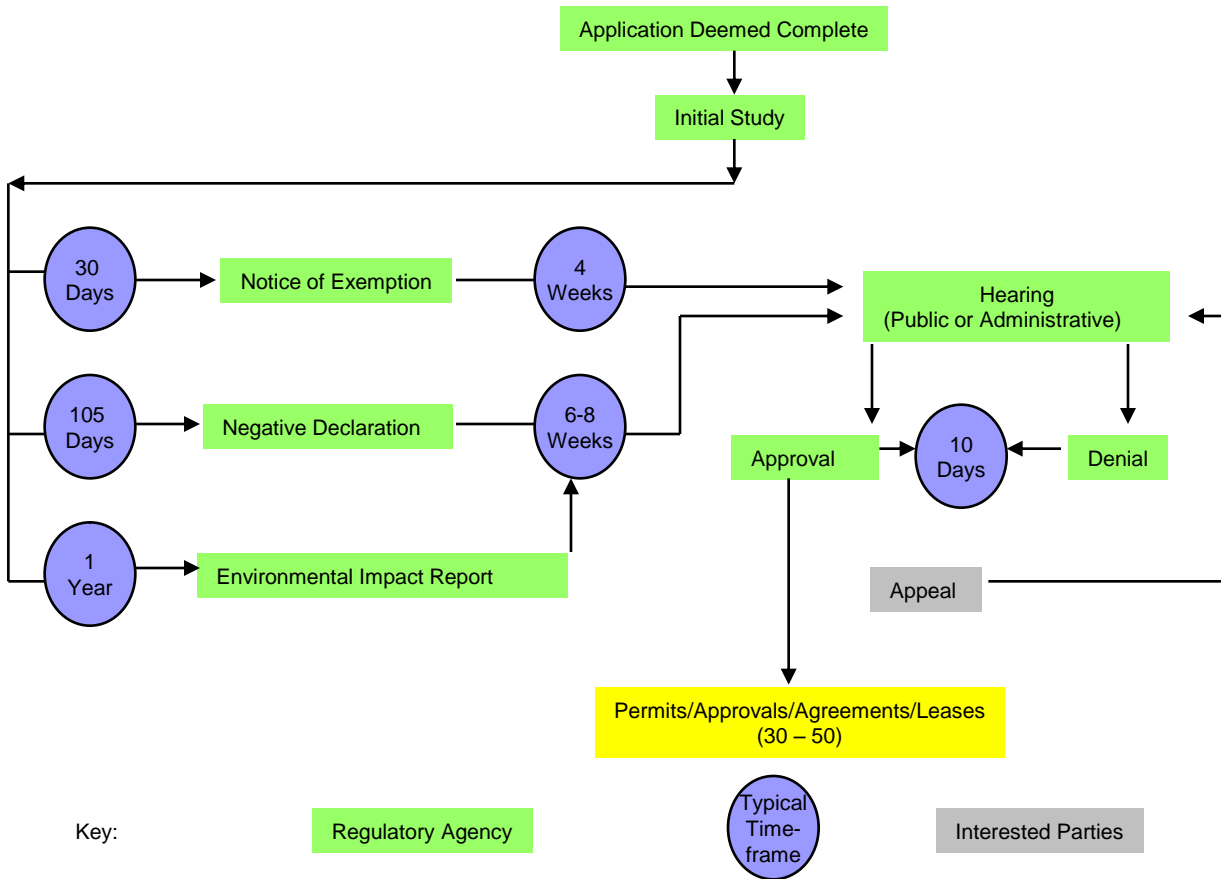
Completing Application





Typical Permitting Process

Post - Application





Typical Permitting Timeframes

- Non-emergency, exempt from CEQA
 - About 6 months
- EIR or EIR/EIS required:
 - 1-5 to ??? Years
 - Depends on complexity, location, # of permits & level of controversy



Challenges...

- Incomplete applications
- Questions on applicability of laws
- Lack of agency coordination
- Inexperienced staff
- Agency consultation/approval delays



...Challenges

- Inconsistent agency decisions
- Balancing impacts & need for fuels
- Concerns draw out environmental review process
- Lack of information on statewide needs



Results:

- Regulatory challenges can delay permitting
- Many problems are with processes
- Need better coordination & info transfer
- Some practices can serve as models



Permitting Guidelines...

- Make use of pre-app. meetings
- Identify key agencies
- Provide timely consultations/comments
- Agency partnering



...Guidelines...

- Coordinate agency reviews
- Joint-agency working groups
- Keep to timelines/milestones
- Consider expedited agency reviews



...Guidelines...

- Buffers around facilities
- Facility master planning
- Ensure adequately trained staff
- Seek personnel with energy experience



...Guidelines

- Identify “chain of command”
- Use clear criteria for decisions
- Publish model decisions
- Use gov. relations & public outreach
- Expand CEC’s participation



Permitting Guidelines Common Themes

- Applicants and agencies share responsibility for timely processes
- Applicants must be pro-active
- Agencies must coordinate and cooperate