

DOCKETED

Docket Number:	15-AFC-01
Project Title:	Puente Power Project
TN #:	205932
Document Title:	Letter from Mayor Pro Tem of City of Oxnard - Welcoming Remarks
Description:	Public Site Visit, Environmental Scoping Meeting, Informational Hearing
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Submitter Role:	Intervenor Representative
Submission Date:	8/31/2015 9:59:14 AM
Docketed Date:	8/31/2015

Tim Flynn
Mayor

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August 27, 2015

Commissioner Janea A. Scott, Presiding Member
Commissioner Karen Douglas, Associate Member
California Energy Commission
1516 Ninth Street, MS-29
Sacramento, CA 95814-5512

Welcoming Remarks !

RE: Public Site Visit, Environmental Scoping Meeting, and Informational Hearing for the Proposed Puente Power Project (15-AFC-01), Oxnard Performing Arts and Convention Center, 800 Hobson Way, Oxnard, California

Honorable Commissioners Scott and Douglas:

Welcome to Oxnard and Ventura County. My name is Carmen Ramirez; and I am the Mayor Pro Tem of the City of Oxnard.

We appreciate your service and the fact that you're here visiting us to see the proposed NRG power plant site, and listening to the public. We are, unfortunately, familiar with these types of hearings. About 12 years ago, we were in this same performing arts center for a public hearing on the proposed Cabrillo LNG terminal project. Several years after that, we were at Coastal Commission hearings opposing the 45MW SCE "McGrath" peaker plant that is not coastal dependent, yet it is approved and on the coast. Now, we are here again expressing our opinions regarding yet another energy facility proposed on our otherwise beautiful coastline, with no plans to remove either of the soon-to-be obsolete existing NRG power plants.

About a month ago, the City Council adopted a letter of opposition to the NRG project. The letter was sent to Dr. Weisenmiller, Chair of your commission, and is attached for the record. The issues and concerns are probably familiar to you and you will have to address later in this process. Rather than repeat them now, let me share with you my vision for our coastline.

I will start at the south end of Oxnard with Ormond Beach where the other to-be-decommissioned NRG coastal power plant "bookmarks" that end of the Oxnard coastline. In 2009, the California Coastal Conservancy and Cal Poly Pomona created the Ormond Beach wetlands restoration vision: 1,000 acres of lagoons, tidal wetlands, upland habitat, and a visitors center that would be the largest in Southern California and part of the western hemisphere flyway between North and South America. Ormond Beach would be a world-class eco-tourism destination, and already is with over 2,000 visitors per month, many of whom are professional birders. The University of California Division of Agriculture and Natural Resources is also interested in the Ormond Beach area for a new research facility. But, in the middle of Ormond Beach is the NRG Ormond Generating Station with no plans to remove it after it is decommissioned.

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Then, at the north end of our beautiful coast is the Mandalay Generating Station, wedged between McGrath State Beach and a freshwater lake and wetlands, sensitive beach nesting sites for two Federally-endangered species, an undeveloped portion of McGrath State Beach, and 292 new housing units. Our vision is the removal and remediation of the Mandalay facility after it closes in 2020, protection of wetlands and bird nesting areas, and possible redevelopment that is consistent with protection of the area's natural resources and the goals of the Coastal Act to promote affordable coastal access and coastal dependent recreation. But, instead, here we are considering a third power plant, for a total of four coastal power plants: two to be closed, and two that do not need ocean water for cooling.

Oxnard is now working on a comprehensive update to our Local Coastal Plan that includes reconsideration of the land use designations for both NRG power plants. How sad it would be if the Energy Commission acts to approve a third power plant at Mandalay, just because of decisions made 50 years ago, precluding our hopes and vision to protect our natural resources and provide affordable coastal access for our large minority population.

Our staff presentation later in this hearing will provide more specific information.

Sincerely,

[presented/signed]
Carmen Ramirez, Mayor Pro Tem

Attachment: July 15, 2015 City Council Letter to CEC Chair Dr. Weisenmiller

Tim Flynn
Mayor



Office of the Mayor

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July 15, 2015

Robert Weisenmiller, PhD, Chair
California Energy Commission
1516 Ninth Street, MS-29
Sacramento, CA 95814-5512

**RE: Oxnard City Council Position Regarding the NRG Power Plant Proposal
(CPUC Application No. A.14-11-016, Southern California Edison (SCE)
Request for Proposal (RFO) for the Moorpark Sub-Area (U-338-E))**

Dear Chair Weisenmiller:

The City provides these comments to document its concerns regarding Southern California Edison's proposal to purchase power from the NRG "Puente" plant, a proposed 262 MW generating facility to be located immediately adjacent to the existing NRG Mandalay Generating Station (MGS). Both the existing and proposed facilities are located about 600 feet from the State Trust Land mean high tide line boundary. In their California Energy Commission (CEC) Application for Certification (AFC) application, NRG's new plant will have a 188-foot exhaust stack which would be nearly as tall as the nearby MGS 203-foot stack. NRG does not propose to remove the MGS Once-Through-Cooling (OTC) facility or its stack after it is decommissioned in late 2020. Over the past year, the City Council (Council) of the City of Oxnard (City) has taken several actions to implement the Coastal Act, Coastal Commission Sea-Level Rise (SLR) Guidance, and to protect the Oxnard and Ventura County community from the impacts of building additional energy-generating facilities on Oxnard's coastline, including the following:

1. On July 1, 2014, Council adopted a 45-day urgency interim ordinance prohibiting the expansion of existing, or development of new, energy facilities within the coastal zone pending the City's completion of studies and updates to the local coastal program, zoning ordinances, and other land use regulations. On July 29, 2014, the moratorium was extended to June 30, 2015.
2. On December 23, 2014, Council authorized the Mayor to execute a Protest to CPUC Application No. A.14-11-016 on behalf of the City. The City then submitted expert testimony that questioned the reliability of the proposed NRG facility because of its exposure to current and future coastal storm, erosion, and tsunami hazards.
3. On June 22, 2015, the City filed a Petition to Intervene in the CEC AFC process and will request and present information related to the

environmental impacts of the NRG facility on wetlands, endangered species habitats, air quality, aesthetics, and tourism.

4. At its May 19, 2015 meeting, City Council members voted unanimously to extend the previously approved moratorium for a second year and directed the City Manager to discuss with NRG and State agencies how to remove both the Ormond Beach and the Mandalay OTC Generating Stations.

As you will soon receive briefs from NRG and the other Intervening Parties that you will rely on to determine the Commission's decision, please give deference to the City and its 206,000 residents and the over 400,000 people who live and work in West Ventura County who have lived with the beachfront MGS for over 50 years. The CPUC should first ensure that the RFO process resulted in an adequate choice of preferred resources that would minimize all of the impacts of providing additional generating capacity. However, if additional conventional gas fired energy resources are required, the Council prefers an inland site that would reduce impacts to the coastal zone. If the CPUC does not, or believes it cannot recommend an alternative location, the most prudent course for the CPUC would be to wait until the CEC completes its site-specific environmental review of this project. Such comprehensive review is necessary to assess the many reliability risks associated with the Puente project and to determine the extent to which those risks can be safely mitigated without creating significant adverse impacts to the environment. Such comprehensive review is also necessary to evaluate the environmental impacts of a second tall exhaust stack in the middle of a public beach surrounded by McGrath State Beach.

Finally, if the CPUC does act now, the City urges it to consider the whole of the project before approving the RFO and the Resource Adequacy and Purchase Agreement ("RAPA") for the Puente project. At each step in the process to date, no entity has fully considered the effects of its actions. Instead, the ISO, SCE, and NRG have all acted independently, with each of them making decisions that may make sense within their own independent areas of interest, but which do not consider the broader implications of the project. We ask that the CPUC not perpetuate this process by approving the Puente project before it has undergone a complete assessment of its reliability and vulnerability to environmental hazards as well as its other environmental impacts. If the CPUC does not believe it is the appropriate entity to conduct this analysis, it should defer approval of the RFO and RAPA for the Puente project until after the CEC has acted.

Sincerely,



Tim Flynn, Mayor

- C. President Michael Picker, CPUC
- Chair Robert Weisenmiller, PhD, CEC
- Chair Steve Kinsey, Coastal Commission
- President Pedro Pizarro, SCE
- President and CEO Stephen Berberich, CalISO
- President and CEO David Crane, NRG Energy

