



980 Ninth Street, Suite 1900  
Sacramento, California 95814  
main 916.447.0700  
fax 916.447.4781  
www.stoel.com

November 21, 2008

JOHN A. MCKINSEY  
Direct (916) 319-4746  
jamckinsey@stoel.com

**VIA EMAIL AND HAND DELIVERY**

Mr. Steve Munro  
Compliance Project Manager  
California Energy Commission  
1516 Ninth Street, MS#2000  
Sacramento, CA 95814-5512

<b>DOCKET</b>	
<b>00-AFC-14C</b>	
<b>DATE</b>	<u>NOV 21 2008</u>
<b>RECD.</b>	<u>NOV 21 2008</u>

**Re: El Segundo Power Redevelopment Project (00-AFC-14C)  
Comments on CEC Staff Analysis Addendum I**

Dear Mr. Munro:

El Segundo Energy Center LLC (ESEC) provides the following comments on Addendum I of the California Energy Commission (CEC) Staff Analysis for ESEC’s Petition to Amend the Final Decision on El Segundo Power Redevelopment Project (ESPR). ESEC reserves the right to provide further comments on Addendum I following Staff’s response to ESEC’s comments below and after Staff issues Addendum II. At this time, ESEC submits its comments on Staff’s proposed modifications to Biological Resources, Soil and Water Resources, and Visual Resources Conditions of Certification outlined in Addendum I.

*Biological Resources*

ESEC provides the following clarification to BIO-9. As noted by Staff, the BRIMMP would be required if the beach delivery option is implemented. Item 14 of the BRIMMP would apply to the specific beach delivery area west of the seawall and contiguous bike path depicted in Land Use Figure 5 of Addendum I if the beach delivery option is implemented. Planting considered in restoration of the disturbed area shall be undertaken in areas where existing vegetation would be removed. As further clarification, ESEC intends to use the Landscape Committee approved Landscape Plan in compliance with VIS-2 in consideration of replanting the beach delivery area; VIS-2 was satisfied by ESEC in February 2007. The Landscape Plan palette includes seacliff buckwheat as well as other native and non-invasive species.

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*Soil and Water Resources*

Revised WATER QUALITY-7 states that “[t]he Construction SWPPP shall be reviewed and approved by the City of El Segundo ....” Similarly, revised WATER QUALITY-9 states that “[t]he Industrial SWPPP shall be reviewed and approved by the City of El Segundo ....” ESEC would like to clarify that the City of El Segundo (City) does not have a process to approve Storm Water Pollution and Prevention Plans (SWPPP) which are a requirement of the State’s General Permit. ESEC agrees that both the Construction and Industrial SWPPPs must be in compliance with the City’s Standard Urban Storm Water Mitigation Plan, as required by City ordinance and the Los Angeles Regional Water Quality Control Board National Pollution Discharge Elimination System Permit. ESEC respectively requests CEC replace language in WATER QUALITY-7 and WATER QUALITY-9 with that provided by ESEC in “Comments on CEC Staff Analysis of Project’s Petition to Amend,” dated July 14, 2008, to indicate that the Construction and Industrial SWPPP’s will be submitted to the City for review and comment and the CPM for approval.

*Visual Resources*

VIS-1 was revised by Staff in Addendum I to include seacliff buckwheat as an example of a native species that should be given preference for vegetation screening of ESPR. To clarify, ESEC intends to use the Landscape Committee approved Landscape Plan in compliance with VIS-2; VIS-2 was satisfied by ESEC in February 2007. The Landscape Plan palette includes seacliff buckwheat as well as other native and non-invasive species. Staff’s reference to seacliff buckwheat as an example should not obligate ESEC to use seacliff buckwheat in implementing either of the Visual Resources Conditions of Certification; rather the approved Landscape Plan will be used as a guide in vegetation screening.

Lastly, ESEC respectively requests that Addendum I be distributed to all parties in the ESPR proceeding, if CEC has not already done so. Please contact me with any questions you may have.

Very truly yours,

/s/ JOHN A. MCKINSEY

John A. McKinsey

cc: Tim Hemig, ESP II  
David Lloyd, ESP II  
George Piantka, ESP II