

## DOCKETED

<b>Docket Number:</b>	12-AFC-03
<b>Project Title:</b>	Redondo Beach Energy Project
<b>TN #:</b>	205515
<b>Document Title:</b>	Letter from California Coastal Commission re: Redondo Beach Ordinance
<b>Description:</b>	N/A
<b>Filer:</b>	Patty Paul
<b>Organization:</b>	California Coastal Commission
<b>Submitter Role:</b>	Public Agency
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## CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400  
TDD (415) 597-5885

JUL 20 2015



July 17, 2015

Roger Johnson, Deputy Director  
Siting, Transmission, and Environmental Protection Division  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

**RE: City of Redondo Beach Ordinance Number 3134-15**

Dear Mr. Johnson:

Staff of the California Energy Commission has requested the California Coastal Commission staff's opinion as to whether City of Redondo Beach Ordinance Number 3134-15 may take effect in the City's coastal zone without certification of a Local Coastal Program Amendment from the Coastal Commission. As explained below, this ordinance does not amend the City's LCP and need not be submitted to the Coastal Commission as an LCP amendment.

This ordinance modifies a portion of the City's municipal code that is not part of its certified LCP. The relevant section of this ordinance prohibits: "1) the construction of all new Electricity Generating Facilities of 50 megawatts or more in the City of Redondo Beach, 2) modifications, including alteration, replacement or improvement of equipment, that result in a 50 megawatt or more increase in the electric generating capacity of an existing Electricity Generating Facility, and 3) construction of any facility subject to the California Energy Commission's jurisdiction under Public Resources Code Section 25502.3." City of Redondo Beach Ordinance No. 3134-15.

Although in most circumstances land use changes that affect the coastal zone must be incorporated into LCPs and certified by the Coastal Commission before they may take effect, in this particular case, the ordinance is narrowly tailored to prohibit construction or modifications of power plants or other facilities that do not require a coastal development permit because they are under the exclusive permitting jurisdiction of the California Energy Commission. Thus, although this ordinance is not part of the City's LCP, it only affects development that by statute is outside of the permitting jurisdiction of the City and the Coastal Commission, so it need not be submitted for Coastal Commission certification as part of its LCP.

Sincerely,

A handwritten signature in cursive script, appearing to read "Louise Warren".

LOUISE WARREN  
Deputy Chief Counsel

cc: Michael Webb, City Attorney, Redondo Beach  
Jon Welner, Esq., Partner, Jeffer Mangels Butler & Mitchell LLP  
Jennifer Didlo, AES Southland Development, LLC  
Stephen O'Kane, AES Southland Development, LLC