City of Carlsbad
Office of the City Manager

April 24, 2009

DOCKET
07-AFC-6
DATE April 24 2009
RECD. April 24 2009

The Honorable James D. Boyd
The Honorable Karen Douglas
Siting Project Committee
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re: Carlsbad Energy Center Project (07-AFC-6)
City's Status Report #5

Dear Commissioners:

Pursuant to the Committee Scheduling Order dated December 26, 2008, the City of Carlsbad submits its City Status Report #5 for the Committee's consideration. In addition to providing comments on a revised schedule, this status report highlights the City's request for a comprehensive site plan, the California Coastal Commission's assessment of the appropriateness of additional power generation at the Encina Power Station site and the extensive ongoing public involvement related to this project.

Request for a Comprehensive Site Plan

On April 16, 2009, the City filed with this Committee a Motion to Compel CECP to respond to an outstanding data request. As identified in the motion, the City has for the past eight months requested that the Applicant provide a comprehensive site plan, including visual simulations, which incorporates not only the proposed Carlsbad Energy Center Project (CECP), but also other adjacent projects that include:

- Carlsbad/ Vista Sewer Interceptor
- Coastal Rail Trail
- Carlsbad Seawater Desalination Plant
- Interstate 5 Widening Project
- LOSSAN Rail Corridor Double Tracking Project

Recognizing the extreme constraints of the CECP's proposed location and the apparent overlapping of several of the above-mentioned projects, the lack of an accurate site map

1200 Carlsbad Village Drive • Carlsbad, CA 92008-1989 • (760) 434-2821 • FAX (760) 720-9461

continues to impede the City's ability to meaningfully contribute to the review of the project in a number of critical areas, including fire protection and emergency services.

Prior California Coastal Commission Encina Power Station/CECP Site Analysis

Recently, as part of the City's review of the CECP, the City identified that the Encina Power Station (EPS) site, which includes the proposed location for the CECP, was part of a San Diego Gas & Electric (SDG&E) Notice of Intent (NOI) filing in 1989 (89-NOI-1). SDG&E's NOI indentified five sites, including two coastal locations, the EPS in Carlsbad and South Bay in Chula Vista.

As part of the SDG&E NOI filing, and as required by Section 30413 of the Coastal Act, the California Coastal Commission (Coastal) evaluated the suitability of the proposed coastal power plant sites. Coastal's analysis and recommendations were subsequently approved by the Coastal Commission and forwarded to the California Energy Commission.

While it remains the City's position that provisions of the Warren-Alquist Act require the participation of the California Coastal Commission and that its involvement is critical to maintaining the integrity of the AFC process, the City believes that SDG&E's project and the proposed CECP are quite similar and that Coastal's analysis will provide meaningful insight for CEC staff. The City intends to file Coastal's analysis with the CEC in the immediate future.

Of particular interest are Coastal's conclusions regarding the proposed power plant, which are clearly articulated on page 1 of the Executive Summary:

> *The California Coastal Commission finds that the proposed new power plants at SDG&E's Encina site in Carlsbad and South bay site in Chula Vista would cause significant adverse impacts to Coastal resources. Therefore, as now proposed, the sites are unsuitable locations for new power plants and the projects are inconsistent with the Coastal Act.*

Page 8 of the Executive Summary further states:

> *The Coastal Commission's assessment is that the construction of a new power plant at either Encina or South Bay is inconsistent with the policies of the Coastal Act.*

Public Involvement

The CECP continues to be the subject of heavy public involvement. On April 16, 2009, Intervenors Power of Vision and Terramar Homeowners released a petition of more than 1500 signatures of people who are opposed to the proposed plant. The City believes that this is indicative of the level of engagement the community has expressed on this project and that the Committee should expect continued and vigorous public involvement regarding the CECP.

Schedule

The City is prepared to move forward as expeditiously as possible; however, due to the Applicant's failure to provide a number of critical pieces of information, the schedule for this project remains vague.

Respectfully submitted,

Joe Garuba
Municipal Projects Manager

JG:ad

cc: Proof of Service List (Revised 2/18/2009)

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION FOR THE *CARLSBAD ENERGY CENTER PROJECT*

Docket No. 07-AFC-6

PROOF OF SERVICE
(Revised 2/18/2009)

APPLICANT
David Lloyd
Carlsbad Energy Center, LLC
1817 Aston Avenue, Suite 104
Carlsbad, CA 92008
David.Lloyd@nrgenergy.com

Tim Hemig, Vice President
Carlsbad Energy Center, LLC
1817 Aston Avenue, Suite 104
Carlsbad, CA 92008
Tim.Hemig@nrgenergy.com

APPLICANT'S CONSULTANTS
Robert Mason, Project Manager
CH2M Hill, Inc.
6 Hutton Centre Drive, Ste. 700
Santa Ana, CA 92707
Robert.Mason@ch2m.com

Megan Sebra
CH2M Hill, Inc.
2485 Natomas Park Drive, Ste. 600
Sacramento, CA 95833
Megan.Sebra@ch2m.com

COUNSEL FOR APPLICANT
John A. McKinsey
Stoel Rives LLP
980 Ninth Street, Ste. 1900
Sacramento, CA 95814
jamckinsey@stoel.com

INTERESTED AGENCIES
California ISO
e-recipient@caiso.com

INTERVENORS
City of Carlsbad
Allan J. Thompson
Attorney for the City
21 "C" Orinda Way #314
Orinda, CA 94563
allanori@comcast.net

City of Carlsbad
Joseph Garuba, Municipals Project Manager
Ron Ball, Esq., City Attorney
1200 Carlsbad Village Drive
Carlsbad, CA 92008
jgaru@ci.carlsbad.ca.us
rball@ci.carlsbad.ca.us

Terramar Association
Kerry Siekmann & Catherine Miller
5239 El Arbol
Carlsbad, CA 92008
siekmann1@att.net

California Unions for Reliable Energy ("CURE")
Gloria D. Smith & Marc D. Joseph
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080
gsmith@adamsbroadwell.com

Center for Biological Diversity
c/o William B. Rostov
EARTHJUSTICE
426 17th St., 5th Floor
Oakland, CA 94612
wrostov@earthjustice.org

Power of Vision
Julie Baker and Arnold Roe, Ph.D.
P.O. Box 131302
Carlsbad, California 92013
powerofvision@roadrunner.com

Rob Simpson
Environmental Consultant
27126 Grandview Avenue
Hayward CA 94542
rob@redwoodrob.com

ENERGY COMMISSION
JAMES D. BOYD
Vice Chair and Presiding Member
jboyd@energy.state.ca.us

KAREN DOUGLAS
Commissioner and Associate Member
kldougla@energy.state.ca.us

Paul Kramer
Hearing Officer
pkramer@energy.state.ca.us

Mike Monasmith
Siting Project Manager
mmonasmi@energy.state.ca.us

Dick Ratliff
Staff Counsel
dratliff@energy.state.ca.us

Elena Miller
Public Adviser's Office
publicadviser@energy.state.ca.us

*indicates change

DECLARATION OF SERVICE

I, Andrea Dykes, declare that on April 24, 2009, I served and filed copies of the attached document. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: **[http://www.energy.ca.gov/sitingcases/carlsbad/index.html]**. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service* list) and to the Commission's Docket Unit, in the following manner:

(*Check all that Apply*)

For service to all other parties:

__X__sent electronically to all email addresses on the Proof of Service list;

_____by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

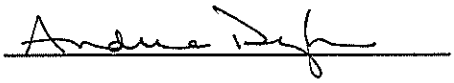
__X__**sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);**

OR

_____depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 07-AFC-6
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

I declare under penalty of perjury that the foregoing is true and correct.



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