

From: [Piantka, George](#)
To: ["Murphy/Perkins"](#);
cc: [Laurie B. Jester; kchristensen@elsegundo.org; lyle cripe; Doris Nickelson; Nickelson, Nick; McKinsey, John; Riesz, Ken; Seipel, Scott; Dyas, Mary@Energy; Sisk, Tim;](#)
Subject: RE: El Segundo Energy Center (00-AFC-14C) - Transmittal of VIS-9 Figures Per Conditions 5 and 6 of Joint Statement of Agreement
Date: Sunday, January 27, 2013 12:06:39 PM
Attachments: [PL-GRADING-1-20scale-22x34.pdf](#)
[5408-PL-003.pdf](#)
[5408-PL-007_01.21.13.pdf](#)
[VIS-2 Pallet \(2\).pdf](#)
[5408LCP001 Plant Palette.pdf](#)

Bob and Michelle,

The passing of Lyle Cripe is certainly a cause for delay. I appreciate that you have informed us. Lyle and Elsie have likewise been important contributors to the visual improvements that have been conditioned in the CA Energy Commission (CEC) license for this project. We feel for Elsie and the family and friends of the Cripes.

Below is a response to your second set of questions (with response #'s shown) regarding the VIS-9 figures transmitted for review per the Joint Statement of Agreement. If you find that I have addressed these questions satisfactorily, we appreciate your concurrence which will enable the Compliance Project Manager (Mary Dyas of the CEC) to further process our responses to JSA Conditions 5 and 6 and make a decision to approve the plans, or seek further information. With CPM approval, we will be in a position to resume the grading and landscaping activities in these areas to satisfy the important 45th Street berm associated visual conditions in the CEC license.

1. Regarding your comments in #1 below – I have attached the applicable figure. The phrase in the figure is accurate; the fence will be a minimum of 8 feet from the property line. But it is the intention to build the fence where depicted on the scaled drawing. The figure shows that substantial portions of the fence are more than 8 feet away from the property line. Your comment reinforces that our communication to the contractors shall be that they build the fence where depicted on the scaled drawing and not seek to place it “a minimum of 8 feet.” I assure you that we will make this very clear to the contractors.
5. The “grasses” that will be planted are on the approved palette; they are referenced in the “hydroseeding” palette. I have attached the palette herein.
6. I have enclosed a figure Sheet 5 of VIS-2 that depicts the water quality feature and the planting plan along the western portion of the tank farm berm. This figure matches with Sheet 4 of VIS-9, Appendix A, which was provided earlier per the JSA. Together these figures depict the plans in this portion of the site.

Thank you for your careful review and comments.

Regards,



George L. Piantka, PE
Director, Environmental Business
NRG Energy, West Region
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760-707-6833 (c)

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From: Murphy/Perkins [<mailto:murphyperkins@gmail.com>]
Sent: Monday, January 14, 2013 10:21 AM
To: Piantka, George

Cc: lyle cripe <lylecripe@gmail.com>; Doris Nickelson <dorisnickelson1@verizon.net>; Nickelson, Nick <nicknmf@verizon.net>; Laurie B. Jester <ljester@citymb.info>; kchristensen@elsegundo.org <kchristensen@elsegundo.org>; Dyas, Mary@Energy <Mary.Dyas@energy.ca.gov>; John A. McKinsey <jamckinsey@stoel.com>; Seipel, Scott; Riesz, Ken
Subject: Re: El Segundo Energy Center (00-AFC-14C) - Transmittal of VIS-9 Figures Per Conditions 5 and 6 of Joint Statement of Agreement

Dear George,

I apologize for being so slow to respond to your Dec. 18 note regarding our previous comments. A number of things have happened, the most significant one being the death of Lyle Cripe, since you wrote, but that does not excuse my delay. I'll try to be more prompt in the future.

I do have some further comments and questions. The numbers below refer to the numbered paragraphs in your Dec. 18 email.

1. Thanks for the clarification. If a 2:1 slope will support the previously intended vegetation, we do not object to steepening the slope in this area to provide a flatter space outside the fence. I do think the words on the drawing should be altered from "chain link fence at toe of slope 8' min from property line" to something that will instruct the contractors to build the fence where it belongs, which is, in this area, more than 8' from the line. Maybe "Chain link fence at toe of slope, on line depicted. Note toe of slope is farther than 8' from property line in this area."? But the important thing is that it be built there, not how you phrase your instructions.

5. If the "grasses" are on the approved palette, we do not object. If we've been given a copy of that palette, I have forgotten or lost it.

6. Though your description is helpful, is there a drawing of this feature?

2, 3, 4, 7, and 8. We do not object to these features as you describe them.

Regards,

Bob Perkins (and Michelle Murphy)

On Tue, Dec 18, 2012 at 8:00 AM, Piantka, George <George.Piantka@nrgenergy.com> wrote:

Hello Bob,

Below I have addressed each of your 8 comments. But first, I would like to address your input regarding the terms of the Joint Statement of Agreement (JSA) as it pertains to comment and approval.

Our transmittal of the drawings via email on December 3 to you and Michelle Murphy, Elsie and Lyle Cripe, and Doris and Nick Nickelson (Residents) was to provide status of our work on the items in the JSA and initiate your collective review of these drawings. My transmittal of the drawings via email and overnight delivery to the Energy Commission's Compliance Project Manager (CPM), the Cities of Manhattan Beach and El Segundo (Cities) and yourselves is in no intention to short-circuit the review of yourselves or the Cities. We are seeking comments from the Residents and Cities while keeping the CPM informed of our progress and status with respect to the conditions in the JSA. We appreciate your comments thus far, and those received on December 17 from the City of Manhattan Beach (Laurie Jester). Our responses are progress toward reaching a point when the drawings can be sent for CPM approval.

#1: Fence and toe of slope incorrectly located west of palms.

I believe that what you are seeing is actually that we have moved the toe of the slope back (to the north) so that it aligns with the fence and that the fence is still in the same location shown in Attachment A to the JSA. Thus, I think you will find this to be a benefit as it creates more accessible space on the 45th street side of the fence.

#2 Flat areas in the slope

The flat area on the north down-slope side is for drainage, stability and erosion control purposes as well as providing a means for walking access in the area for landscape work and other maintenance. There are utilities located under that bench. This bench delineates their (location) and enables access to them for maintenance and repair as needed. The bench is approximately located where the retaining wall had been planned. The area north of

the bench is additional area for landscaping than originally planned.

The 49' foot elevation is the old elevation of the retention berm that was to be maintained.

The 57' foot elevation flat area was in drawing provided during the original AFC process and in the Visual Resources -9 plan submitted and approved following the landscaping committee meetings. I believe this was designed in to the berm during the AFC process because that height sustained a level of visual screening that all parties felt was the right balance, before finishing the slope down to the retention berm height of 49'.

#3 Road and personnel access on west property line.

There is a paved path running along the fence line. It has not been compacted or reinforced to sustain heavy vehicles and is not a vehicular road. It is intended to provide a visible and smooth access for lightweight, utility cart-like vehicles to allow access to the fence and to the water quality and water discharge features in that area. Also, the light poles may require access by a scissor-lift, for example, for maintenance/replacement of light bulbs. As noted below, the water quality feature will be planted with low lying vegetation that comes near the edge of the path.

#4 Planting more than hydroseeding

Yes, substantial planting is required beyond hydroseeding and you can see that in the other drawing we provided (i.e., "Sheet 4"). The other drawing is also required to be provided pursuant to the JSA. It is the revised planting diagram and we provided that along with the Sheet 1 to Appendix B of the VIS-2 landscaping plan. The revised planting sheet has a number "4" in the lower right hand corner of the drawing.

#5 Swale and Subdrain Detail and Bioswale

There is a detail for the Swale and Subdrain in the lower left hand area of the revised drawing (Sheet 1). The Swale and Subdrain will be planted with low lying vegetation from the plant palette. This allows water flowing through it during storm events to be partially filtered and slowed as it travels down the slope. Some grasses may be used here, but also groundcover plants.

#6 Water Quality Feature

The "water quality feature" is an area designed to accumulate stormwater and allow it to be absorbed; but in significant storm events, it will overflow into the southwest corner discharge point. It will be planted, pursuant to other sheets in the VIS-2 Plan, with low lying vegetation. The vegetation adds further stormwater filtering and improves the quality of any storm water discharge that does overflow into the southwest corner discharge point.

#7 FM#25

I think you are referring to the square labeled as FH#25 at foot of slope of berm near SW corner. This is an existing fire hydrant that we are not removing, but rather, preserving in place.

#8 Landscaping in SW corner outside of fence.

There is landscaping planned for the area of the property outside of the fence. The Vis-2 Landscaping Plan shows this in Appendix B. It is not on the drawing being completed for resolution of the 45th Street berm issues because that is not on Sheet 1 of Appendix B and was not a focus of the complaint.

Thank you for your detailed comments. We look forward to your further response.

Regards,



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From: Murphy/Perkins [mailto:murphyperkins@gmail.com]

Sent: Monday, December 10, 2012 9:08 AM

To: Piantka, George

Cc: lyle cripe; Doris Nickelson; Nickelson, Nick; Laurie B. Jester; kchristensen@elsegundo.org; Dyas, Mary@Energy; John A.

McKinsey; Seipel, Scott; Riesz, Ken

Subject: Re: El Segundo Energy Center (00-AFC-14C) - Transmittal of VIS-9 Figures Per Conditions 5 and 6 of Joint Statement of Agreement

Dear George (and All),

We wish to comment on the documents George Piantka enclosed with his email (and of which he gave us hard copies this Thursday evening), but we must start by saying that these comments are tentative and preliminary. We understand that, under the terms of our settlement and the Commission's orders, there is to be comment and discussion, including the possibility of revision, before the documents are submitted to the CPM for approval, and assume that, in presenting them to Ms. Dyas at this time, both George and his employer are just keeping her in the loop, not trying to short-circuit the discussion and possible revision. See numbered paragraphs 5 and 6 of the Statement of Agreement.

In that spirit of keeping her informed even though the documents are not yet ready for her review, we're sending a copy of this email to Mary Dyas, too.

That said, our initial reading of the documents (and a very amateurish reading it is -- we ask that, as part of this comment period, NRG representatives meet with all concerned to help us better understand what NRG proposes) raises several questions. Some may turn into "issues," others will no doubt be cleared up by meeting with NRG. Other questions may arise from those discussions. At this point, our questions are:

1. We believe the proposed fence line and/or the berm deviate from the Commission's orders and Settlement Agreement in the area west of the palms. In that area, the Agreement's "conceptual sketch" includes a negotiated fence line which is actually both above the toe of the berm and more than 8 feet from the property line, rather than (as on the current "revised concept study", a "Chain link fence at toe of slope 8' min from property line." At all other places "8' min" appears to mean just 8 feet. The Agreement requires more than 8' and above the toe.
2. We are not clear why the currently proposed plans include three flat areas in the berm-- one labeled "bench," on the north downslope, and the other two on the top of the berm at elevations 57.0 and 49.0 feet. We'd like to have that explained before we address whether they are a good idea or not.
3. The "Revised Concept Study" sketch appears to show both a road and "personnel access" in the SW corner of the property. What is intended there? Again, we'd like to learn what's going on before taking a position on this feature of the sketch.
4. We believe the Commission has ordered that the entire berm (as well as the flat areas) is to be planted and maintained with more than "hydroseeding", not just the top part of the berm. Again, if the owners will explain their intentions, this may not be a disagreement at all. Drawings showing how and where the plant palette is to be deployed would be helpful here. In their absence, the notation "remove existing vegetation" on the "Planting Plan" George forwarded raises concerns.
5. We'd like to see the detail for the "proposed swale and subdrain" noted on the Revised Concept Study as being right across from our house, and the "bioswale" near the SW corner of the property. Speaking of the bioswale, is

"grass" the approved planting there or anywhere?

6. What is the "water quality feature" along the west boundary of the plant to look like and be constructed of? Dirt? plantings? Concrete?

7. What is the object described as "FM#25" on the Revised Concept Study?

8. The documents George sent us do not appear to contemplate any landscaping or work in the SW corner of the property, beyond the fence. Is that the owner's intent?

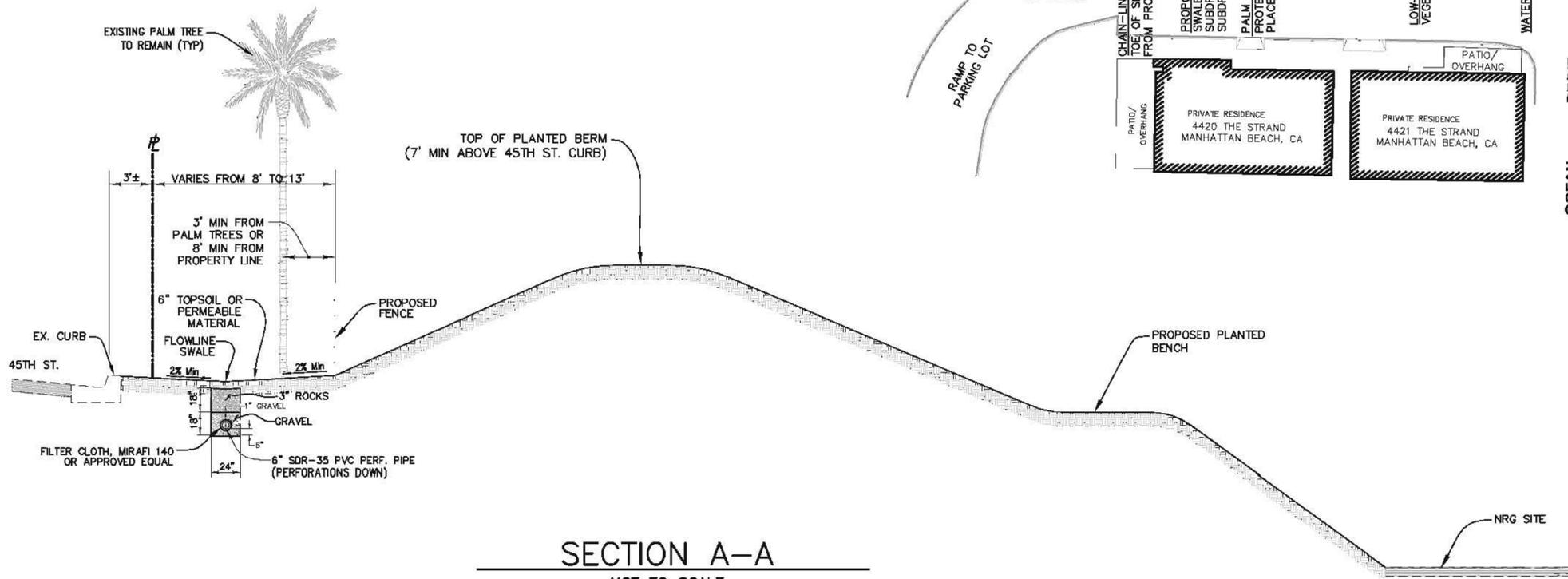
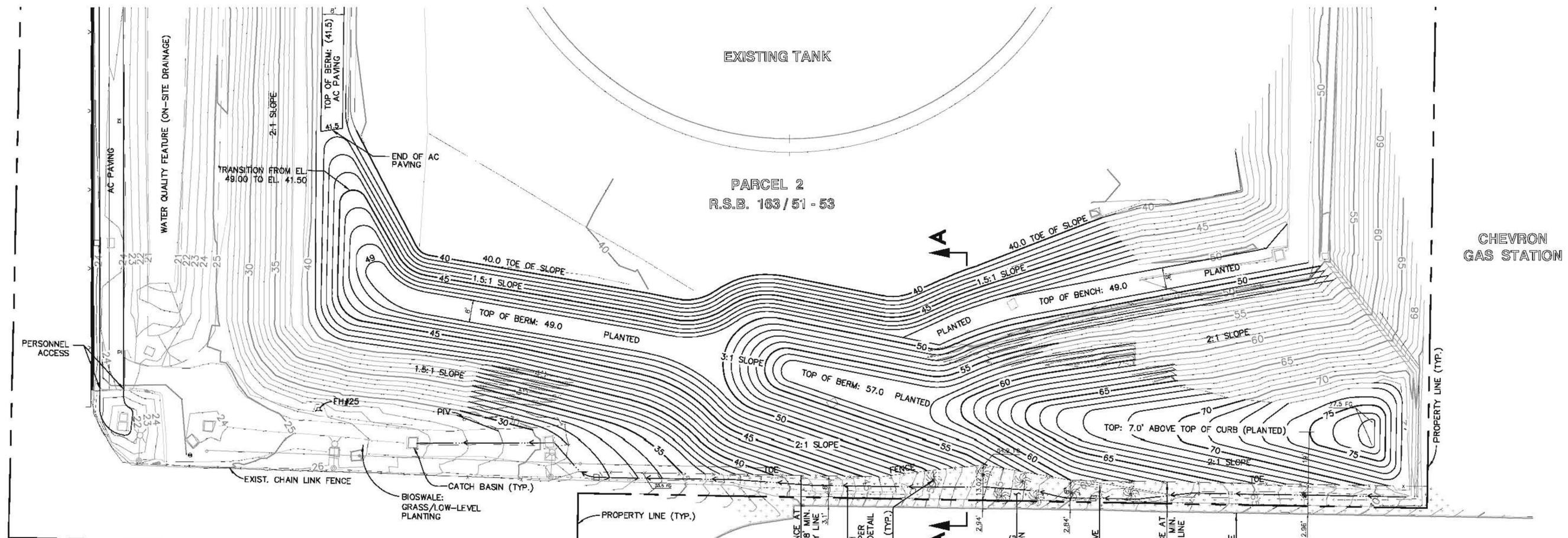
We hope this is the beginning of a fruitful set of discussions before NRG finalizes its proposals and sends them to the CPM.

Regards,

Bob Perkins & Michelle Murphy

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On Sat, Dec 8, 2012 at 5:13 PM, Piantka, George <George.Piantka@nrgenergy.com> wrote:



SECTION A-A
NOT TO SCALE

DESIGNED	SAB						
DRAFTED	SAB						
CHECKED	RJT / RP						
REV	DATE	DESCRIPTION	BY	APP'D			

BENCHMARK: Y11332
 *LACO BM TAG IN W CB 3M (10 FT) S/O BCR @ SW COR
 DRWY ENT TO SCE GENERATING STA #301 VISTA DEL MAR
 11.6M (38FT) W/O & 21.6M (71 FT) S/O C/L INT*
 AS STATED BY LOS ANGELES COUNTY PUBLIC WORKS
 ELEV. 90.760 ADJUSTMENT 2005

nrg
 301 VISTA DEL MAR BOULEVARD
 EL SEGUNDO, CALIFORNIA
 (310) 615-6041

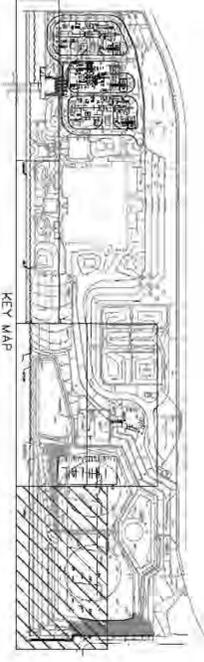
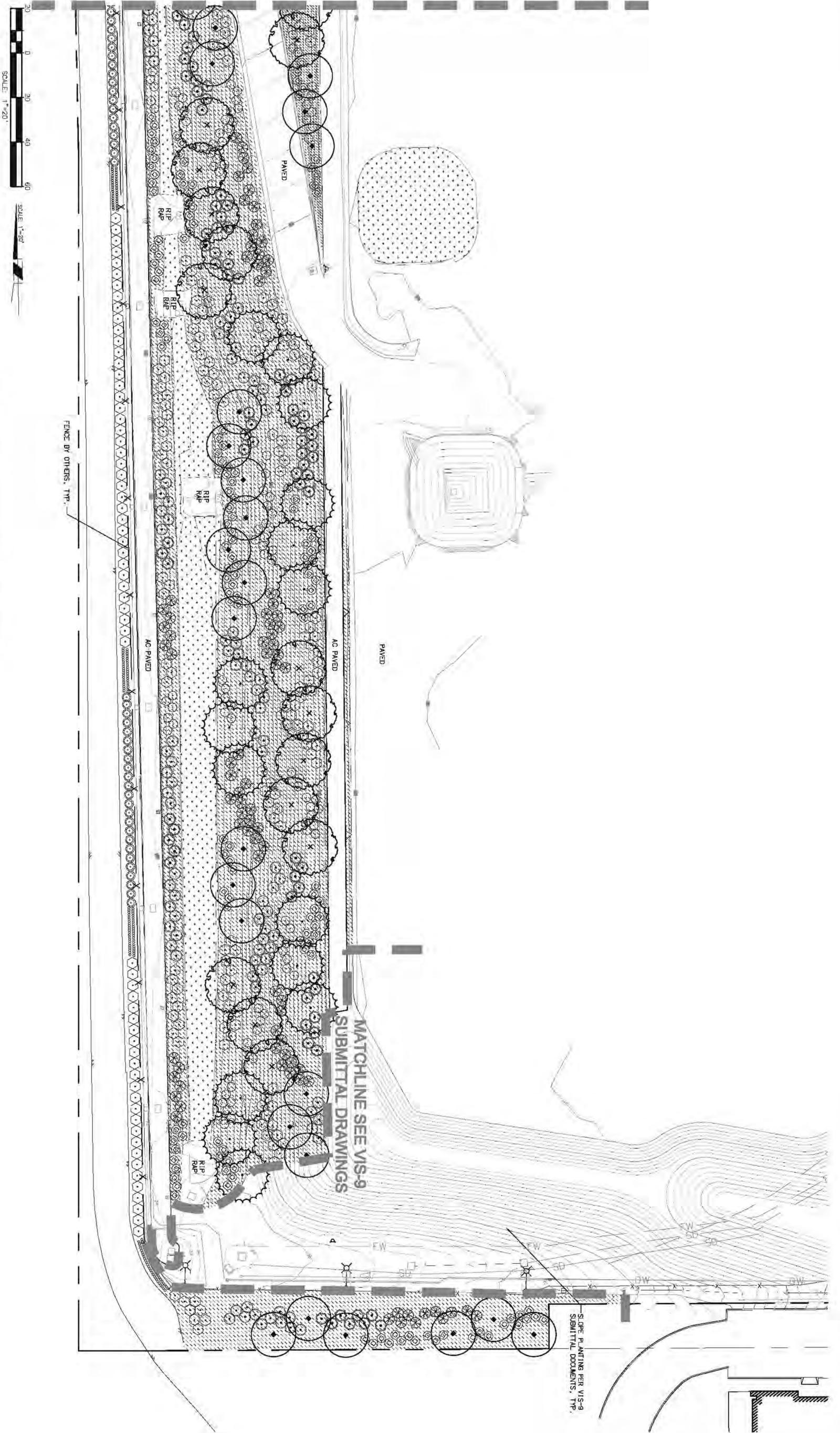
nrg
 CITY OF EL SEGUNDO

EL SEGUNDO ENERGY CENTER
 301 VISTA DEL MAR BOULEVARD
45th STREET BERM
REVISED CONCEPT STUDY

DATE:	12/03/12	SHEET	
SCALE:	1" = 20'		1
PROJECT NUMBER	2NRG010101	OF	1

Date: 12/03/12
 Project: 2NRG010101
 Title: 45th Street Berm
 Scale: 1" = 20'
 Sheet: 1 of 1

MATCHLINE SEE SHEET P-3

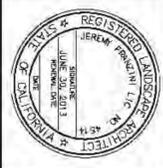


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FENCE BY OTHERS, TYP.

MATCHLINE SEE VIS-9
 SUBMITTAL DRAWINGS

SLOPE PLANTING PER VIS-9
 SUBMITTAL DOCUMENTS, TYP.



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DATE	BY	DESCRIPTION	APPROVAL	DATE

REVISIONS

PLANTING PLAN FOR:

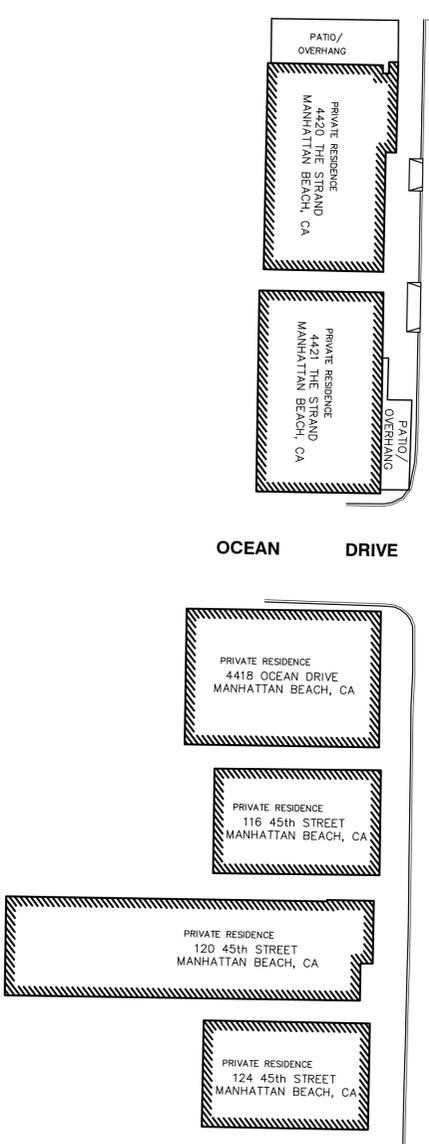
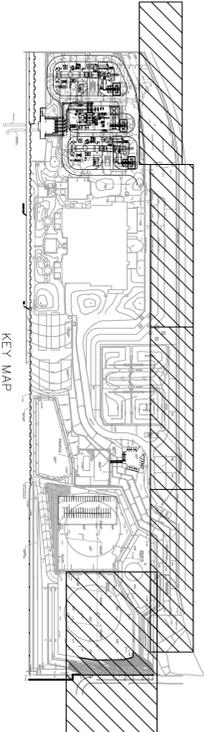
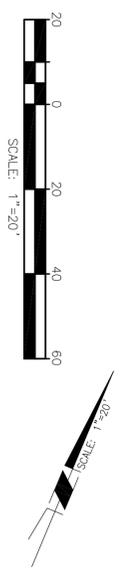
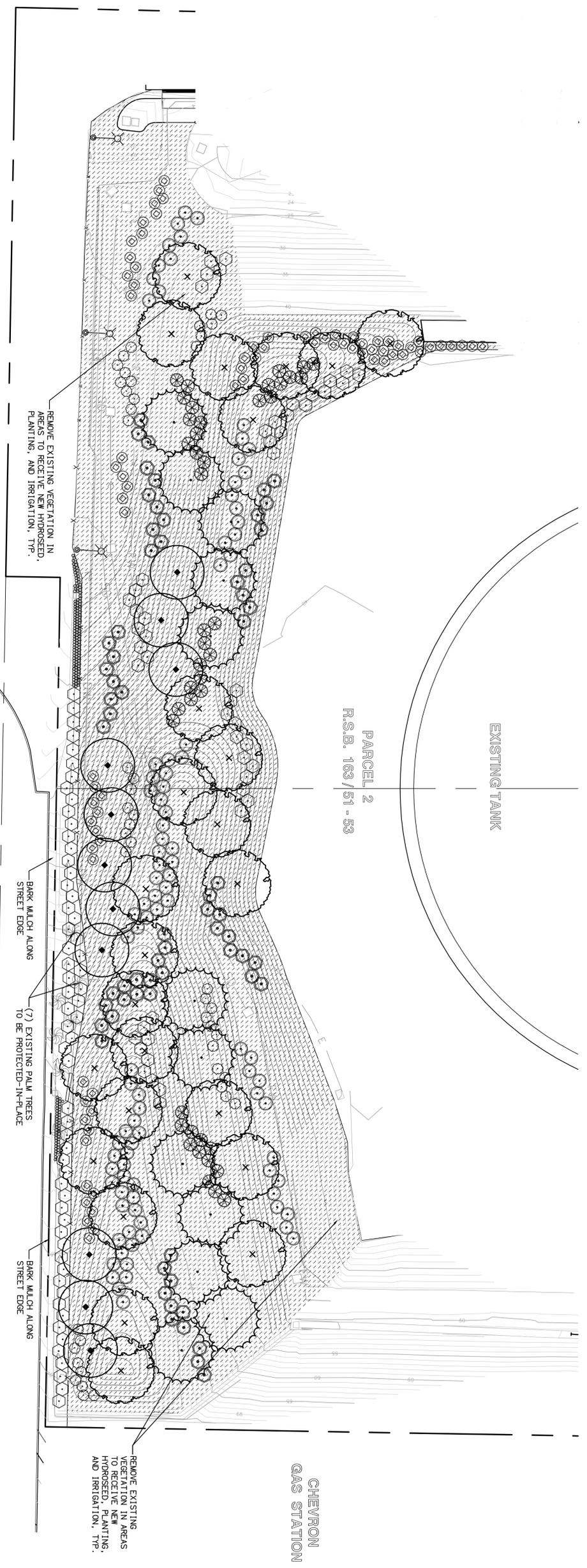
**EL SEGUNDO POWER
 REDEVELOPMENT PROJECT**

SHEET

5

OF 15 SHEETS

P-4



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DATE	BY	DESCRIPTION	APP'D	DATE
11/26/12	RBF	REVISED PLANTING ON 45TH STREET BERM		
R E V I S I O N S				

PLANTING PLAN FOR:
EL SEGUNDO POWER REDEVELOPMENT PROJECT
 SHEET **4**
 OF 13 SHEETS

P-3

TREES



**BRAHEA EDULIS*
Guadalupe Island Fan Palm



CHAMAEROPS HUMILIS
Mediterranean Fan Palm



METROSIDEROS EXCELSA
New Zealand Christmas Tree



**PINUS CONTORTA*
Shore Pine



**PRUNUS ILICIFOLIA*
Hollyleaf Cherry



**PRUNUS LYONII*
Catalina Cherry

SHRUBS AND GROUNDCOVERS



**AGAVE SHAWII*
Shaw Agave



**ARTEMISIA CALIFORNICA*
California Sagebrush



**BACCHARIS PILULARIS*
Coyote Brush



CARISSA MACROCARPA 'TUTTLE'
Dwarf Natal Plum



**CEANOTHUS GLORIOSUS*
Point Reyes Ceanothus



CISTUS PURPUREUS
Rock Rose



DODONAEA VISCOSA
Purple Hopseed Bush



**HETEROMELES ARBUTIFOLIA*
Toyon



**JUNCUS PATENS*
Wire Grass



JUNIPERUS CONFERTA
Shore Juniper



**LAVATERA ASSURGENTIFLORA*
California Tree Malva



LIMONUM PEREZI/MYRTICA CALIFORNICA
Sea Lavender



PAROLIC WAX MYRTLE



PITTIOSPORUM SSP.
Tabra



**RHAMNUS CALIFORNICA*
Coffeeberry



**RHUS INTEGRIFOLIA*
Lemonade Berry



RHAPHIOLEPIS SSP.
Indica



**ROSMARINUS SSP.*
Rosemary



**SALVIA LEUCOPHYLLA*
Purple Sage



**SALVIA MELLIFERA*
Black Sage



WESTRINGIA FRUTICOSA
No Common Name

GROUNDCOVERS OR HYDROSEED



**ABRONIA MARITIMA*
Sand Verbena



**ACHILLEA MILLEFOLIUM*
White Yarrow



**AMBROSIA CHAMISSONIS*
Beach Bur-Sage



**ANTIRRHINUM NUTTALLIANUM*
Nuttall's Snapdragon



**ATRIPLEX PATULA*
Spear Orache



**CAMISSONIA CHEIRANTHIFOLIA*
Beach Evening Primrose



DELOSPERMA ALBA
White Iceplant



DROSANTHEMUM ROSEA
Iceplant



**ERIOGONUM PARVIFOLIUM*
See CMT Buckwheat



**ESCHSCHOLZIA CAESPITOSA*
Dwarf California Poppy



**GNAPHALIUM BICOLOR*
Everlasting



**ISOCOMA MENZIEBII*
Coast Goldenbush



**LUPINUS NANUS*
Sky Lupine



**PHACELIA RAMOSISSIMA*
Branching Phacelia



**TRIFOLIUM GRACILENTUM*
Pin-Point Clover

*Indicates native plant

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01/18/07

