

February 18, 2004

Mr. William J. Keese
Chairman and Presiding Member
El Segundo Generating Station Subcommittee
California Energy Commission
1516 9th Street, MS 32
Sacramento, CA 95814

Subject: **El Segundo Power Redevelopment Project (00-AFC-14)
Comments on Presiding Member's Proposed Decision**

Dear Chairman Keese,

The Department of Community, Economic and Development Services has reviewed the Presiding Member's Proposed Decision (PMPD) for the Application for Certification (AFC) for the El Segundo Power Plant Redevelopment Project. The City wishes to express its continued support for the project as it moves closer to a decision by the California Energy Commission (CEC).

The City offers the following comments in advance of the February 23, 2004, committee conference on the project.

1. It appears that Conditions of Approval No. AQ-29 and AQ-30, which were part of the Agreed-to-Conditions prepared by the CEC staff on December 12, 2002, have been omitted from the PMPD. There is no discussion as to why these conditions have been omitted.
2. In order to obtain the full benefit of the Santa Monica Bay Restoration Committee's work, the City suggests that language be added to the verification section of Condition BIO-1 to require the applicant to provide copies of any studies prepared by the Santa Monica Bay Restoration Commission with the use of the \$1,000,000 trust funds to the Compliance Program Manager (CPM).

3. Since the power plant will operate 24 hours per day on several work shifts, the City requests that additional language be added to the verification section of Condition HAZ-2 to require the hazardous materials floor plan exercise be conducted for each shift at the plant. The Land Use analysis discusses the possible use of the Kramer site for a staging area during construction of the proposed project on page 120 of the PMPD. The City is currently processing an application to rezone this property from its Light Industrial (M-1) Zoning classification to a new commercial zoning classification in conjunction with the possible redevelopment of property in the area. As a result, the zoning of this site may not be consistent with an industrial staging area in the future and the site may be unavailable for use by the project if the redevelopment plans for the property are approved. The City suggests It would be appropriate for the PMPD to acknowledge this possibility in its discussion of land use consistency.
4. The discussion of open space consistency on page 120 of the PMPD should address public access to El Segundo Beach, which is located west of the Chevron Marine Terminal between Dockweiler State Beach and Manhattan State Beach.
5. It appears that Condition SOCIO-1 has been significantly revised from the language that was in the December 13, 2002 agreed-to-conditions as SOCIO-2. The City thinks the language in the agreed-to-conditions provides a better, more precise description of the mitigation fees that would be required and would leave less room for future interpretation. For instance, it is not immediately clear that the City's Traffic Impact Mitigation Fee would be included in the proposed Condition SOCIO-1. The City recommends that the previously agreed-to-condition SOCIO-2 be substituted for the proposed condition SOCIO-1.
6. Proposed Condition TRANS-5 does not include two bullet points that were included as part of the agreed-to-condition TRANS-5. The City recommends that the last two bullet points from the agreed-to-condition be added as follows:
 - Specify construction related haul routes; and,
 - Identify safety procedures for exiting and entering the site access gate.
7. The discussion of Construction Waste on page 200 of the PMPD should discuss the handling of universal wastes (i.e. fluorescent lamps, thermostats, batteries, etc.) that cannot be disposed of in the trash during demolition due to the hazardous content of some components.
8. The City of El Segundo Fire Department is the Certified Unified Program Agency (CUPA) for hazardous waste handling in the City of El Segundo. As such, the El Segundo Fire Department should be involved in the review of the Waste Management Plan required in proposed Condition WASTE-3. The City recommends that Condition WASTE-3 be revised to add language in the body and verification sections to provide for the El Segundo Fire Department to receive and comment on the Waste Management Plan.

9. The December 13, 2002 agreed-to-conditions for Condition WASTE-6 differs from the condition in the PMPD in that the Remedial Investigation (RI) Work Plan would be reviewed by the Los Angeles County Fire Department in addition to other agencies in the PMPD condition. Since the Los Angeles County Fire Department would not service the proposed project, the City suggests this reference be removed. Additionally, since the body of the proposed condition states that the RI Work Plan would be reviewed by the El Segundo Fire Department, the verification section of the proposed condition in the PMPD should be revised to also state that the El Segundo Fire Department would receive the RI Work Plan.
10. The City thinks the reference to the San Bernardino and Redlands Fire Departments on page 205 of the PMPD is a typographical error and should be revised to refer to the El Segundo Fire Department.
11. There also appears to be a typographical error on page 121 of the PMPD which refers to Dockweiler State Beach as Dotweiler State Beach.

Should you have any questions, please call me at (310) 524-2313, Kimberly Christensen, Planning Manager, at (310) 524-2340, or Paul Garry, Senior Planner, at (310) 524-2342.

Sincerely,

James M. Hansen

Director of Community, Economic and Development Services

cc: Proof of Service List
Mary Strenn, City Manager
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Mark Hensley, City Attorney