

Th 15b

Appeal No. A-4-OXN-07-096
Southern California Edison Co.

- Ex Parte Communications
- Correspondence

Chairman Krue

FORM FOR DISCLOSURE OF EX PARTE COMMUNICATIONS

RECEIVED
APR 29 2008
CALIFORNIA
COASTAL COMMISSION

Name or description of project , LPC, etc: Southern California Edison Oxnard
Peaker Project Appeal No. _____
A-4-OXN-07-096 Agenda Item Th12c

Date and time of receipt of communication: April 29, 2008; 9:45 a.m.

Location of communication: La Jolla, CA

Type of communication (letter, facsimile, etc.): face-to-face meeting; Commissioner
Pat Krue was present

Person(s) Initiating communication: David Kaye, SCE, Applicants
Susan McCabe, McCabe & Company
Rick Zbur, Latham & Watkins

Detailed substantive description of content of communication:
(Attach a copy of the complete text of any written material received.)

Applicant gave me an overview of the project indicating they support the staff recommendation. They covered the information in the briefing materials previously provided to the Coastal Commission staff.

4/29/08
Date


Chairman Pat Krue

**FORM FOR DISCLOSURE OF
EX-PARTE COMMUNICATIONS**

RECEIVED
MAY 02 2008
CALIFORNIA
COASTAL COMMISSION

Name or description of the project: Thursday 12.c. Appeal No. A-4-
OXN-07-096 (Southern California
Edison, Oxnard)

Time/Date of communication: 9am, May 2, 2008

Location of communication: La Jolla

Person(s) initiating communication: Gabriel Solmer, Marco Gonzalez,
Bruce Reznik & *Jeanne Paerson*

Person(s) receiving communication: Patrick Krueer

Type of communication: Meeting

Urged opposition to staff recommendation of approval with conditions. Any industrial facility, especially a power generating facility, located in the fragile and sensitive coastal zone, must have full environmental review.

- Alternative sites must be evaluated in an EIR. For example, since the peaker is not coastal dependent, the SCE substation in Moorpark, and other inland alternatives that are not in the Coastal Zone, must be evaluated.
- Peaker plant emissions must be accurately evaluated in an EIR. Emissions will not decrease, because the electricity will first be transmitted to the Santa Clara Station in Ventura, CA before any distribution to the Oxnard area or to other local areas. SCE's emissions projections are averaged on a yearly basis rather than a daily basis of actual days of peaker use, which understates the emissions during actual use.
- The Mandalay Beach site cannot be presumed to be an expansion within an existing site because this site and the neighboring Reliant Generating Station site are under separate ownership. The Independent System Operator is studying the RGS as not essential to the grid and not suitable for repowering, and it could be decommissioned.
- Environmental Justice must be addressed in an EIR. Oxnard has a significant minority population. Oxnard is already home to two power generation plants at Mandalay Beach and Ormond Beach as well as several cogeneration plants. The Halaco metals recycling Superfund Priority listed site is also in Oxnard.

Date: May 2, 2008

Patrick Krueer
Patrick Krueer

WED. ITEM 12C

DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project:

Southern California Edison Oxnard Peaker Power Plant (A-4-OXN-07-096)

Date and time of receipt of communication:

Saturday, May 3, 2008 @ 3:00PM

Location of communication:

Santa Barbara

Type of communication:

Meeting

Person(s) in attendance at time of communication:

David Kay, Rick Zbur (by phone)
Susan McCabe

Person(s) receiving communication:

Dan Secord

Detailed substantive description of the content of communication:

(Attach a copy of the complete text of any written material received.)

The applicants explained the project which is an appeal of the City of Oxnard denial of a peaker power plant which is the last of five peaker plants to be constructed to provide electricity during the hot summer months statewide. They are in agreement with the staff recommendation. They covered the material in the briefing materials previously provided to the Commission staff.

Date:

Signature of Commissioner: _____



RECEIVED

MAY 05 2008

CALIFORNIA
COASTAL COMMISSION



DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project:

Southern California Edison Oxnard Peaker Power Plant (A-4-OXN-07-096)

Date and time of receipt of communication:

Monday, May 5, 2008 @ 10:00 AM

Location of communication:

Phone call

Type of communication:

Phone call

Person(s) in attendance at time of communication:

David Kay, Rick Zbur, Susan McCabe

Person(s) receiving communication:

Bonnie Neely

Detailed substantive description of the content of communication:

(Attach a copy of the complete text of any written material received.)

The applicants explained the project which is an appeal of the City of Oxnard denial of a peaker power plant which is the last of five peaker plants to be constructed to provide electricity during the hot summer months statewide. They are in agreement with the staff recommendation. They covered the material in the briefing materials previously provided to the Commission staff.

Date: 5-5-08

Signature of Commissioner: Bonnie Neely

**FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATION**

RECEIVED
MAY 05 2008
CALIFORNIA
COASTAL COMMISSION

Date and time of communication:

May 5th, 2008 – 3:15 p.m.

(For messages sent to a Commissioner by mail or facsimile or received as a telephone or other message, date time of receipt should be indicated.)

Location of communication:

Commissioner Neely's Eureka Office

(For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.)

Person(s) initiating communication:

ORCA/Maggy Herbelin

Person(s) receiving communication:

Commissioner Bonnie Neely

Name or description of project:


CC May Agenda Item Th12c. Appeal by Southern CA Edison from decision of City of Oxnard denying permit to construct and operate 45 megawatt "peaker" power plant on Harbor Blvd, Oxnard, Ventura County.

Detailed substantive description of content of communication:

(If communication included written material, attach a copy of the complete text of the written material.)

Met with Maggy Herbelin regarding appeal by Southern CA Edison from decision of City of Oxnard denying permit to construct and operate 45 megawatt "peaker" power plant on Harbor Blvd, Oxnard. Ms. Herbelin concerns included #1 All alternatives need to be analyzed in a full EIR; #2 Emissions need to be accurately analyzed through an EIR; #3 the project can't be considered an expansion of the existing operation because the properties are under different ownerships; and, under environmental justice, there are already so many plants there. The Halaco plant is there and it's a superfund priority site. The neighborhood is already overburdened with facilities of this nature:

Date:



Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceedings and provide the Executive Director with a copy of any written material that was part of the communication.

Coastal Commission Fax: 415 904-5400

**FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATION**

RECEIVED
AUG 05 2008
CALIFORNIA
COASTAL COMMISSION

Date and time of communication: August 4th, 2008 – 9:00 a.m.
(For messages sent to a Commissioner by mail or facsimile or received as a telephone or other message, date time of receipt should be indicated.)

Location of communication: Commissioner Neely's Eureka Office
(For communications sent by mail or facsimile, or received as a telephone or other message, indicate the means of transmission.)

Person(s) initiating communication: Maggy Herbelin, ORCA Representative

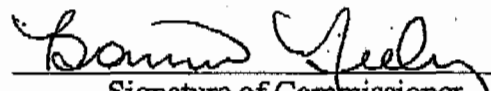
Person(s) receiving communication: Commissioner Bonnie Neely

Name or description of project: Agenda Item W 7a – Southern California Edison, Oxnard

Detailed substantive description of content of communication:
(If communication included written material, attach a copy of the complete text of the written material.)

The ORCA representatives indicated that the Peaker Power Plant is not a necessary coastal land use, does not have approval at the local jurisdiction level, is adjacent to critical habitat; alternative sites should be looked at; and this is an environmental justice issue as well.

Date: August 4th, 2008



Signature of Commissioner

If the communication was provided at the same time to staff as it was provided to a Commissioner, the communication is not ex parte and this form does not need to be filled out.

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceedings and provide the Executive Director with a copy of any written material that was part of the communication.

Coastal Commission Fax: 415 904-5400

**FORM FOR DISCLOSURE OF
EX-PARTE COMMUNICATIONS**

Name or description of the project: **SCE Peaker Plant, Oxnard**

Time/Date of communication: 8/15/08

Location of communication: 22350 Carbon Mesa Rd, Malibu

Person(s) initiating communication: Laurie Newman

Person(s) receiving communication: Sara Wan

Type of communication: phone call

Laurie called to discuss the SCE hearing. She asked why Commissioner Burke was so mad at SCE and I stated that they had told him they would provide mitigations to the City and then stood up and said they would not.

We also discussed that if the City believed that the area was zoned Coastal Dependent Industrial they needed to come up with the proof and a statement by someone who was there was not sufficient. There needed to be proof like transcripts or tapes of the actual hearings.

We also briefly discussed the issue that Oxnard was really ignored and was not treated as we treat other areas.



Date: August 17, 2008

Sara Wan

Steve Blank

FORM FOR DISCLOSURE OF
EX PARTE COMMUNICATIONS

Name or description of project , LPC, etc: Southern California Edison Company,
Oxnard "Peaker" Power Plant
A-4-OXN-07-096 Agenda Item W7A

Date and time of receipt of communication: July 31, 2008 @ 3pm

Location of communication: via telephone

Type of communication (letter, facsimile, etc.): Conference Call

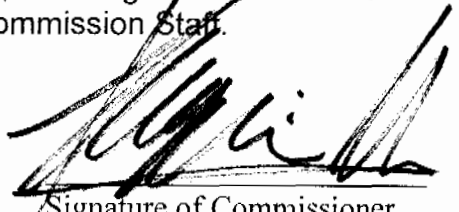
Person(s) initiating communication: Susan McCabe, Rick Zbur and David Kay

Detailed substantive description of content of communication:
(Attach a copy of the complete text of any written material received.)

Edison representatives gave me briefing about the project, covering the issues set forth in the briefing booklet which was previously supplied to Commission Staff.

Date

Aug 7, 2008


Signature of Commissioner

DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project: Southern California Edison Company,
Oxnard "Peaker" Power Plant
A-4-OXN-07-096 Agenda Item W7A

Date/time of receipt of communication: July 29, 2008; 4:30 pm

Location of communication: Palo Alto

Type of communication: Telephone

Person(s) initiating communication: Lennie Roberts, Mike Ferriara ORCA

Detailed substantive description of content of communication:

ORCA representatives briefed me about the project, and disagreed with the staff recommendation. They believe that there are visual impacts and social justice issues about the project.

7/29/08

Date



Signature of Commissioner

FORM FOR DISCLOSURE
OF EX PARTE
COMMUNICATIONS

Date and time of communication:

7/29/08

Location of communication:
(If communication was sent by
mail or facsimile, indicate the
means of transmission.)

La Jolla

Identity of person(s) initiating communication:

DR DAVID KAYE

Identity of person(s) receiving communication:

Pat Krueger

Name or description of project:

Oxnard Peaker Project (Item 17A)

Description of content of communication:
(If communication included written material, attach
a copy of the complete text of the written material.)

DR Kaye reviewed the background and the project
purpose and need. He covered previously raised
and addressed issues. We reviewed visual simulations
of the Peaker facility and why the Peaker is
consistent with the City's Certified Local Coastal Plan.

Date

7/29/08

Signature of Commissioner

Pat Krueger

If communication occurred seven or more days in advance of the Commission hearing on the item that was the subject of the communication, complete this form and transmit it to the Executive Director within seven days of the communication. If it is reasonable to believe that the completed form will not arrive by U.S. mail at the Commission's main office prior to the commencement of the meeting, other means of delivery should be used, such as facsimile, overnight mail, or personal delivery by the Commissioner to the Executive Director at the meeting prior to the time that the hearing on the matter commences.

If communication occurred within seven days of the hearing, complete this form, provide the information orally on the record of the proceeding and provide the Executive Director with a copy of any written material that was part of the communication.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Name or description of project: Southern California Edison Company,
Oxnard "Peaker" Power Plant
A-4-OXN-07-096 Agenda Item W7A

Date/time of receipt of communication: July 25, 2008; 11:00 am

Location of communication: Palo Alto

Type of communication: In person

Person(s) initiating communication: Susan McCabe, McCabe & Company
Rick Zbur, Latham & Watkins LLP

Detailed substantive description of content of communication:

Edison representatives briefed me about the project, covering the issues set forth in the briefing booklet which was previously supplied to Commission Staff.

They supported the staff recommendation.

7/29/08

Date



Signature of Commissioner

RECEIVED
JUL 28 2008

FORM FOR DISCLOSURE OF
EX-PARTE COMMUNICATIONS

CALIFORNIA
COASTAL COMMISSION

Name or description of the project:: SCE Peaker Plant
Time/Date of communication: 7/26/08, 10:30am
Location of communication: 22350 Carbon Mesa Rd, Malibu
Person(s) initiating communication: Jonathan Ziv
Person(s) receiving communication: Sara Wan
Type of communication: meeting

Explained he was opposed to the plant. That is area has been degraded by industrial facilities and the City has been attempting to clean it up for many, many years. The City has always interpreted the zoning in this area to be coastal dependent industrial, not just industrial or energy. Since the '60s the council had rejected anything non-coastal dependent. The Reliant plant is coastal dependent because it requires sea water.

I indicated that I thought the language in the LCP was unclear but that if the City had been interpreting it this way then they should make that clear

Visual- realize there is a great deal of visual impact from the facilities there already but since the City and the LCP take the position that this area should have it's view improved this will certainly not do that. Staff says that the facility and power lines cannot be seen from very far and that the only area impacted is the State Park which does not provide for public access. It is untrue that these will not be seen from a distance. Given their height and bulk they will be seen throughout the area and if there is no easy access to the park at this point one would hope there will be in the future

ESHA- Staff avoids the issue as to whether this is ESHA or not. They admit this is southern dune scrub habitat although degraded, which everywhere else is considered ESHA. They do not explain why this is not ESHA.

Date: 7/27/08



Commissioner's Signature



May 2, 2008

Chairman Krueger and Honorable Commissioners
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA
94105-5200

Agenda Item Th12c

Re: Appeal No. A-4-oxn-07-096 (Southern California Edison Company, Oxnard
"Peaker" Power Plant)

Dear Chairman Krueger and Honorable Commissioners:

We are writing in response to the Staff Report regarding the application by Southern California Edison ("SCE") for the above-referenced Coastal Development Permit ("CDP") for the Oxnard Peaker Project ("Project"), which is scheduled to be considered by the Coastal Commission (the "Commission") at its May 8, 2008 meeting.

The Project will provide an urgently needed and environmentally responsible solution to reliability issues facing California's electric generation and transmission infrastructure. It is consistent with and will further Coastal Act and Local Coastal Program ("LCP") policies, in addition to providing significant public and environmental benefits. Set forth below is a brief discussion of the Project's background and an explanation of why it is urgently needed and environmentally and operationally superior to alternative sites, along with an analysis of the Project's consistency with the City of Oxnard's LCP – including LCP policies concerning biological resources and sensitive habitat areas – and its consistency with climate change policies.

We appreciate Staff's hard work in analyzing the issues involved in the CDP application and agree with Staff's conclusions regarding the Project's consistency with the City of Oxnard's certified LCP and its recommendation that the Commission grant the CDP.¹ We therefore

¹ SCE and Commission Staff have been in discussion regarding minor modifications to the Special Conditions contained in the Staff Report. Any such modified Special Conditions will be contained in the Revised Staff Report. However, if SCE and Staff are unable to resolve their differences, SCE reserves its right to raise its concerns and/or issues with the Commissioners at the May 8, 2008 hearing.

respectfully request that the Commission accept Staff's recommendation and approve a CDP for SCE's much-needed Project.

I. PROJECT BACKGROUND

SCE proposes to build a 45-MW, natural gas-fired electrical generation facility, to be located on a 16-acre, SCE-owned vacant site adjacent to (and within the same Energy Coastal ("EC") subzone as) the existing, Reliant Energy's Mandalay Generating Station. The site was formerly occupied by oil storage tanks, and is separated from the ocean by the Mandalay plant to the west and northwest and by the DCOR oil processing facilities to the southwest. The Project is expected to cost more than \$50 million to build, and is therefore a "major energy facility." 14 Cal. Code Regs. § 13012.

The SCE facility would be a "peaker" plant, meaning that it would be capable of being started up and fully dispatched on very short notice (approximately 10 minutes) and would operate primarily at times of peak electricity demand or during other system strains when a major power plant or transmission line becomes suddenly unavailable. The peaker will also have "black start" capability, meaning it will have the ability to start up without any external power source. It thus will be able to provide the power needed to restart other power plants and restore electrical service during area-wide power outages, as well as provide some power for essential services while the larger, slower-starting plants come back on-line.

SCE undertook the development of this facility in response to the *Assigned Commissioner's Ruling Addressing Electric Reliability Needs in Southern California for Summer 2007* ("ACR"), issued by CPUC President Michael Peevey on August 15, 2006. The ACR directed SCE to pursue, among other things, the immediate development of up to five SCE-owned, black-start capable peaker facilities (totaling up to 250-MW), which could be on-line by the Summer of 2007. Four of the requested peaker plants (located in the cities of Norwalk, Ontario, Rancho Cucamonga and Stanton) were granted mitigated negative declarations ("MNDs") under CEQA and are now built and operational. This Project is the last of the five.

II. THE PROJECT IS URGENTLY NEEDED

The Project would provide an important and much-needed improvement to California's electric generation and transmission infrastructure. According to the CPUC, the surprising growth in electricity demand throughout the state, coupled with the July 2006 heat storm, exposed certain vulnerabilities in the electric generation and transmission infrastructure that required immediate attention to assure future reliability. The California Independent System Operator's ("CAISO") assessment for the Summer of 2006 had indicated that the system could handle a demand in excess of 48,000-MW, with limited or no impact on firm load customers. However, the peak demand during the heat wave was 51,000-MW, well above any of the scenarios that were assumed in CAISO's assessment. The Summer 2006 demand was 12% higher than 2005's record; 6% higher than the worst case scenario CAISO had analyzed in its assessment; and 38% higher than the peak demand of the crisis year 2001. Moreover, it represented a demand that was not forecast to occur for another five years. Across CAISO's service area, weighted average temperatures during the heat wave ranged between 106 and 110 degrees Fahrenheit on various days, which is higher than any temperatures recorded in the 30-

year history of temperature models used by CAISO. Even with the additional installed and anticipated new generating resources that will have come on-line between the summers of 2006 and 2008, CAISO still predicts a 10% risk that operating reserves in Southern California could be insufficient this summer. Although new resources have been procured and will continue to come on-line, SCE predicts that there remains a significant need for additional peaking resources in the future.

To improve reliability for the Summer of 2007, the ACR directed SCE to increase participation in its Air Conditioning Cycling Program, to pursue accelerated procurement of more peak load capacity from independent power plant developers, and to pursue the development and installation of up to 250-MW of SCE-owned, black-start, dispatchable generation capacity within its service territory. After a study of its entire system, SCE selected five locations within its system as best suited for siting additional peaker generation to enhance reliable operations. The Oxnard/Ventura/Santa Barbara area was identified as having the greatest need for quick start and black start capability to support local reliability, and the Mandalay-adjacent property was identified as the optimal peaker site within that region.

Oxnard and the surrounding Ventura County/Santa Barbara area are relatively vulnerable to prolonged and widespread power outages because that region's only transmission linkage to the rest of the state's power grid is through a single substation and transmission corridor. If that linkage and the existing Oxnard power plants were to be taken off-line at the same time, for example by an earthquake, the region would have no other adequate power supply route. By contrast, most other areas of the power grid, and *all* other areas of comparable population size on SCE's system, are accessible through alternate routes. On top of that region-wide vulnerability, the Santa Barbara area specifically is doubly vulnerable because its only transmission linkage with Ventura County is by a single transmission corridor that runs through an historically fire-prone, mountainous areas.

The need for the Project is thus critical and continues to grow. The Project would be used to provide power (i) to SCE's electric customers in the Oxnard area during times of peak power use, (ii) during outages of other generating or transmission equipment that normally provide power to the area, (iii) to assist in voltage regulation of the SCE electric grid in the area, (iv) to provide black start assistance to bring the Mandalay Generating Station on-line, and (v) to supply some emergency power to the Santa Barbara area, via the local distribution lines along the coast, if the inland transmission line to Santa Barbara is disabled by fire or any other factor.

The peaking and grid-reliability roles that the Project is intended to serve cannot be met by solar or other renewable resources, since it is essential that the plant be able to come on-line very rapidly, at any time of the day or night and regardless of weather conditions. The Project is not displacing renewable power plants, or otherwise inconsistent in any way with the state's move towards more use of renewable resources. On the contrary, peaker plants like the Project are expected to be even more important in the future, since their quick start-up capabilities make them ideal to supplement and "fill in behind" intermittent renewable sources like wind and solar.

III. THE PROJECT IS CONSISTENT WITH THE CITY OF OXNARD'S CERTIFIED LCP

The only rationale provided for the City Council's resolution denying SCE's CDP application is that the Project is not "coastal dependent" and is therefore inconsistent with the LCP. The City asserts that its coastal zoning ordinance prohibits any non-coastal dependent development on the site. But no provision in the zoning ordinance or elsewhere in the LCP states or can be reasonably construed to imply that an energy development must be "coastal dependent" to be permitted at the proposed site. To the contrary, as Staff concluded, the City's coastal zoning ordinance expressly allows energy development on the site and does not specify that it must be coastal dependent. The record clearly supports the Staff Report's finding that the Project may be developed at the proposed site under the LCP and coastal zoning ordinance.

The proposed development site lies entirely within the EC subzone. Pursuant to Section 17-20 of the City's coastal zoning ordinance, the EC subzone expressly allows "electrical power generating plant and accessory uses normally associated with said power generating facility." Because the proposed peaker facility is an electrical power generating plant, it is unquestionably permitted at the proposed development site under the City's coastal zoning ordinance.

The City's assertion that energy development facilities must be "coastal dependent" is not supported. Nowhere does the zoning ordinance include such a requirement; instead, it merely states that "coastal dependent energy facilities shall be *encouraged* to locate or expand within existing sites and shall be permitted reasonable long-term growth." Plainly, Section 17-20(A)'s "encouragement" that coastal dependent energy facilities locate or expand within existing energy sites, rather than occupying new areas of the coast, does not bar, and is not inconsistent with, allowing a non-coastal dependent facility to also locate within a site already specifically zoned for, and long used for, energy facilities. The siting of the peaker at the proposed site is completely consistent with the goal of concentrating energy facilities in already-used energy sites rather than occupying new areas.

Moreover, to require energy developments to be coastal dependent in order to be permitted in the EC zone is inconsistent with the overall policy objectives of the LCP. Indeed, the Coastal Act mandates that LCPs contain policies that require concentration and consolidation of industrial developments, including energy facilities, and maintain and enhance marine resources.

The City's rationale for denying the Project's CDP would bar any future, non-coastal dependent upgrade or addition to the two existing power plants within the City of Oxnard that require CDPs, and any upgrade or addition to the transmission substations within the City's coastal zone that requires a CDP. Requiring developments in the EC to be coastal dependent forces non-coastal dependent energy facilities to locate along new areas of the coast rather than locating or expanding within existing energy sites. The City's interpretation of LCP Section 17-20 is inconsistent and at odds with the LCP's policy of concentrating energy facilities.

Further, the City's interpretation of Section 17-20 conflicts with the LCP's policy of maintaining and enhancing marine life. Even if the LCP required the Project to be coastal dependent—which it does not, as Staff concluded—such a requirement would directly conflict

with the LCP's policy of maintaining and enhancing marine resources because the Project would be required to have seawater intake.

IV. THE PROJECT IS ENVIRONMENTALLY AND OPERATIONALLY SUPERIOR TO ALTERNATIVE SITES

Based on a thorough review of potential peaker sites throughout SCE's system, SCE concluded that the Project's site is optimal for a peaker, from both an environmental and an operational standpoint. First, as discussed above, the Ventura County/Santa Barbara region including Oxnard is in especially dire need of black start capable peaker generation because of the serious transmission constraints affecting that region. Siting a peaker within that general area also is desirable because the other four SCE peaker sites are in inland Los Angeles, Orange and San Bernardino counties, and it is highly preferable for grid-reliability reasons to spread the peaker locations out to the extent feasible. All of the other four sites were also selected to provide black start capability to nearby large plants that could be used to bring power back on line in their region of the electric grid.

Within the Ventura County/Santa Barbara region, the Project site stands out as superior for several reasons. Environmentally, it is a brownfield site, formerly occupied by oil tanks, and located immediately adjacent to (and separated from the ocean by) the much larger Mandalay power plant and DCOR oil processing facilities. The site also is almost adjacent to the SCE substation where the Project will connect to the grid, minimizing the length of new transmission lines required. Also, because of the size and configuration of the site and the width of the adjacent Harbor Boulevard, a peaker at this site can be placed further from the nearest possible residential development than at many other potential sites.

Operationally, the site is at the ideal location on SCE's electrical system to serve multiple important purposes. Its line-proximity to the Mandalay plant makes it the best and most reliable location from which to black start Mandalay, and thereby restore power to the region in the event of a regional blackout. It also is at an excellent site on the system for providing emergency, interim power to the region's main population centers of Oxnard and Ventura while the Mandalay plant and then the Ormond Beach plant return to service. In addition, if the Ventura County-to-Santa Barbara transmission link is lost, a peaker at the Project site can feed power into the local distribution system that runs up the coast, and thereby help to provide emergency power to Santa Barbara until the transmission linkage can be restored.

V. THE PROJECT IS CONSISTENT WITH LCP POLICIES REGARDING BIOLOGICAL RESOURCES AND SENSITIVE HABITAT

The proposed site of the Project is an industrial site, next to the Mandalay Bay Power Plant. The site has been graded and is devoid of any significant vegetation. Not surprisingly, Staff concluded no portion of the Project site is designated an environmentally sensitive habitat area ("ESHA"). A biological resources assessment prepared by Kean Biological Consulting ("KBC Report") did not identify any "candidate, sensitive, or special-status species" on site.

There are areas known to support several special-status biological resources near the site, but none on it. Given the proximity to of the Project site to sensitive resources, the Commission

imposed certain Special Conditions designed to protect sensitive species should they appear during construction. The Staff Report's conclusion that the Project, as conditioned, is consistent with applicable LCP policies regarding the protection of biological resources and sensitive habitat areas is amply supported by the record.

The Project proposes the installation and removal of transmission poles and lines, and the trenching and placement of an approximately 1,800 foot natural gas pipeline, on a portion of the Project site east of Harbor Boulevard that includes coastal dune scrub. This area has not been designated ESHA and the Staff Report notes that this area is substantially degraded and does not provide the same level of ecological and habitat value as more intact southern dune scrub areas. According to the KBC Report, there is a low probability that the Ventura marsh milkvetch could occur in this area and no milkvetch was observed during field surveys. The Staff Report notes a potential for certain sensitive plant species to exist in this area because of its proximity to other more intact dune scrub areas and rare plant communities. In order to ensure the protection of any isolated plants of these species that might occur, the Commission imposed Special Condition 4(b), which requires a focused survey for specified sensitive plants to be performed in each precise location where Project activities will be conducted east of Harbor Boulevard (once they are identified). If any such plants are identified within the Project's disturbance limits, this condition requires that impact avoidance plans be developed in consultation with the Commission, California Department of Fish & Game and U.S. Fish & Wildlife Service.

The southern border of the Project site is adjacent to a portion of Mandalay State Beach Park identified as ESHA in the LCP and designated as a Resource Protection sub-zone in the City's Coastal Zoning Ordinance. In compliance with LCP Policy 6, Special Condition 3(c) requires the Project's landscaping and construction activities to be separated by at least 50 feet from the entire southern boundary of the Project site adjacent to the Resource Protection area. Staff concluded that a 50 foot buffer is sufficient here given the existing 20 foot wide dirt access road that currently separates the Project site from the state park and SCE's commitment to locate all development and construction activities an additional 30 feet north of this road.

Sensitive nesting habitat for the western snowy plover and California least tern exists approximately 1,000 feet to the west and southwest of the Project site. Special Condition 3(a) requires the replacement of proposed trees in the landscape plan with native brush and shrub species that are not expected to provide nesting habitat for predatory birds of concern.

Although the Project site is not a burrowing owl habitat, historic records show that the burrowing owl once existed on the Project site. The biological surveys conducted by KBC did not observe any burrowing owls or any burrows that could feasibly support burrowing owls. Subsequently, during soil testing, one burrowing owl was seen on the site. In order to ensure that the Project will not have an adverse impact on this species, Special Condition 4(c) requires a pre-construction survey for burrowing owls to be undertaken throughout the Project area no more than 30 days before ground disturbance activities begin, and further requires appropriate impact avoidance and mitigation plans to be submitted and approved by the Executive Director if any owls are observed or any burrows are found to be actively used.

SCE has also agreed to implement measures identified in the Project's MND to minimize potential adverse effects to biological resources or water quality in the Project area. These measures include pre-construction surveys of each construction area to identify native birds, and limitations regarding the type and quantity of hazardous materials that may be stored on-site.

VI. THE PROJECT IS EXPECTED TO RESULT IN A NET DECREASE IN GREENHOUSE GAS EMISSIONS, AND SCE WILL VOLUNTARILY COMPLY WITH SPECIAL CONDITION 6 REGARDING CLIMATE CHANGE

In concert with the Commission's authority to protect coastal resources from development-related impacts, the California Air Resources Board ("CARB") is the entity authorized to protect coastal resources from emissions-related impacts, as recognized in the Coastal Act and as set forth in Assembly Bill 32, the California Global Warming Solutions Act of 2006. The Commission's role regarding greenhouse gas emissions is to minimize energy use and to assure compliance with CARB and air pollution control district requirements. Coastal Act §§ 30253(4), 30414(a); Cal. Health & Safety Code §§ 38501(a), 38510.

SCE is deeply committed to reducing greenhouse gas emissions. Based on SCE's analysis, dated April 9, 2008, the installation of the peaker plant is expected to result in a net decrease in CO₂ equivalent emissions across SCE's generation portfolio, primarily due to the line loss benefits—the reduced energy loss from the changed path and distance that electricity must travel to reach the customer—created by the Project. Special Condition 7² requires an independent analysis to be performed at the direction of the Commission and a hearing on the results of the study. If the Commission disagrees with the study, it may require SCE to submit to the Commission a Greenhouse Gas Reduction and Mitigation Plan to address those emissions, which shall be subject to Commission approval consistent with existing laws, methodologies and standard practices established by CARB and the California Global Warming Solutions Act.

VII. ADDITIONAL CONDITIONS IMPOSED BY THE COMMISSION ENSURE CONSISTENCY WITH OTHER APPLICABLE LCP POLICIES

In addition to the Special Conditions discussed above concerning biological resources and greenhouse gas emissions, the Commission has imposed further requirements on the Project designed to prevent or minimize potential environmental impacts and ensure consistency with the LCP. In this regard, Special Condition 2 provides that the CDP incorporate mitigation measures identified in the Project MND concerning air quality, biological resources, cultural resources, hazards and hazardous materials, transportation, and traffic.

Special Conditions 3(a) and (b) ensure consistency with water conservation and municipal services goals in the LCP by requiring the exclusive use of native bush and shrub species for Project landscaping (in order to reduce the potentially elevated water requirements of non-native trees and species), as well as the installation of an irrigation system that minimizes water use.

² Staff had added a new Special Condition 6. Thus, the Greenhouse Gas Emissions Special Condition is now 7.

Special Conditions 3(e)-(i) address development of the landscaping plan to minimize impacts to visual resources and ensure consistency with LCP Policy 37. Among other things, these conditions require periodic monitoring and maintenance for a specified monitoring period, the development of goals and success criteria, contingency plans, and submission of a final monitoring report that must be approved by the Executive Director.

Special Condition 5 addresses potential impacts from natural hazards by requiring SCE to implement all recommendations included in the Project's Geotechnical Investigation prepared by Kleinfelder, Inc. The recommendations in Kleinfelder's report are intended to ensure the structural integrity of the proposed facility in the event of seismic activity, liquefaction or lateral spreading at the site. Prior to issuance of the CDP, SCE must submit evidence that Kleinfelder has reviewed and approved all Project plans for consistency with its recommendations.

We appreciate the Commission's consideration of this appeal, and respectfully request that the Commission accept the Staff's recommendation and approve the CDP for the Project.

Sincerely,

Signature on File

David W. Kay
Manager, Environmental Projects



July 29, 2008

Chairman Krueger and Honorable Commissioners
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA
94105-5200

Agenda Item W7a

Re: Appeal No. A-4-OXN-07-096 (Southern California Edison Company, Oxnard
"Peaker" Power Plant)

Dear Chairman Krueger and Honorable Commissioners:

We are writing in response to the July Staff Report regarding the application by Southern California Edison ("SCE") for the above-referenced Coastal Development Permit ("CDP") for the Oxnard Peaker Project ("Project"), which is scheduled to be considered by the Coastal Commission (the "Commission") at its August 6, 2008 meeting.

We appreciate Staff's hard work in analyzing the issues involved in the CDP application. We concur with Staff's conclusions and request the Commission grant the CDP with minor modifications, as previously discussed with Staff, regarding SCE's restoration plan. The proposed modifications to Special Condition 3.b clarify SCE's restoration obligations and allow for voluntary restoration to be conducted in connection with California State Parks. Revised Special Condition 3.b is attached hereto and is discussed in more detail in Section V. We therefore respectfully request that the Commission accept Staff's recommendation and approve a CDP for SCE's much-needed Project.

The Project will provide an urgently needed and environmentally responsible solution to reliability issues facing California's electric generation and transmission infrastructure. It is consistent with and will further Coastal Act and Local Coastal Program ("LCP") policies, in addition to providing significant public and environmental benefits. Set forth below is a brief discussion of (1) the Project, (2) why the Project is urgently needed, (3) the Project's consistency with the City of Oxnard's LCP, (4) why the Project site is environmentally and operationally superior to alternative sites, and (5) SCE's habitat restoration program.

I. THE PROJECT – A 45 MEGAWATT PEAKER PLANT

SCE proposes to build a 45-MW, natural gas-fired electrical generation facility, to be located on a 16-acre, SCE-owned vacant site adjacent to (and within the same Energy Coastal ("EC") subzone as) the existing, Reliant Energy's Mandalay Generating Station. The site was

formerly occupied by oil storage tanks, and is separated from the ocean by the Mandalay plant to the west and northwest and by the DCOR oil processing facilities to the southwest. The Project is expected to cost more than \$50 million to build, and is therefore a “major energy facility.”

The SCE facility would be a “peaker” plant, meaning that it would be capable of being started up and fully dispatched on very short notice and would operate primarily at times of peak electricity demand or during other system strains when a major power plant or transmission line becomes suddenly unavailable. The peaker will also have “black start” capability, meaning it will have the ability to start up without any external power source. It thus will be able to provide the power needed to restart other power plants and restore electrical service during area-wide power outages, as well as provide some power for essential services while the larger, slower-starting plants come back on-line.

II. THE PROJECT, THE LAST OF 5 CPUC-ORDERED PEAKER PLANTS, IS URGENTLY NEEDED

To help implement Governor Schwarzenegger’s energy policy, California Public Utilities Commission (“CPUC”) President Michael Peevey issued *Assigned Commissioner’s Ruling Addressing Electric Reliability Needs in Southern California for Summer 2007* (“ACR”) on August 15, 2006. The ACR ordered SCE to pursue the immediate development of up to five SCE-owned, black-start capable peaker facilities (totaling up to 250-MW), which could be on-line by the Summer of 2007. Four of the required peaker plants (located in the cities of Norwalk, Ontario, Rancho Cucamonga and Stanton) were granted mitigated negative declarations (“MNDs”) under CEQA and are now built and operational. The development of the proposed Project will further Governor Schwarzenegger’s energy policy regarding electric generation reliability and comply with the CPUC directive.

The Project would provide an important and much-needed improvement to California’s electric generation and transmission infrastructure. According to the CPUC, the surprising growth in electricity demand throughout the state, coupled with the July 2006 heat storm, exposed certain vulnerabilities in the electric generation and transmission infrastructure that required immediate attention to assure future reliability. Even with the additional installed and anticipated new generating resources that will have come on-line between the summers of 2006 and 2008, CAISO still predicts a 10% risk that operating reserves in Southern California could be insufficient this summer. Thus there remains a significant need for additional peaking resources in the future, particularly in Oxnard and the surrounding Ventura County/Santa Barbara area, which is vulnerable to prolonged and widespread power outages because the region’s only transmission linkage to the rest of the state’s power grid is through a single substation and transmission corridor.

The need for the Project is thus critical and continues to grow. The Project would be used to provide power (i) to SCE’s electric customers in the Oxnard area during times of peak power use, (ii) during outages of other generating or transmission equipment that normally provide power to the area, (iii) to assist in voltage regulation of the SCE electric grid in the area, (iv) to provide black start assistance to bring the Mandalay Generating Station on-line, and (v) to supply some emergency power to the Santa Barbara area, via the local distribution lines along the coast, if the inland transmission line to Santa Barbara is disabled by fire or any other factor.

III. THE PROJECT IS CONSISTENT WITH THE CITY OF OXNARD'S CERTIFIED LCP

The City has attempted to elevate their after-the-fact interpretations of the LCP over the clear, unambiguous language of the ordinance. To do so is legally improper, as “[C]ourts must presume that a legislature says in a statute what it means and means in a statute what it says there.” *Connecticut Nat'l Bank v. Germain*, 502 U.S. 249, 252 (1992). While the City asserts that its coastal zoning ordinance prohibits any non-coastal dependent development on the Project site, as Staff concluded, the City's coastal zoning ordinance expressly allows energy development on the site and does not specify that it must be coastal dependent.

The proposed development site lies entirely within the EC subzone. Pursuant to Section 17-20 of the City's coastal zoning ordinance, the EC subzone expressly allows “electrical power generating plant and accessory uses normally associated with said power generating facility.” Because the proposed peaker facility is an electrical power generating plant, it is unquestionably permitted at the proposed development site under the City's coastal zoning ordinance.

No provision in the zoning ordinance or elsewhere in the LCP states or can be reasonably construed to imply that an energy development must be “coastal dependent” to be permitted at the proposed site. The zoning ordinance merely states that “coastal dependent energy facilities shall be *encouraged* to locate or expand within existing sites and shall be permitted reasonable long-term growth.” Plainly, Section 17-20(A)'s “encouragement” that coastal dependent energy facilities locate or expand within existing energy sites, rather than occupying new areas of the coast, does not bar, and is not inconsistent with, allowing a non-coastal dependent facility to also locate within a site already specifically zoned for, and long used for, energy facilities.

IV. THE PROJECT SITE IS SUPERIOR AMONG ALTERNATIVES

The Project was initially scheduled to come before the Commission on May 8, 2008. However, based on comments received concerning the proposed Project's alternatives analysis, prior to the hearing the Project was pulled from the May agenda.

The July 2008 Staff Report contains an exhaustive and comprehensive analysis of Project alternatives. The CPUC's mandate defined the Project objectives—the immediate construction of black-start capable generating facilities that offer collateral benefits to SCE's transmission and distribution system and the CAISO grid. SCE screened all available SCE-owned property inside its system and determined that Oxnard and the surrounding Ventura County/Santa Barbara area have the greatest need for quick start and black start capability to support local reliability.

In February 2007 when it became apparent that the Proposed Project would not be constructed in time to meet Summer 2007 needs, SCE reassessed the proposed Project to determine if the peaker would be better placed at a different location on the SCE system. SCE's site reassessment demonstrated that no other site could meet all of the objectives set forth in the CPUC order: (1) the Goleta site failed to provide black start capability; (2) the Santa Clara site presented significant engineering challenges that made construction of a peaker extremely

impracticable (and potentially impossible) and at an unjustifiably greater cost to SCE customers; and (3) the Moorpark site failed to provide any local reliability benefits.

Based on SCE's thorough assessment of potential Project sites, the Staff Report concluded that the Project site is the preferred location. As Commission Staff determined, the Project site: (1) has the least environmental impacts; (2) best meets the purpose and need of the proposed Project; and (3) entails the least complicated construction at lowest cost to SCE's customers.

V. VOLUNTARY HABITAT RESTORATION

Special Condition 3.b requires SCE to remove all iceplant on SCE's property east of Harbor Boulevard, undertake revegetation of disturbed areas, and monitor iceplant removal areas and native plant revegetation sites. Set forth below are SCE's proposed modifications to Special Condition 3.b, clarifying various terms of SCE's on-site remediation and voluntary restoration, as previously discussed with Commission staff (attached is a revised Special Condition 3b that incorporates that set forth below).

For all land disturbed as part of the pipeline corridor, SCE will control invasive plant growth to ensure they do not re-establish anywhere in the disturbed area. SCE will replant native plants on the disturbed land north of the canal. On the land south of the canal, SCE will control invasive plant growth, but will not replant natives so long as paving from planned road-widening is imminent.

Transmission line work will result in a minor temporary disturbance of 0.4 acres and a permanent disturbance of 0.002 acres. SCE will remediate this disturbance by adding a border around the pipeline corridor and removing iceplant to keep it from re-establishing inside the corridor.

In addition, SCE has voluntarily agreed to either remove invasive ice plant on up to 10 acres of its own land east of Harbor Blvd., or alternatively to work with State Parks to identify high value State Parks-owned or controlled land from which SCE will remove iceplant or participate in some other State Parks-sponsored habitat enhancement project. The final plan will be approved by the Executive Director.

Should SCE decide to remove iceplant from its own property east of Harbor Blvd., SCE may execute an open space deed restriction with the Coastal Commission that will (1) preserve specified acreage from future non-utility development and (2) enable SCE to perform various future O&M work, facilities expansion or upgrades and new substation, telecommunications or generation projects on other specified acreage including the lands from which iceplant is removed.

We appreciate the Commission's consideration of this appeal, and respectfully request that the Commission accept the Staff's recommendation and approve the CDP for the Project.

Sincerely,

SIGNATURE ON FILE

David W. Kay
Manager, Environmental Projects

Attachment

3. Biological Resources.

(b) Prior to the start of construction activities commencement of peaker operation SCE shall submit a Restoration Plan for Executive Director approval that includes, at minimum,

(1) ~~removal of all iceplant from SCE owned property to the east of Harbor Boulevard;~~ (2) revegetation of X acres of those areas disturbed during placement/removal of transmission poles, installation of natural gas pipeline and associated staging, construction and access activities with native plant species representative of the southern dune scrub habitat community and grown from locally collected seed; ~~and~~ for all land disturbed as part of the pipeline corridor, SCE will control invasive plant growth to ensure they do not re-establish anywhere in the disturbed area. SCE will replant native plants on the disturbed land north of the canal. On the land south of the canal, SCE will control invasive plant growth, but will not replant natives so long as paving from planned road-widening is imminent.

Transmission line work will result in a minor temporary disturbance of 0.4 acres and a permanent disturbance of 0.002 acres. SCE will remediate this disturbance by adding a border around the pipeline corridor and removing iceplant to keep it from re-establishing inside the corridor.

(2) voluntary restoration involving either: (i) the removal of up to 10 acres of iceplant on SCE owned property east of Harbor Blvd. or (ii) the removal of iceplant or participation in some other State Parks-sponsored restoration on State Parks property. If SCE removes iceplant from its property east of Harbor Blvd., SCE may execute an open space deed restriction with the Coastal Commission that will preserve specified acreage from future non-utility development and enable SCE to perform various future O&M work, facilities expansion or upgrades and new substation, telecommunications or generation projects on other specified acreage including the lands from which iceplant is removed; and

(3) monitoring of iceplant removal areas and native plant revegetation sites every six months and annual submittal of monitoring reports for five years from the date of issuance of Coastal Development Permit No. A-4-OXN-07-096.

If after five years the Executive Director determines that iceplant has returned, native plants are not re-establishing, or restoration and invasive species removal is not in conformance with or has failed to meet the performance standards specified in the plan, the applicant, or successors in interest, shall submit a revised or supplemental restoration plan for the review and approval of the Executive Director within 60 days. The revised restoration plan must be prepared by a licensed landscape architect or a qualified resource specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.



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McGrath (Oxnard) Peaker Project Briefing

Wednesday, August 6, 2008

Appeal No. A-4-OXN-07-096

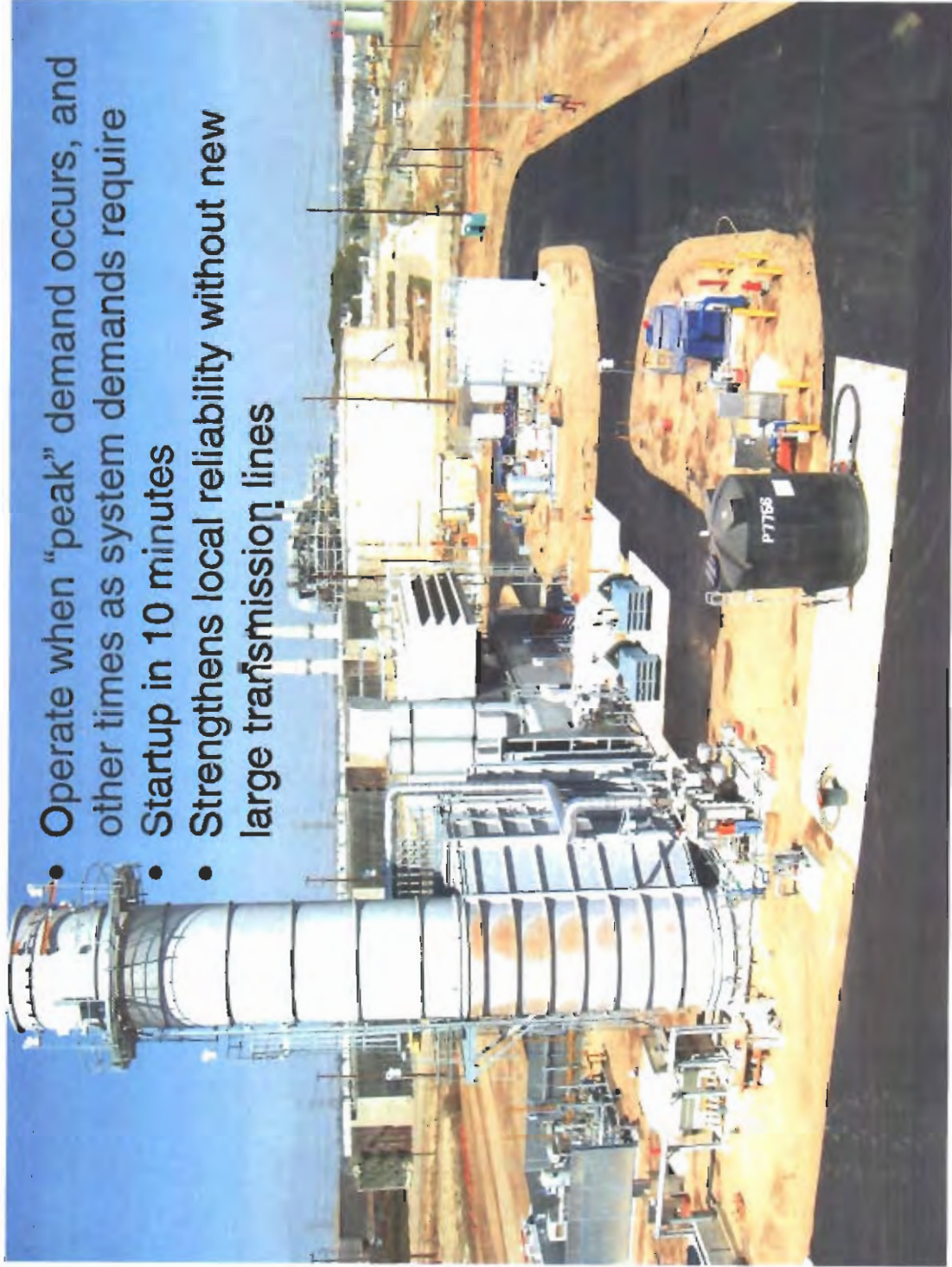
Agenda Item 7(a)

Background

- In August 2006, the California Public Utility Commission issued an Assigned Commissioner Ruling due to concerns over electric reliability in Southern California during summer 2007
 - SCE was directed to build up to 250 MW of peaking generation (“Peakers”) to ensure reliability
- SCE proposed 5 Peakers to operate by August 2007:
 - Barre – Orange Co.
 - Mira Loma – Riverside/San Bernardino Co. Border
 - Center – Los Angeles Co.
 - Grapeland – San Bernardino Co.
 - McGrath – Ventura Co.
- The above Peakers are operational today except for McGrath, which was not approved by the City of Oxnard
- Continued serious need for peaking capacity

Background

- Operate when “peak” demand occurs, and other times as system demands require
- Startup in 10 minutes
- Strengthens local reliability without new large transmission lines



Project Purpose and Need

- Provide peaking capacity per CPUC Order
- Provide “blackstart” capability for Mandalay Generating Station
- Provide local generation in emergency

Issues Previously Raised and Addressed

- Alternatives Analysis and CEQA conformance
- Sensitive habitat
- Landscaping and visual impacts
- Water Use and groundwater effects
- Greenhouse Gases & Conventional air pollutants
- Airport interference
- Buffers from State Park property

Proposed Oxnard Peaker is Appropriate Under Coastal Act

- Constructed on SCE land formerly occupied by fuel tanks
 - Industrial property adjacent to Reliant Mandalay Generating Station
- Parcel is zoned and designated in Oxnard LCP for Energy Production
 - CCC staff agree
- No significant adverse environmental impacts from proposed project:
 - Site is graded and devoid of vegetation or other biological resources
 - Project site is not ESHA; additional biological review conducted; voluntary restoration plan in place
 - No potential for threatened or endangered biota impacts
 - Mitigation measures protect sensitive biota; buffers, landscaping, restoration
 - No potential for tidewater goby, water quality or water supply impacts
 - No significant visual impacts
 - No potential transportation impacts (incl. airport)
 - No significant air quality impacts, including GHGs

Proposed Project Site in 1979



Existing generating station

Proposed Project Site in 2003 (Present Condition)



McGrath Peaker Should Be Permitted

- Fully compliant with Coastal Act
- No significant adverse environmental impacts
- Site zoned for power generation; LCP consistency
- City of Oxnard denial was baseless and without merit
 - LCP expressly allows energy facilities in Energy Coastal subzone
 - No LCP requirement that energy facilities must be “coastal dependent”
- No additional delay is warranted
 - SCE offered several possible voluntary projects but City expressed no interest
- Important to electric reliability in Santa Barbara/Ventura region
- Mitigates effects of probable system damage from quakes/fires:
 - Supplies energy to critical loads such as hospitals, police and fire
 - Black starts local generation at Reliant Mandalay and Ormond Beach
- Commission should overturn City of Oxnard denial and approve staff recommendation

Visual Simulations of Constructed Facility



VP1 - Project view from northeast corner of the SCE property - before



VP1 - Project view from northeast corner of the SCE property - after

Visual Simulations of Constructed Facility



VP2 - Project view from northeast of the SCE property - before



VP2 - Project view from northeast of the SCE property - after

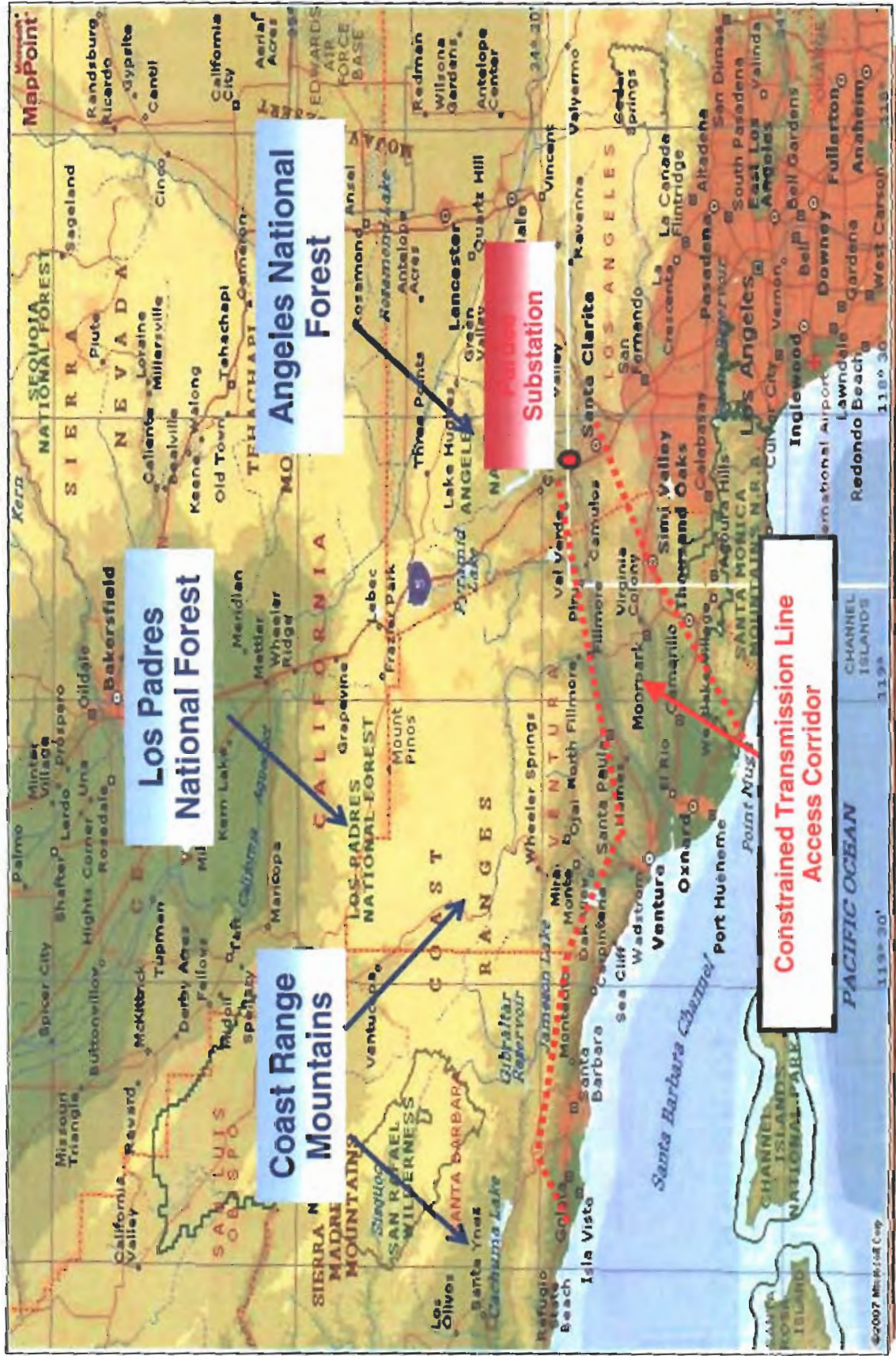
Proposed Oxnard Peaker is Consistent with the City's Certified Local Coastal Program

- Under the Coastal Act, a CDP shall be issued if the proposed development is in conformity with the certified LCP
- The City's only rationale for denying the CDP is its unsupported claim that the LCP requires energy facilities to be "coastal dependent"
- But the LCP does not require "coastal dependent" energy facilities
 - The LCP's express terms allow electrical power generating plants in the Energy Coastal subzone
 - Nothing in the ordinance or elsewhere requires or implies that energy developments must be coastal dependent
 - The ordinance's "encouragement" of coastal dependent energy facilities does not bar non-coastal dependent facilities
 - The project is consistent with the goal of concentrating energy facilities in already-used energy sites rather than requiring development of new areas

Proposed Peaker is Sited at the Environmentally and Operationally Preferred Location

- Fifty-six (56) SCE-owned properties in Ventura/Santa Barbara Cos. considered for this project
- All but 4 sites eliminated due to:
 - Insufficient space
 - Potential for impact to sensitive habitat, biota
 - Significant grading/constructability challenges
- Three of 4 remaining sites rejected due to
 - Greater potential for environmental impact
 - Grading, gas, water and transmission line impacts
 - Less reliable location for Mandalay blackstart
- The McGrath site is the preferred site
 - From environmental impact standpoint
 - For blackstart capability

Geography of Santa Barbara/Ventura Counties and Natural Barriers Limiting Transmission Line Access



Regional Area Electric System Constraints

- Santa Barbara and Ventura Counties are in the western most part of the SCE service area
- Transmission line access into the area is limited
 - Bounded by ocean, mountains and national forest lands
- Peaker unit provides black start capability, or reliability in the event of a major transmission outage

Major Transmission Outage Scenario

- Major earthquakes
 - 1971 Sylmar and 1994 Northridge Earthquakes damaged SCE and LADWP substations
- Fires have damaged transmission towers, conductors and insulators and other transmission facilities
 - September 2007 Zaca Fire and July 2008 Goleta Fire in Santa Barbara County
 - July 1995 Santa Barbara fire
- Worst-case scenario
 - Transmission lines, substations damaged
 - Local generation plants tripped off due to loss of transmission lines
- SCE will have to rely on local generation in the Santa Barbara and Ventura systems to serve the load
 - Load dropping will be required
 - Local residents, critical load such as military sites, hospitals, police and fire departments, and commercial load could experience extended outages
- Quick start and black start generation to provide energy is urgently needed
 - A peaker unit in the area would provide quick start power for critical services and black start capability to facilitate startup of Reliant plants
 - This site is well located to serve both needs, north and south, over local lines

1994 Northridge Earthquake

Extent of Damage to Pardee Substation

- Major damage to the substation resulting in extended outage
 - Disconnect switches bushings damaged
 - Transmission towers fell due to soil instability
 - Circuit breakers destroyed
 - Transformer bushings damaged



THESE MATERIALS HAVE BEEN PROVIDED TO COASTAL COMMISSION STAFF

Historical Fires – Zaca Fire

- Consumed 240,207 acres of land in the three months period until it was fully contained.
- Potential hazard for Transmission lines essential for Santa Barbara and Ventura Counties



CO₂ Emissions

The McGrath Beach peaker will not increase

CO₂ emissions from the SCE system

- The McGrath Beach peaker does not increase the amount of electricity used by SCE's customers
 - The same amount of electricity must be generated whether or not the peaker is constructed
 - The peaker will only operate after all available renewable resources are on line
- The peaker operates in place of older, higher emitting fossil fuel resources
 - Because it has a more efficient heat rate, the peaker will burn less fuel and emit less CO₂ per megawatt-hour of electricity generated than a less efficient source
- The peaker reduces the amount of electricity that is lost to deliver power to Oxnard customers
 - The peaker delivers power directly into the local 66kV transmission system, thereby reducing line losses and consequently the amount of generation needed to serve the load
- Independent review performed by CCC staff concurs with SCE position

Air Quality

- An Authority to Construction Application for the peaker has been submitted to the Ventura County Air Quality Management District
- The VCAPCD has completed its engineering analysis and determined that:
 - The project meets Best Available Control Technology (BACT) requirements.
 - The project does not cause or contribute to adverse air quality impacts
 - The project conforms with the requirements of the Ventura County Air Quality Management Plan
- A Draft Permit has been prepared pending Commission approval of the project
 - Permit conditions have been identified that will ensure compliance with all applicable federal, state, and local rules and regulations.



DR. THOMAS E. HOLDEN
Mayor

OFFICE OF THE MAYOR
305 West Third Street • Oxnard, CA 93030 • (805) 385-7435 • Fax (805) 385-7595
E-mail: drtomholden@aol.com

July 18, 2008

RECEIVED
JUL 21 2008
CALIFORNIA
COASTAL COMMISSION

Mr. Patrick Kruer, Chair
California Coastal Commissioners
c/o California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

**RE: Appeal of the City of Oxnard's Denial of the Edison Peaker Plant Proposal
Appeal No. A-4-OXN-07-096**

Dear Chair Kruer and Commissioners:

On July 24, 2007, the City of Oxnard City Council unanimously denied the Coastal Development Permit requested by Southern California Edison (SCE) to develop a 45-MW "peaker" electrical generation facility on the grounds that the project does not conform to the project site's Energy Coastal (EC) zone designation. The Coastal Act defines coastal dependent as a development or use which requires a site on, or adjacent to, the sea to be able to function at all (PRC §30101). SCE readily concedes that the proposed peaker project is not coastal dependent, but argues that a narrow reading of a subsection under the "Energy Coastal" heading within the City's certified Local Coastal Plan (LCP) allows a non-coastal dependent energy facility. We were very disappointed when Commission staff agreed with SCE's narrow reading opinion and ignored the entirety and intent of our certified LCP, as applied by the City of Oxnard. The entire City Council requested the appeal be denied in its letter of May 6, 2008, which is included as Attachment 1.

I am writing again on behalf of the entire City Council and apologize for not contacting you earlier as, in the last month, the City Council has dealt with a number of pressing matters. Last year about this time, our residents were attending the State Lands Commission and Coastal Commission hearings to defeat the BHP Billiton Cabrillo Port LNG project. Many of the LNG opponents also oppose the SCE project and plan to attend the Commission hearing.

Nevertheless, the SCE appeal is before you, and the City of Oxnard urges you to deny the appeal for the following nine reasons:

1. Not Consistent with the Oxnard Certified LCP

The Mandalay Power Plant was originally developed in the late 1950's when few people cared about the then largely empty Oxnard coast. The power plant, now owned by Reliant Energy, uses ocean water for cooling and discharges directly over the sand into the surf. In the late 1980's when the Oxnard Local Coastal Program (LCP) was developed, the peaker plant site was the oil tank farm for the then SCE-owned power plant. The LCP recognized what was already there, a coastal dependent power plant that could be expanded as long as it still needed ocean water for cooling. It is a "necessary evil" coastal land use, along with the Ormond Beach power plant. There was no anticipation that the SCE power plants would later be sold off to private companies, the land split into separate parcels, and a non-coastal power plant developed. The Commission staff cited (page 13) another EC zone that is not on the coast, the SCE substation at the corner of Victoria Avenue and Hemlock Street, as rationale supporting their narrow reading conclusion. That substation was built long before the LCP was developed and is considered legal non-conforming; that argument is irrelevant. The Oxnard City Council's longstanding intent is that the EC zone allows only coastal-dependent energy facilities, and we disagree with the Coastal Commission staff's interpretation. We ask that the Coastal Commission defer interpretation of intent to the legislative body that originally adopted the coastal program.

2. There does not exist a CPUC Ruling to Install the Fifth Turbine At This Time

The CPUC Assigned Commissioner's order can not now be used to justify the proposed peaker plant on an "emergency" basis: the emergency need is not in the record. The Commission staff report is in error on page 54 where it states, "...the CPUC directive requires 250 MW of new SCE-owned generation." The CPUC emergency order clearly states on page 2 "*...SCE should pursue the development and installation of up to 250 MW...for summer 2007 operation*" and on page 6 "*...SCE should pursue development of no more than five non-RFO generation units*" by August 2007 (emphasis added). The CPUC order has been satisfied as SCE developed four inland peaker plants that are all operational. SCE is now just enhancing their local network and providing a method of black-starting the Reliant plant. While that is an understandable goal, they cannot use the emergency CPUC order which has been satisfied to ignore the comprehensive competitive procurement practices regulated by the CPUC. There is nothing in the record showing that the order which has been satisfied to ignore the comprehensive competitive procurement practices regulated by the CPUC. There is nothing in the record showing that the CPUC supports/approves the installation of the fifth turbine under the non-emergency conditions that now exist.

3. There are Other Suitable Sites that Need to Be Evaluated

Even if you assume a continued need to have Edison continue in its effort to site a fifth turbine now, the SCE analysis of alternative sites is unnecessarily restricted. The restriction to sites that will allow the black start of Mandalay and that contribute to solving an undefined future need to re-enforce the local transmission system is inappropriate (see Attachment 2). Even if the universe of sites evaluated are restricted to those SCE felt appropriate to meet the 2007 emergency, the SCE analysis indicates sites are available that meet all their goals except the goal of timing. These sites are suitable alternatives to the proposed project site that eliminate the significant environmental impacts on the coast and preserve the site for future coastal access, but require some additional site preparation and network enhancements which SCE claims they cannot do because of the “emergency” nature of the CPUC order. Since the CPUC order is not relevant, it is not germane that alternative sites require additional site preparation or development time. On page 52, the staff report states, “...each of the three customer owned substation sites within the Goleta area appear[s] to meet most of SCE’s site selection criteria.” The Commission should not allow SCE to end-run appropriate and long-established site selection procedures under the cover of a CPUC emergency order.

4. Prevents Consideration of Expanded Coastal Access and Remediation

Oxnard and Ventura County need more coastal access as our populations grow. After we complete our 2030 General Plan Update later this year, Oxnard will begin to update the LCP for the Commission’s consideration. The City is already considering designating the SCE and Reliant sites for coastal dune preserve and access and recreation, thereby creating a 2.5 mile beach and back dunes resource by connecting the Mandalay Beach back dunes preserve to the south of the power plant to the remediation area and McGrath State Beach Park to the north. Staff is considering incentives, such as transferable development rights, that could lead to the eventual decommissioning of the Reliant plant which is technologically obsolete. An aerial photo of the surrounding existing dunes preserves parkland and beaches park is attached (Attachment 3) showing how the power plant is an unfortunate island in what would otherwise be a unique stretch of natural coastline. By approving the peaker plant, the Commission effectively prevents Oxnard and the Commission from the opportunity to even explore the feasibility of this concept. The SCE site could also be earmarked for remediation credits and eventually purchased by another energy or coastal project that needs to offset loss of coastal dune habitat.

5. Inadequate Environmental Justice Analysis

The environmental justice (EJ) analysis in the staff report is inadequate. By purposely choosing a turbine plant that is less than 50MW and restricting the siting to only one turbine to a site, SCE has bypassed the siting authority of the California Energy Commission’s (CEC). Although that may be justified for the “emergency” that existed in 2007, it is the responsibility of the Coastal Commission to follow a similar EJ review process used by the

CEC that is conforming to the U.S. EPA 1998 Guidance. The geographic extent of the staff report's EJ analysis is too small as the Oxnard beaches serve all of Ventura County. Oxnard is a minority-majority community (68% Hispanic) that already has the largest number of undesirable land uses than any other city in the area: two power plants, two closed land fills, and one EPA-superfund site. Approving a third power plant is a potentially discriminatory action under State and/or Federal law and denies us the opportunity of expanding coastal access to our growing population, especially our youngest residents who are majority Hispanic.

6. Inadequate Cumulative Projects Analysis

The staff report's cumulative project's analysis is inadequate under CEQA. The analysis omits the pending Clearwater Port LNG proposal that would bring the LNG offshore terminal's gas pipeline on shore at the Reliant and/or SCE power plant sites. Permitting the SCE plant only encourages the obsolete Reliant plant to rebuild and encourages LNG developers to use these two sites for their pipeline landfall. The Clearwater Port LNG proposal will soon come to the Commission and Oxnard will once again face the possibility of 30-inch high pressure gas lines running under our streets past high schools and hospitals. Under CEQA, the Clearwater Port LNG proposal should have been included in the cumulative analysis as it is a proposed project at this exact location. A map of the proposed LNG pipeline is attached as Attachment 4.

7. Creates Several Significant Unmitigatable Impacts

The proposed project 80 foot stack will be visible from many areas along the coast, especially when it is in operation and creates a large vapor plume which was not addressed in the impact analysis. The new stack and plume, when combined with the existing and larger Reliant stack and plume, together will dominate the western horizon of the entire county. This cumulative impact was not addressed and is considered significant by the City. Special Condition 6 removes the screening trees that the City had requested along Harbor Boulevard to screen the peaker plant from the 292-unit Northshore residential development immediately to the southeast of the project site. This is another unmitigated negative impact created by the project. A photo simulation of the stacks and plumes is attached (Attachment 5).

8. Water Supply is Not Available

On January 15, 2008, the City Council adopted a water supply policy in response to concerns over the City's ability to serve planned development and anticipated further reductions in water supply from the State Water Project due to drought and other restrictions. The policy basically states that any large water user that was not anticipated in the 2005 Urban Water Management Plan (UWMP) will have to provide a new source for its water or create water use credits by offsetting existing water use in a credible permanent manner. The peaker plant would use an estimated 9.4 million

gallons per year, about 28.8 acre feet, or roughly the equivalent of 50 single-family homes. Unless SCE provides verifiable permanent offsets to existing water users, the City Council's policy precludes providing City water to the facility. This topic was not addressed in the staff report, and SCE should be required to arrange for the offset water credits before the project is even considered for approval.

9. Located in the Preliminary FEMA 100-Year Flood Zone

The preliminary FEMA flood zone map shows the peaker site in the 100-year flood zone (see Attachment 6). In 1969, the Reliant plant was flooded and out of operation for several days. This topic was not addressed in the staff report.

In the alternative, should the Commission elect to override the City's action and grant the appeal, we ask that you instead postpone your action until the October meeting in the Los Angeles/Orange County area so that more of our residents will have an opportunity to be heard, the several omitted issues raised above can be addressed by Commission staff, and we can meet with SCE to discuss mitigations. City-requested mitigations could include, but are not limited to, the following:

1. Prevent the possible future expansion of energy facility uses on the site by creating a larger buffer to the adjoining residential and park sites and parceling off the unused southernmost portion of their parcel and dedicating it to the City.
2. Contribute towards the planning and development of coastal access and back dunes preservation at the Mandalay Beach park site that orientates the park use away from the SCE facility and implements the LCP for that area.
3. Identify verifiable and permanent water use offsets equal to the anticipated water demand of the peaker plant.

Although we fully support SCE's efforts to meet current and future electricity demand and are more than willing to work with them in many ways, the City continues to oppose this particular project on this particular coastal site. If it does not need to be on the coast, it should not be on the coast. We are on the front lines – literally on the beach in a manner of speaking - in trying to keep land uses that do not need to be on the coast, off the coast.

Letter to Mr. Patrick Kruer
RE: Edison Peaker Plant Proposal
July 18, 2008
Page 6

Once more, we urge the Commission to affirm the City Council's denial of this permit.

Very truly yours,

SIGNATURE ON FILE

Dr. Thomas E. Holden
Mayor

Attachments:

1. City Council Letter, May 6, 2008
2. Expert Rebuttal to SCE Technical Siting Criteria and Conclusions
3. Potential Coastal Access and Dunes Preservation Expansion
4. Clearwater Port Proposed Landfall and Pipeline Routes
5. Simulation of the Two Stacks and Plumes
6. FEMA Flood Map, March 2008

cc: Dianne Feinstein, United States Senator
Barbara Boxer, United States Senator
Lois Capps, Member of Congress, 23rd District
Joe Coto, California State Assembly
Sheila Kuehl, California State Senator, 23rd District
Fran Pavley, California Assembly Member, 41st District
Pedro Nava, California Assembly Member, 35th District
Members of the Ventura County Board of Supervisors
Edmund F. Sotelo, Oxnard City Manager
Marty Robinson, Ventura County Chief Executive Officer



CITY COUNCIL OFFICE

305 West Third Street • Oxnard, CA 93030 • (805) 385-7428 • Fax (805) 385-7595

May 6, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

**RE: Appeal of the City of Oxnard's Denial of the Edison Peaker Plant Proposal
Appeal No. A-4-oxn-07-096**

Dear Chair Kruer and Commissioners:

On July 24, 2007, the City of Oxnard City Council unanimously denied the permit requested by Southern California Edison (SCE) to develop a 45-MW "peaker" electrical generation facility on the grounds that the project does not conform to the site's Energy Coastal (EC) coastal zone designation. The SCE appeal is before you, and the City of Oxnard urges you to deny the appeal for the following reasons:

The Coastal Act defines coastal dependent as a development or use which requires a site on, or adjacent to, the sea to be able to function at all (PRC §30101). SCE confirmed that the proposed project is not coastal dependent and could be situated in non-coastal locations. In fact, four identical facilities are located in inland cities. The Oxnard City Council's longstanding intent is that the EC zone allows only coastal-dependent energy facilities, and we disagree with the Coastal Commission staff's interpretation of the EC zone. We ask that the Coastal Commission defer interpretation of intent to the legislative body that originally adopted the coastal program.

By overturning the City's denial and approving this facility, the Commission will inhibit the City's ability to consider long-range plans to restore the entire coastline. Oxnard considers the SCE peaker plant as not one small power plant, but an open door to the rebuilding of the adjacent obsolete Reliant Power Plant and continuing offshore Liquefied Natural Gas (LNG) proposals that bring their pipeline ashore in this EC area. The Commission's approval of this project will encourage the development of potentially three permanent energy facilities at this site, in addition to the Ormond Beach power plant. Enough is enough!

The environmental analyses and mitigations are seriously deficient and leave the City with unmitigated significant adverse impacts in several areas, including: 1) cumulative impacts, 2) land use compatibility, and 3) aesthetic impacts. The staff environmental report and mitigations do not meet the requirements of Section 21080.5(d)(2)(A) of CEQA which prohibits a proposed development from being approved if there are feasible alternative

sites and/or technology, or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

Although we support SCE's efforts to meet current and future electricity demand, we oppose this project on this coastal site. There is no PUC requirement for the peaker plant to be located on this particular site. Despite SCE's arguments, it is more likely to be harmful to Oxnard, the California coast, and it directly contradicts the Coastal Commission's mission to "Protect, conserve, restore, and enhance environmental and human-based resources of the California coast and ocean for environmentally sustainable and prudent use by current and future generations" At the very least, we encourage the Commissioners to recommend that Edison look at alternative sites and/or alternative technology before making this decision.

In the alternative, if the Commissioners elect to overrule Oxnard's City Council decision to deny this permit, we request that the following mitigations measures be added:

1. To prevent possible future expansion and create a buffer to the adjoining residential and park sites, SCE should carve off the unused southernmost portion of their parcel, restore it to a natural habitat, and dedicate the new parcel to the City.
2. Contribute \$500,000 for the planning and development of coastal access and recreational facilities at the Fifth Street park site that orientate the park use away from the SCE facility.

Thank you again for the consideration you have provided to the Oxnard community. Once more, we urge the Commission to affirm the City Council's denial of this permit.

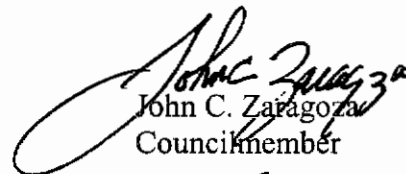
Very truly yours,



Dr. Thomas E. Holden
Mayor



Dean Maulhardt
Mayor Pro Tem



John C. Zaragoza
Councilmember



Andres Herrera
Councilmember



Timothy B. Flynn
Councilman

July 19, 2008

Comments on Need for SCE Installation of Fifth Turbine

- Original justification of technology (less than 50MW gas turbine) and restriction to only SCE site appears driven by need to install by August 2007.
- Unlikely that this technology installed by SCE would have been selected without time constraints of “emergency.”
- CPUC favors a “competitive procurement process” and places restrictions on utilities selecting their own projects.
- SCE defined needs going forward should be met by a competitive process whereby SCE defines its needs in a Request for Offers (RFO).

Comments on Black Start Requirement

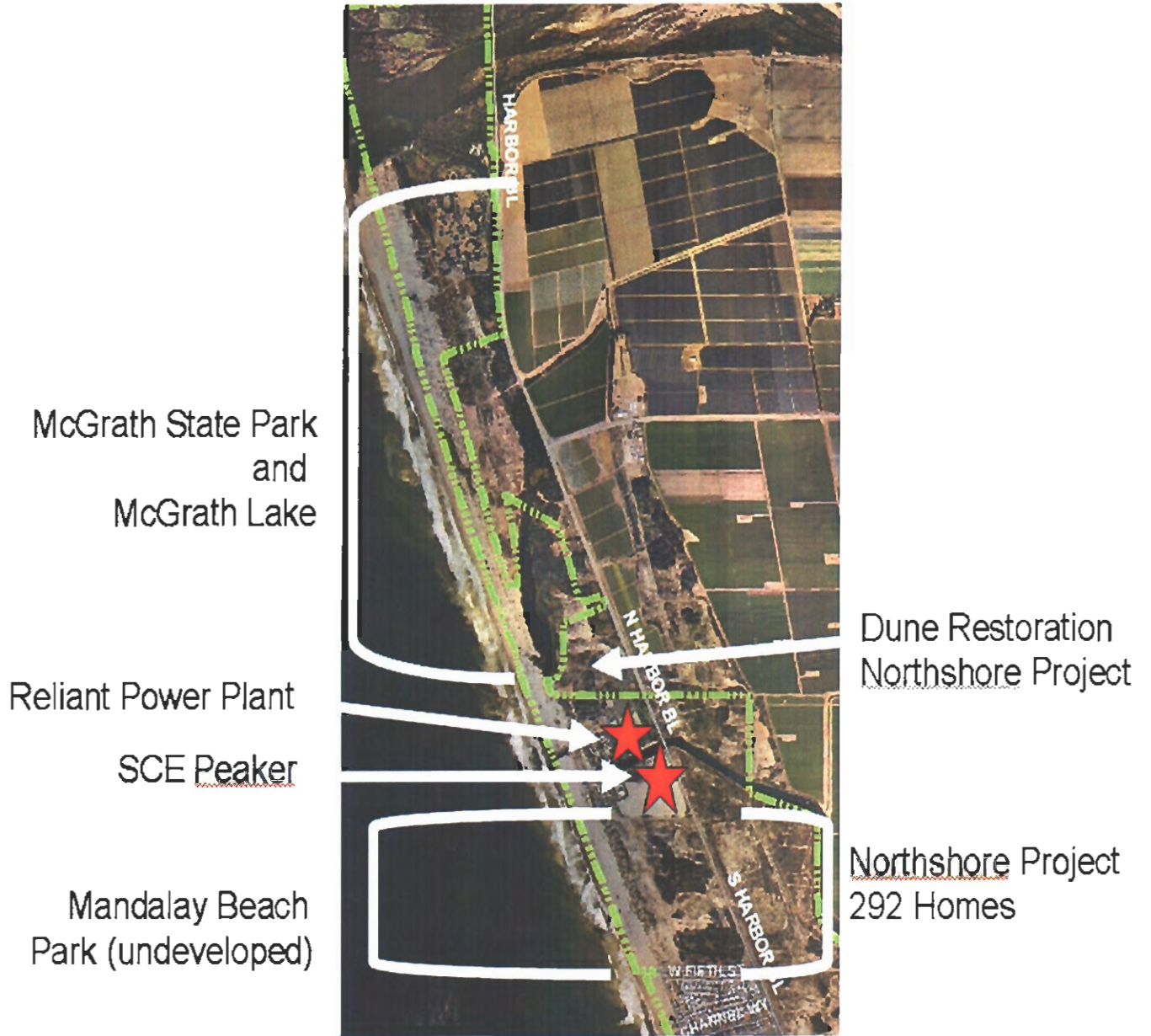
- Black start is a reliability requirement that must be met, but there are many ways to meet it.
- CAISO has historically obtained most of its black start requirement through RMR agreements.
- CAISO is attempting to find a methodology to competitively procure black start needs.
- SCE never explained the need to start Mandalay power plant being a critical part of its black start plan.
- A more direct and reliable way to black start Mandalay power plant would install a small generator to start the existing turbine – eliminates need for complicated and time consuming switching schemes- should be investigated.

Comments on Need to Support Local Distribution Network

- Oxnard is located within the Big Creek/Ventura local area.
- The need for generation within a local area is based upon technical studies completed by the CAISO and adopted by the CPUC.
- The 2009 Local Capacity Requirement (LCR) for the Big Creek/Ventura area, where Oxnard is located is 3,178MW. The dependable local area generation is 5,132MW. If the Mandalay (Oxnard) peaker was installed by 2009 summer, the available supply would increase to 5,177MW.

ATTACHMENT #2
PAGE 1 OF 1

Potential Coastal Access and Dunes Preservation Expansion



Clearwater Port Proposed Landfall and Pipeline Routes

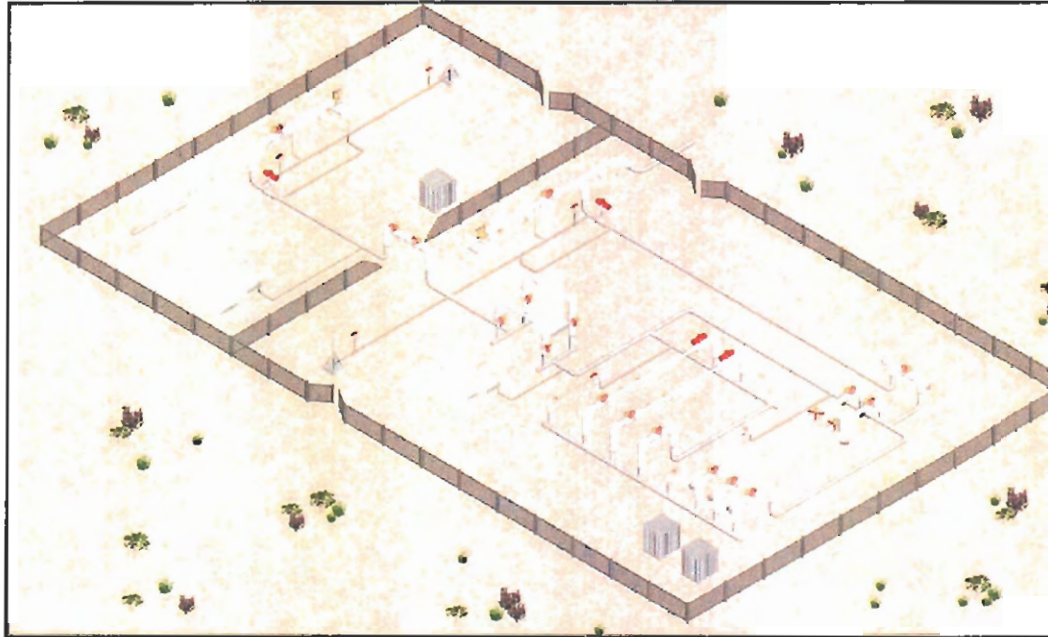


Figure 3.1-1. Clearwater and SCGC Receiving Stations

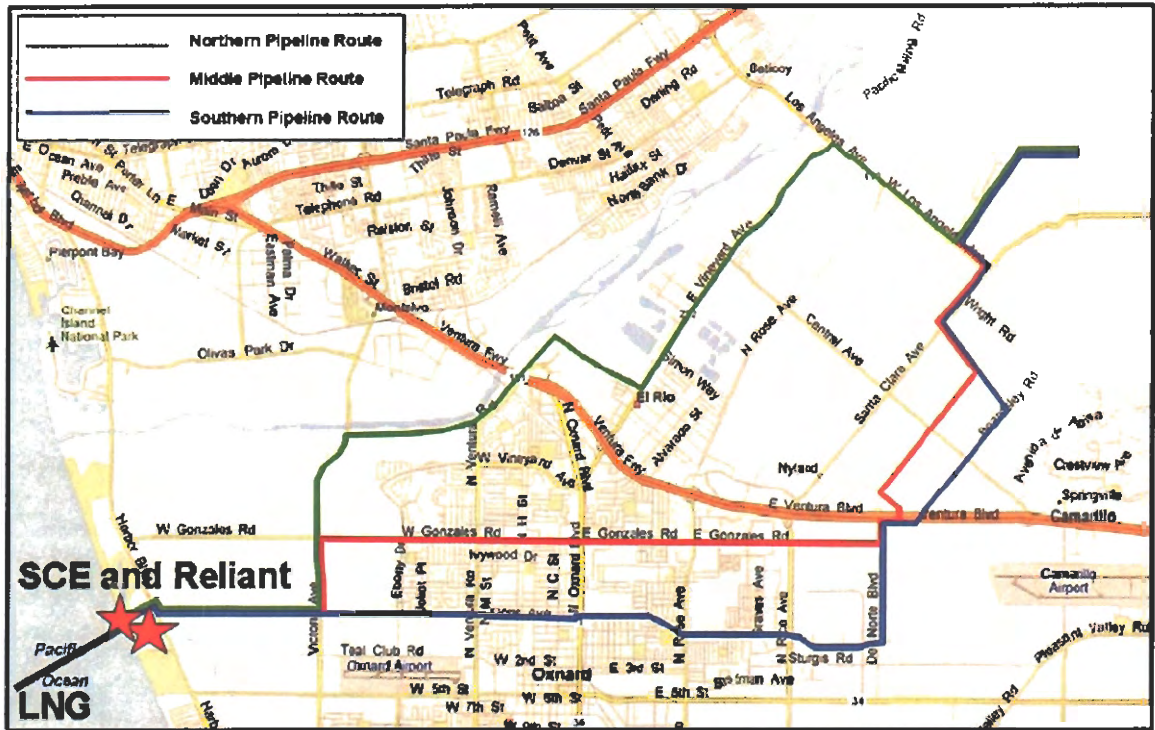


Figure 3.2-1. Mandalay to Center Road Pipeline Routes

Simulation of the Two Stacks and Plumes



FEMA Flood Map, March 2008



- River
- Cross Sections
- Base Flood Elevation
- Levee
- Corporate Limits



Ventura County, CA
Santa Clara River



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Assembly California Legislature



PEDRO NAVA
ASSEMBLYMEMBER, THIRTY-FIFTH DISTRICT

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August 5, 2008

Mr. Patrick Kruer, Chair
California Coastal Commissioners
c/o California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RECEIVED
AUG 06 2008

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Re: Appeal No. A-4-oxn-07-096 Southern California Edison "peaker" plant in City of Oxnard -- OPPOSE

Dear Chair Kruer and Commissioners:

I am writing to express my concern regarding the granting of a coastal development permit to Southern California Edison's "Peaker" Plant. As a former member of the California Coastal Commission, current member of the Ocean Protection Council and an Assembly representative of the Oxnard area, I am concerned that the City of Oxnard will be forced to accommodate a peaker plant whose benefits have been put in doubt by the very agency that commissioned it.

According to the California Public Utilities Commission, their Advanced Metering and Demand Response programs will moderate peak demand growth and allow the state to reduce infrastructure investments that would otherwise have to be made. The PUC further states, "... the PUC recently directed Edison to expand their AC Cycling program by 225 MW at a cost of \$18 million dollars. This avoids the need to build new peaker plants."

Furthermore, a study commissioned for the Ocean Protection Council on electric grid reliability impacts of once-through cooling plants in California states that proper planning and timing for retrofiting, upgrading, or repowering cleaner and more efficient power generating plants is the key to handle California's short term energy needs. The use of peaker plants was not mentioned as a solution.

Lastly, a major study is now underway at the California Independent System Operator, with full participation by the state's water agencies, the energy industry, nongovernmental organizations, and individuals. The goal of the study is to develop plans that take into consideration a variety of scenarios to facilitate retirement and replacement of these aging power generating facilities as well as alternative solutions such as transmission, distributed generation, and load management programs. This study will question whether peaker plants are part of California's energy future.

50

There are too many questions that need to be answered before a project of this magnitude is permitted.

Thank you for your consideration.

Sincerely,



PEDRO NAVA
Assemblymember, 35th District

PN:jt

E5

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TWENTY-THIRD SENATE DISTRICT
CHAIR
SENATE COMMITTEE ON HEALTH

300 WEST THIRD ST., 4TH FLOOR
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AUG 05 2008

WTA

CALIFORNIA
COASTAL COMMISSION

August 5, 2008

Patrick Kruer, Chair
Members of the Commission
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Re: Commission Appeal No. A-4-OXN-07-096 pertaining to Southern California Edison's peaker plant in the City of Oxnard

Dear Chair Kruer and Members of the Commission:

I am writing to strongly urge denial of Southern California Edison's (SCE) appeal concerning its request for a permit to locate a peaker plant in the City of Oxnard. As the State Senator for the City of Oxnard, I am extremely concerned that permitting the facility would disrupt the City and the State's long range goal of restoring the coast.

Please continue to protect our valuable resources along the coast by denying SCE a permit to develop the peaker plant located on Harbor Boulevard in Oxnard. The City of Oxnard, the State Coastal Conservancy, the Nature Conservancy and local community members are currently involved in long-term planning for the restoration of the Oxnard coast by preserving its salt marshes, sand dunes and beaches to provide an environment for many species of birds and coastal habitat. In addition, the Oxnard coastline and wetlands are home to a number of endangered species, including, but not limited to, the Western Snowy Plover, the Tidewater Goby and the California Least Tern.

The State of California is committed to restoring the coast and its dependent habitat. At this juncture, locating a power plant adjacent to the coast does not make sense. Oxnard has had more than their share of dirty industrial facilities that have hurt our natural resources and deprived the public of a healthy and clean environment. If a peaker plant is, indeed, needed, let's find a location that does not damage our precious coastal resources.

If you disagree with me and believe that the plant should be located along the Oxnard coast, please, at the very least, require a full EIR to be done before the project moves forward. This is an environmentally sensitive location and the project's impacts include moving large amounts of dirt, using millions of gallons of groundwater and the construction of transmission lines, pipelines and numerous buildings.

Thank you very much for your consideration.

Sincerely,

Signature on File

SHEILA JAMES KUEHL
Senator, 23rd District

Representing the cities of Agoura Hills, Beverly Hills, Calabasas, Hidden Hills, Malibu, Oxnard, Port Hueneme, Santa Monica, West Hollywood and Westlake Village and the communities of Bel Air, Brentwood, Canoga Park, Encino, Hollywood, Mt. Olympus, Port Hueneme, Pacific Palisades, Sherman Oaks, Studio City, Tarzana, Topanga, West Los Angeles, West Hills, Westwood and Woodland Hills.



52



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E-mail: kathy.long@ventura.org

May 5, 2008

California Coastal Commission
45 Fremont, suite 2000
San Francisco, CA 94105-2219

Re: Commission Appeal No.: A-4-OXN-07-096

Dear Honorable Chair and Commissioners;

To protect valuable resources along our Ventura County coastline, I urge the Coastal Commission to deny the permit to develop the proposed "peaker" electrical generation facility plant located 251 N. Harbor Boulevard. As the County Supervisor whose District includes the Ormond Beach wetlands, I work to protect and advocate for environmental sustainability in our County. Our community takes pride in Ventura County's diverse public recreational and environmental resources ranging from the Pacific Ocean to the Los Padres National Forest. The Oxnard coastline and the wetlands are home to several endangered and threatened species such as the Western Snowy Plover, Tidewater Goby, California Least Tern and rare dune species, and must be a priority.

The Ventura County coastline is a unique scenic benefit for the community. The City of Oxnard's adoption of the Coastal Land Use Plan takes seriously the opportunity to enhance the visual character, protect sensitive sites and quality of the coastline. The City of Oxnard has expressed that by overturning their denial and approving the facility, long range plans to restore the coastline will be inhibited. There are many peaker plants located throughout the state in non-coastal areas and an evaluation of alternative sites should be done.

The project site is bounded on the north by the existing Mandalay facility and channel; on the west by an existing oil processing facility, coastal dunes, and the Mandalay State Beach and Pacific Ocean; on the east are agriculture fields and on the southeast is the 292-unit Northshore at Mandalay Bay residential development. Industrial development does not completely surround the site. The addition of an energy facility will only perpetuate facilities to continue to exist along the coast, just when these non-coastal dependent facilities are moving toward being decommissioned.

I urge the Coastal Commission to continue the priority of protecting the future of our coastland and sensitive resources and deny the permit to develop the proposed "peaker" electrical generation facility.

Sincerely,

Signature on File
Kathy Long
Supervisor Third District



DEPARTMENT OF PARKS AND RECREATION

911 San Pedro Street

Ventura, CA 93003

805-585-1850/FAX:805-585-1857

Ruth Coleman, Director

May 2, 2008

California Coastal Commission

45 Fremont, Suite 2000

San Francisco CA 94105

Subject: A-4-OXN-07-096 - Edison Peaker Plant

Dear Commissioners:

As part of the action proposed in the above referenced De Novo Review the Commission will be asked to find that the documents submitted by Southern California Edison meet the requirements of CEQA. As an adjacent property owner having stewardship responsibility for a variety of sensitive natural resources we have found that the Draft Mitigated Negative Declaration for the proposed Edison Peaker Plant, 251 N. Harbor Blvd, is deficient. The following items detail those deficiencies:

- In describing the project's location it should be noted that **Mandalay State Beach** is to the **southeast** of the proposed plant site and **McGrath State Beach** is to the northwest of the site and the Reliant Energy Plant.
- When evaluating visual impacts of the proposed project it should be noted that, "the intervening land between Mandalay State Beach and the proposed project site" is **NOT** "dotted with existing oil processing structures that are approximately 70 feet high, and the stacks of the Mandalay Power Generation Facility which is 203 feet high". All that separates Mandalay State Beach from the proposed Peaker plant site is a six foot chain link fence on the Edison property. The existing road is only a service access not formal road within the Master Plan for the Park unit and no assumption should be made that that a road will always be at that location.
- Given all projects in the immediate area (Northshore at Mandalay Development) the environmental review document fails to evaluate cumulative impacts to natural resources at Mandalay State Beach and adequate mitigations have not been addressed considered.
- The extent of the project area has not been adequately defined for pre-construction biological survey purposes.
- Given extensive restoration activities undertaken at Mandalay State Beach, a native plant palette using locally collected seed should be required for landscaping.

- The acreage of both Mandalay and McGrath State Beaches parks what remains of these habitat types and as such are protected from urban development. Construction and intensification of use in the coastal area immediately adjacent to these two State Park properties does not appear to be adequately evaluated. The MND appears to look only at the proposed site and adjacent dunes. Limited investigation of impacts to the backdune or wetland sites has been considered.

Given the vanishing open spaces and the need for coastal recreation opportunities along our southern California Coast one would like to think that there is a more appropriate location outside of the coastal zone for this proposed facility. An adequate review of alternate sites must be addressed in the environmental document.

We do not support any action on this project until an adequate environmental review has been completed. Please feel free to contact me regarding additional information at (805) 585-1848 or at bfosb@parks.ca.gov.

Sincerely,

Signature on File

Barbara Fosbrink
California State Parks
Channel Coast District

cc. Chris Williamson, Senior Planner, City of Oxnard

Alison Dettmer

From: pilawqueen@aol.com
Sent: Tuesday, April 29, 2008 1:22 PM
To: Alison Dettmer
Subject: TH May 8 Item 12-c Appeal No.: A-4-OXN 09-096

There is significant opposition to this project at this location. Contrary to the staff report, the area is not primarily industrial. While there is some oil drilling taking place and the existing power plant (which is very old and rumored to be slated for decommissioning), the surrounding area is State Campground, State Beach, Agriculture and directly across the street, approximately 290 homes are being built. Harbor Blvd is going to be expanded to 4 lanes in the exact area where this plant would be placed. None of this is mentioned in staff's report. To assert that because there is some industrial there already so that it is appropriate to place more is poor planning.

I understand the start up noise is significant and consideration should be given to that effect on birds and wildlife.

When considering this project and the MND, I was convinced that nothing could be done to mitigate the visual effect of this plant. I questioned the need for the coastal location. And, although there was some ambiguity in the LCP, it seemed clear to me that the intent was to preserve coastal energy locations for those dependent on coastal resources.

I think Oxnard has made it clear that we do not want this plant on our coastal shores. We are doing what we can to clean up the messes left by prior generations of poor decisions.

I urge a no vote.

Thank you.

Deirdre Frank
Vice Chair
Oxnard Planning Commission

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Yakout Mansour
President & Chief Executive Officer

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COASTAL COMMISSION

March 10, 2009

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

RE: Appeal No. A-4-OXN-07-096 (So. California Edison Co., Oxnard)

Dear Members of the Commission:

The California Independent System Operator Corporation ("ISO") would like to express its support for Southern California Edison's Oxnard peaker project.

The ISO is a not-for-profit public-benefit corporation charged with operating the majority of California's high-voltage wholesale power grid. We are responsible for maintaining electric system reliability in compliance with applicable reliability standards and are the impartial link between power plants and the utilities that serve more than 30 million consumers.

In 2006, the ISO urged the California Public Utilities Commission to direct the state's investor-owned utilities to procure additional quick start generation to increase peak energy supplies and enhance grid reliability. Although new peaking resources have been procured and constructed during the last three years, Southern California has a continuing strong need for additional quick start peakers. In addition to providing peak power during times of high electricity demand, plants such as the Oxnard peaker provide the quick-start and power-ramping capabilities that are needed to maintain transmission system stability while integrating additional renewable resources into the transmission system.

In closing, we urge the Commission to approve the Oxnard peaker project as a necessary and important addition to the California electric system.

Sincerely,

Signature on File

Yakout Mansour
President & Chief Executive Officer



California ISO
Your Link to Power

California Independent System Operator Corporation

Yakout Mansour
President & Chief Executive Officer

Agenda Item 12(c)
Appeal No. A-4-OXN-07-096
Yakout Mansour, President & CEO
California Independent System Operator
(CAISO)
Position - In Favor

May 2, 2008

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

RE: Appeal No. A-4-OXN-07-096 (So. California Edison Co., Oxnard), Item 12-c

Dear Members of the Commission:

The California Independent System Operator Corporation ("ISO") supports the California Coastal Commission staff's recommendation to approve a Coastal Development Permit for Southern California Edison's Oxnard peaker project.

The ISO is a not-for-profit public-benefit corporation charged with operating the majority of California's high-voltage wholesale power grid. We are responsible for maintaining electric system reliability in compliance with applicable reliability standards and are the impartial link between power plants and the utilities that serve more than 30 million consumers.

The California ISO relies heavily on imports to meet electricity demand, especially on hot summer days when consumer demand exceeds what in-state generators can supply. Because of supply challenges associated with the extreme heat wave in August 2006, the California ISO urged the California Public Utilities Commission to direct the state's investor-owned utilities to procure additional quick start generation and demand response opportunities in order to increase peak supplies and enhance grid reliability. The Oxnard peaker project is one of the resulting projects.

Today, additional peaking resources are still needed. Demand growth and limitations on power plant operations in neighboring states may reduce the capacity available to California and increase the vulnerability of the power supply at critical times. The urgency of the situation post the summer of 2006 continues to demand close attention, especially in southern California.

In closing, we urge the Commission to approve the Oxnard peaker project as a necessary addition to the California electric system.

Sincerely yours,

Signature on File

Yakout Mansour
President & Chief Executive Officer



Sierra Club

Los Padres Chapter

Santa Barbara and Ventura Counties

Arguello Group

Conejo Group

Santa Barbara Group

Sespe Group

Alan Sanders
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AUG 04 2008
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Aug 2, 2008

WED. 7a

Peter Douglas, Director
California Coastal Commission
45 FREMONT STREET, SUITE 2000, SAN FRANCISCO, CA 94105-2219
ATTN: Cassidy Teufel cteufel@coastal.ca.gov

RE: Appeal No. A-4-OXN-07-096 (Southern California Edison, Oxnard) Appeal by Southern California Edison from decision of City of Oxnard denying permit to construct and operate 45 megawatt "peaker" power plant, at 251 N. Harbor Blvd, Oxnard, Ventura County. (CT-SF)

Dear Mr. Douglas, Chairman Kruer and Commissioners;

The Los Padres Chapter, ("LPC") of the Sierra Club, (the "Club") recommends denial of the appeal for the above referenced project. The Commission is being asked to take **two** inappropriate actions regarding the Peaker Plant Project, ("Project"). **First**, is a determination that the City of Oxnard's ("City") certified Coastal Land Use Plan is not clearly restrictive of non Coastal Dependent uses rendering the City's project denials as nonconforming with the Coastal Act. The **second** action is to reach a conclusion that if the City erred, then both the City, and more importantly the public trust, have together forfeited all rights to pursue all other aspects of the lawful decision making process.

Southern California Edison, ("SCE") appealed the City denial of the project solely on the basis of the City's interpretation relating to non Coastal Dependent uses. The Club disagrees with staffs interpretation of the language in the City's CLUP. However, the appeal did not apply to other reasons that the City used in making its determination. Therefore, for all of those other applicable reasons that were relevant to the City's decision, the appeal must be denied. SCE did not appeal on the basis of other Article 3 policies nor did it appeal on the basis of the California Environmental Quality Act, ("CEQA") determinations for which the statutes of limitations have now expired.

The Club believes that at this time the Commission should only be determining if the City's interpretation relative to citing non coastal dependent uses is applicable. But the Commission should not be deciding on the validity of all of the other relevant Coastal Act issues because they were not included in the appeal, nor were issues relating to CEQA compliance. The Club disagrees with the determination by the Commission's staff that the actions taken by the Commission, for the above referenced project are sufficient to comply with provisions of CEQA. If the Commission is to rule on the project without remanding the CEQA issues back to the City, the public will lose its lawful role in bringing forth relevant information.

The Commission has failed to engage in meaningful impact analysis or to consider alternatives and cumulative impacts. Commission staff has not provided the considered analysis or public participation consistent with CEQA. Instead, it has merely outlined some of the issues without allowing the public an opportunity to rebut as would be expected in a legal environmental review. In this instance, Commission's staff is not using its CEQA equivalence to supplement holes in the City's environmental review, but to replace it entirely, without public participation. Because of this, the public is being denied the procedural requirements for notice and participation normally found in an environmental review. The Commission's staff must consider the whole of all impacts associated with this project as well as all alternatives and reasonably foreseeable projects within the vicinity.

The City did not act to certify an environmental document. Therefore, it is still unknown whether a full Environmental Impact Report ("EIR") would be required by the City. The staff report doesn't even come close to discussion on the diversity of issues that would be expected to be considered within a full EIR.

Additionally, Coastal Act Guidelines that require protection of sensitive biological resources, coastal views and access at Mandalay Beach will also be violated if the Commission approves the Project appeal.

The staff Report assumes that the only reasons for rejecting the project are based upon the City Council's interpretation of the provisions for non coastal dependent land uses. However, the City was presented with evidence critical of the project on many topics. For example, the U. S. Fish and Wildlife Service and California State Parks provided information regarding sensitive habitat areas and wildlife. Therefore, any part of the decision to reject the project based upon resource issues is not affected by the issue of land use designation. In the same way, the City Council had the discretion to deny the project for any of the other issues presented at the Council hearing, including everything contained within the public record at that time. It is entirely possible that even if the City agreed that non coastal dependent uses are permitted it could still reject this same project for impacts on biological resources, coastal views, coastal access, recreation, environmental justice or failure to conform with other provisions of the policy on coastal energy facilities.

The LPC does not support staff recommendations to vote yes on the appeal to the Peaker Plant project as amended. Furthermore, we believe that even if the Commission finds that the project is consistent with the City of Oxnard's language on non coastal dependent uses, it must still allow the City to rule on the other Article 3 policies that apply to this project. The City must also be allowed to determine whether the project complies with all 6 major policy divisions.

Lastly, the Commission must allow the City to determine the level of appropriate environmental review that is adequate for this project. The City Planning Commission refused to certify the project's mitigated negative declaration. Had they voted to certify the MND the Club would have had a right of appeal. The process whereby Commission staff attempts to remold AN MND as if it could possibly substitute for a full EIR has usurped that right.

OXNARD'S CLUP

Staff has failed to provide the Commission with several passages within the City CLUP that support the City's decision. Section 1.2 lists six broad Coastal Act policies. Staff is recommending that the Commission sacrifice the objectives of four of these policies, (public access, recreation, sensitive habitats and commercial developments) because of the policy relating to energy facilities. However, the Report substantially misinterprets and under

estimates negative impacts upon the energy facility elements within the CLUP. The present Mandalay Generating Station may soon lose its permitting, thereby forcing its closure. That would leave the Peaker plant as a stand-alone facility, violating the policy on consolidation of energy developments. The latest staff report denies that any agency is considering cessation of operating permits. But it is known that the Mandalay plant will soon have to renew its permits to discharge into near shore waters.

Regardless, when conflicts arise, "the most protective policy shall prevail," (CLUP page I-2).

Section 3.1 Local Coastal Policy 1. States: "If policies of this plan overlap or conflict, the most protective policy of coastal resources shall prevail."

The Project substantially violates provisions of Section 30240 (a) and (b).

(a). Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

Because the project is not coastal dependent the areas considered to be ESHAs must be protected from the project. Substantial evidence from USFWS and State Parks show that listed species may be placed in jeopardy.

Staff notes: "The key subsection of the Coastal Energy Facility Sub-zone (Coastal Zoning Ordinance Section 17-20), states that "coastal dependent energy facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth, where consistent with this article." This subsection is the only one that specifically refers to "coastal-dependent" facilities, and it only "encourages" such facilities to locate within this zoning designation and does not prohibit non-coastal dependent facilities;" However the staff interpretation that the use of "shall" merely "encourages" rather than "prohibits" does not conform with the City's intention in using that language. Throughout the relevant documents the differentiation between "may" and "shall" is the definitive use of language to separate "encourages" from "mandatory".

Additionally, the Report fails to elaborate on the most important clause in the subsection: "where consistent with this article." Clearly, the project is inconsistent with 30240 and other Sections of Article 3.

In another passage staff offered "Other subsections of Coastal Zoning Ordinance Section 17-20 apply generally to "energy related developments," not exclusively to "coastal-dependent" developments. Additionally, these subsections are all subject to the overarching provision of Section 17-20(A), which states that this zoning designation allows, "power generating facilities and electrical substations" and is therefore not limited to "coastal-dependent" facilities." However, at the time the Zoning Ordinance was written most electrical substations in Ventura County were essentially Coastal Dependent due to their locations and cooling systems. Therefore the language here is consistent with that understanding. Peaker plants had not been invented, so decision makers could not have been envisioning such projects.

The following passage suffers from the same mistake: "One of the four types of developments that can be conditionally permitted within the Coastal Energy Facility Sub-zone is an 'Electrical power generating plant and accessory uses normally associated with said power generating facility,' such as the project proposed by SCE." Again, in speaking about "electrical power generating plant" it was understood that they must be coastal dependent.

(b). Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Clearly, the siting of this project conflicts with ESHA and with the McGrath State Park.

ALTERNATIVES

The staff reports still fails to provide an adequate alternatives analysis. New information provided in the report is derived almost exclusively from information provided by SCE. SCE in turn has clearly shown that it is unwilling to consider alternative sites. The result is that SCE has combined its own criteria with the directive from the CPUC so that the goals of the project are so narrowly defined so as to preclude consideration of any other site. This use of circular logic leads to a scenario where only the preferred project can meet the stated goals. Therefore, the information in the staff report never meets the purpose of a true alternatives analysis.

The lack of alternatives information from neutral parties in the staff report may be due, in part, from the deviation from normal notification procedures that would be contained in the CEQA process.

This omission prevents the decision makers from seeing options that would minimize impacts by avoidance. Those alternatives that avoid impacts to coastal resources would deserve to be considered as environmentally superior alternatives.

CUMULATIVE IMPACTS

An adequate analysis of cumulative impacts, growth inducing impacts, environmental justice and a thorough impact analysis are not contained in the Report. Therefore the Report cannot meet the basic requirements of a CEQA equivalence.

CEQA EQUIVELANCE

"Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The Commission finds that, the proposed project, as conditioned, will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act."

The finding is not supported by substantial evidence. In fact, Staff does not answer the comments made by the public to the City on the Mitigated Negative Declaration. Instead all that is offered is a general statement that no impacts exist. This violates Section 21080.5(d)(2)(A) because feasible alternatives exist, including those listed in this letter.

Club comments to the City during its Project review included comments that the MND must be replaced with an EIR. These comments were supported by substantial evidence, including comments made by other witnesses. The Report fails to consider our comments and asks the Commission to circumvent the lawful CEQA process that has not been allowed to

reach its logical conclusion. The Commission must, therefore, allow the City to pursue its lawful role in the CEQA process.

IMPACTS ON HABITATS AND WILDLIFE

The Club disagrees with the Report's conclusions regarding biological resources. Urbanization next to coastal habitats results in a degradation of habitat values for many species. The buffers mentioned in the report are all too small to eliminate significant impacts. Even indirect impacts are significant if wildlife alter their normal patterns of behavior in any way. This project will allow an increased urban barrier to movement of wildlife. Lighting, noise and presence of humans also degrades adjoining habitat areas.

The special condition for burrowing owls is a good example. The mitigation proposed allows for degradation of the area as habitat and merely provides that someone watch the process of chasing any owls to wards another location.

The report fails to include a description of the location for transfer of soils excavated from the project or the impacts associated with the movement of soils.

VISUAL RESOURCES

Degradation of coastal view corridors due to the project remains significant and unmitigated. The plan to build a 6-foot berm does not diminish the impact on public viewsheds but simply adds a second visual blight to the area. From harbor boulevard a significantly larger area of public views would be blocked. The loss of view corridors is as significant as the placement of a visual blight upon the coastal landscape.

The project is also visible from the beach area and both ends of McGrath State Park. No mitigation for disturbance of those view corridors is contemplated.

Additionally, the presence of other visual impacts in the area does not lessen the impacts of new projects.

SPECIAL CONDITIONS

The LPC cannot support the staff recommendation for approval of the Project because the conditions required to mitigate specific impacts are either missing or inadequate. The constant use of the uncertified MND as a basis for the conditions is inappropriate because the MND cannot be considered without certification.

SUMMARY

The Public Utilities Commission does not have the authority to suspend CEQA or the Coastal Act. Your staff has failed to support the public trust by using a possible error on the part of the City of Oxnard, (which we dispute) to suspend other, more important provisions of the Coastal Act and CEQA.

We recommend that the Commission support the City's decision to deny the project.

The Club hereby incorporates by reference all comments made by all other parties and adopt them as our own.

Sincerely,

Signature on File
~~Alan Sanders~~

Alan Sanders
Conservation Chair
Sierra Club, Los Padres Chapter

cc. adettmer@coastal.ca.gov, cteufel@coastal.ca.gov,
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Sierra Club

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Arguello Group

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Feb. 6, 2008

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CALIFORNIA
COASTAL COMMISSION

Peter Douglas, Director
California Coastal Commission
South Central Coast Area
89 South California Street, Suite 200
Ventura, Ca 93001

RE: A-4-OXN-07-096; Southern California Edison

Dear Mr. Douglas and Commissioners;

The Los Padres Chapter, ("LPC") of the Sierra Club, (the "Club") recommends denial of approvals for the above referenced project. The Commission, is being asked to take **two** actions regarding the Peaker Plant Project, ("Project"). **First**, is a determination on the City of Oxnard's ("City") conclusion that the Project is not Coastal Dependent rendering it an inappropriate use within the Coastal Zone. The **second** action is to reach a decision that if the City erred, then it, and more importantly the public trust, has forfeited all rights to pursue all other aspects of the lawful decision making process.

Southern California Edison, ("SCE") appealed the City denial on the basis of the City's interpretation relating to Coastal Dependent uses. However, the appeal did not apply to other reasons that the City used in making its determination. Therefore, for all of those other applicable reasons that were relevant to the City's decision, the appeal must be denied. SCE did not appeal on the basis of other Article3 policies nor did it appeal on the basis of the California Environmental Quality Act, ("CEQA") determinations for which the statutes of limitations may now be tolled.

The Club believes that at this time the Commission should only be determining if the City's interpretation relative to citing coastal dependent uses is applicable. But the Commission should not be deciding on the validity of all of the other relevant issues including CEQA compliance. The Club disagrees with the determination by the Commission's staff that the actions taken by the Commission, for the above referenced project are sufficient to comply with provisions of the CEQA. If the Commission is to rule on the project without remanding the CEQA issues back to the City the public will lose its lawful role in bringing forth relevant information.

The Commission has failed to engage in meaningful impact analysis or to consider alternatives and cumulative impacts. Commission staff has not provided the considered analysis or public participation consistent with CEQA. Instead, it has merely outlined some of the issues without allowing the public an opportunity to rebut as would be expected in a legal environmental review. In this instance, Commission's staff is not using its CEQA equivelance to supplement holes in the City's environmental review, but to replace it entirely, without public

participation. Because of this, the public is being denied the procedural requirements for notice and participation normally found in an environmental review. The Commission's staff must consider the whole of all impacts associated with this project as well as all alternatives and reasonably foreseeable projects within the vicinity.

The City did not act to certify an environmental document. Therefore, it is still unknown whether a full Environmental Impact Report ("EIR") would be sufficient. The staff report doesn't even come close to discussion on the diversity of issues that would be expected to be considered within a full EIR.

Additionally, Coastal Act Guidelines that require protection of sensitive biological resources, coastal views and access at Mandalay Beach will also be violated if the Project is approved by the Commission.

The staff Report assumes that the only reasons for rejecting the project are based upon the City Council's interpretation of the provisions for coastal dependent land uses. However, the City was presented with evidence critical of the project on many topics. For example, the U. S. Fish and Wildlife Service and California State Parks provided information regarding sensitive habitat areas and wildlife. Therefore, any part of the decision to reject the project based upon resource issues is not affected by the issue of land use designation. In the same way, the City Council had the discretion to deny the project for any of the other issues presented at the Council hearing, including everything contained within the public record at that time. It is entirely possible that even if the City agreed that non coastal dependent uses are permitted it could still reject this same project for impacts on biological resources, coastal views, coastal access, recreation, environmental justice or failure to conform with other provisions of the policy on coastal energy facilities.

The LPC does not support staff recommendations to vote yes on the appeal to the Peaker Plant project as amended. Furthermore, we believe that even if the Commission finds that the project is consistent with the City of Oxnard's language on coastal dependent uses, it must allow the City to rule on the other Article 3 policies that apply to this project. The City must be allowed to determine whether the project complies with all 6 major policy divisions. The City must also be allowed to comply with the project's CEQA requirements.

Oxnard's CLUP

Staff has failed to provide the Commission with several passages within the City CLUP that support the City's decision. Section 1.2 lists six broad Coastal Act policies. Staff is recommending that the Commission sacrifice the objectives of four of these policies, (public access, recreation, sensitive habitats and commercial developments) because of the policy relating to energy facilities. However, the Report substantially misinterprets and under estimates negative impacts upon the energy facility elements within the CLUP. The present Mandalay Generating Station may soon lose its permitting, thereby forcing its closure. That would leave the Peaker plant as a stand alone facility, violating the policy on consolidation of energy developments.

Regardless, when conflicts arise, "the most protective policy shall prevail," (CLUP page 1-2).

Section 3.1 Local Coastal Policy 1. States: "If policies of this plan overlap or conflict, the most protective policy of coastal resources shall prevail."

The Project substantially violates provisions of Section 30240 (a) and (b).

- (a). Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

Because the project is not coastal dependent the areas considered to be ESHAs must be protected from the project. Substantial evidence from USFWS and State Parks show that listed species may be placed in jeopardy.

Staff notes : "The key subsection of the Coastal Energy Facility Sub-zone (Coastal Zoning Ordinance Section 17-20), states that "coastal dependent energy facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth, where consistent with this article." This subsection is the only one that specifically refers to "coastal-dependent" facilities, and it only "encourages" such facilities to locate within this zoning designation and does not prohibit non-coastal dependent facilities;..." However the staff interpretation that the use of "shall" merely "encourages" rather than "prohibits" does not conform with the City's intention in using that language. Throughout the relevant documents the differentiation between "may" and "shall" is the definitive use of language to separate "encourages" from "mandatory".

Additionally, the Report fails to elaborate on the most important clause in the subsection: "where consistent with this article." Clearly, the project is inconsistent with 30240 and other Sections of Article 3.

In another passage staff offered "Other subsections of Coastal Zoning Ordinance Section 17-20 apply generally to "energy related developments," not exclusively to "coastal-dependent" developments. Additionally, these subsections are all subject to the overarching provision of Section 17-20(A), which states that this zoning designation allows "power generating facilities and electrical substations" and is therefore not limited to "coastal-dependent" facilities." However, at the time the Zoning Ordinance was written most electrical substations in Ventura County were essentially Coastal Dependent due to their locations and cooling systems. Therefore the language here is consistent with that understanding. Peaker plants had not been invented, so decision makers could not have been envisioning such projects.

The following passage suffers from the same mistake: "One of the four types of developments that can be conditionally permitted within the Coastal Energy Facility Sub-zone is an 'Electrical power generating plant and accessory uses normally associated with said power generating facility,' such as the project proposed by SCE." Again, in speaking about "electrical power generating plant" it was understood that they must be coastal dependent.

- (b). Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Clearly, the siting of this project conflicts with ESHA and with the McGrath State Park.

Alternatives

The staff report fails to contain an alternatives analysis. Instead it makes a claim that is not supported by substantial evidence that no impacts exist that are not adequately mitigated. Therefore, alternatives, cumulative impacts, growth inducing impacts, environmental justice and a thorough impact analysis are not contained in the Report.

This omission prevents the decision makers from seeing options that would minimize impacts more efficiently than the policy of allowing impacts and attaching mitigation measures.

Southern California Edison has just announced a new energy project documented in the Ventura County Star on May 1. The article, **EDISON IS PROPOSING SOLAR POWER PROGRAM** by Alison Bruce documents how the Utility would install 250 megawatts of solar panels in 1 and 2 megawatt increments.

This is a viable alternative to the proposed Project.

Additionally, an Oxnard company EF Oxnard Inc. volunteered to provide a site within the City of Oxnard to locate the proposed Project adjacent to its own energy producing facility. Use of that location would prevent impacts associated with the coastal zone.

Many other alternatives were not discussed by the staff report in violation of CEQA and the Coastal Act.

SECTION J

Section J states that: "Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. The Commission finds that, the proposed project, as conditioned, will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act."

The finding is not supported by substantial evidence. In fact the comments made by the public on the Mitigated Negative Declaration are not answered by Staff. Instead all that is offered is a general statement that no impacts exist. This violates Section 21080.5(d)(2)(A) because feasible alternatives exist, including those listed in this letter.

Club comments to the City during its Project review included comments that the MND must be replaced with an EIR. These comments were supported by substantial evidence, including comments made by other witnesses. The Report fails to consider our comments and asks the Commission to circumvent the lawful CEQA process that has not been allowed to reach its logical conclusion. The Commission must, therefore, allow the City to pursue its lawful role in the CEQA process.

IMPACTS HABITATS AND WILDLIFE

The Club disagrees with the Report's conclusions regarding biological resources. Please refer to our comments to the City. We hereby incorporate by reference all comments made by all other parties and adopt them as our own.

SPECIAL CONDITIONS

The LPC cannot support the staff recommendation for approval of the Project because the conditions required to mitigate specific impacts are either missing or inadequate.

SUMMARY

The Public Utilities Commission does not have the authority to suspend CEQA or the Coastal Act. Your staff has failed to support the public trust by using a possible error on the part of the City of Oxnard, (which we dispute) to suspend other, more important provisions of the Coastal Act and CEQA.

We recommend that the Commission support the City's decision to deny the project.

Sincerely,
Signature on File
Alan Sanders

Alan Sanders
Conservation Chair
Sierra Club, Los Padres Chapter

cc. adettmer@coastal.ca.gov, cteufel@coastal.ca.gov,
chris.williamson@ci.oxnard.ca.us

Th 12c

Edison is proposing solar power program

By Allison Bruce
Thursday, May 1, 2008

Southern California Edison Co. is pushing a proposal that would expand its reach into solar power, which has put some in the solar industry on the defensive.

The utility company has put forth a program that would install at least 250 megawatts of solar panels in the next five years. The company would own these panels and the 1 to 2 megawatts of power generated by each installation, which would feed directly into the power "grid" that the utility's customers draw from.

A 2 megawatt installation generates enough power for 1,300 homes, said Gil Alexander, a spokesman for Southern California Edison. Alexander said the project makes use of a lot of unused real estate — large rooftops.

The company would install panels on roofs that typically would not be used for private solar panel systems, such as large warehouses. Still, it notes it would not stick exclusively to such sites.

That has independent solar companies worried.

Every time a utility-owned system goes up on a roof, that takes away the possibility of private panels in that location — and can mean a loss of business for companies that sell and install those private systems. They argue it would effectively kill the solar industry, creating a monopoly for Edison and making it impossible for them to compete.

The program also would let Southern California Edison install systems that are bigger than what the California Solar Initiative offers incentives to build — that program stops at 1 megawatt.

Sue Kateley, executive director for the California Solar Energy Industry Association, said the Edison application validates what solar businesses have been saying — that there is a demand for larger systems and there should be a program in place to encourage those systems.

She said she worries that private solar businesses will be shut out if the Edison program is approved.

A protest letter from Cooperative Community Energy Corp. in San Rafael notes: "They would own the equipment, provide the installations, own the electricity, be subsidized by Ratepayer Public Goods Charges, and then sell the electricity back to the ratepayers in their utility district at full price, while not using any of the electricity to reduce on-site demand and relieve pressure from the grid."

Alexander said Southern California Edison felt the project would benefit all aspects of the solar industry, including boosting business for independent companies.

"We have hoped this project would bring renewed attention to the potential of rooftop solar to

homeowners and business owners who might have given up on the idea," he said.

The program would accelerate the amount of solar energy installed in the state and could bring in more solar manufacturing and jobs, he said.

The company argues that the large scale of the project would be good for consumers because it would bring down installation costs and improve technology and pricing. The electricity generated should cost less than current solar power, Alexander said.

The program would create new power generation in areas of growing demand. It also would generate more power at peak demand times and offer clean, renewable energy.

That's a bonus for the state as well because it invests in renewable energy without carbon emissions, Alexander said.

Edison would raise the \$875 million for the project from investors and then increase its rates less than 1 percent to help pay back that investment over time. The rate change must be approved by the state Public Utilities Commission, or PUC.

Alexander said customers are willing to pay a little more to support renewable energy, but independent solar businesses say that burden should not be placed on ratepayers.

The California Solar Energy Industries Association commends Southern California Edison's interest in advancing solar power in the state, but raises the concern that the plan could put additional strain on supply, making it harder for the private solar sector to compete.

Kateley said that could translate into increased costs for someone who wants to install a solar energy system at their home or business.

The association also suggested that Edison's initial project be carefully evaluated through an independent review before the program is approved in its entirety. The review would include close inspection of costs.

Another suggestion is a parallel private sector project that would be used as a point of comparison.

"We're hopeful that when the PUC looks at the comments, they will recognize there's an effect on the private sector that needs to be considered," she said.

Southern California Edison announced its plan in March. Those with concerns about the program can file complaints with the PUC.

The next step is for Edison to file its response to the comments, which it will do May 8.

After that, hearings will be held, additional filings will follow and the PUC will eventually make a decision. A deadline for a decision has not been set, according to a PUC spokeswoman.

Alexander said Southern California Edison is not waiting on that decision to move ahead with its solar project. It plans to have the first panels generating power by August.

The company is willing to take that risk because it believes in the value of the project, he said.

"The more we looked at it, the more we came to believe this was a very special and significant project," he said.

On the Net:

<http://www.cpuc.ca.gov>

<http://www.sce.com>

<http://www.calseia.org>



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TURN

affordable utilities
livable communities

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March 19, 2009

Bonnie Neely, Chair
Khatchik Achadjian
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CALIFORNIA
COASTAL COMMISSION

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Re: SCE's Proposal for a Peaker Generation Plant in Oxnard
(Coastal Development Permit Appeal A-4-OXN-07-096;
Item 15.b. on 4/9/09 Agenda)

Dear Members of the Coastal Commission:

The agenda for your upcoming April meeting includes the appeal of Southern California Edison Company (SCE) seeking to overturn the City of Oxnard's denial of the utility's coastal development permit application. The Utility Reform Network (TURN)¹ and the Los Padres Chapter of the Sierra Club urge you to either deny the appeal or further postpone its consideration until the California Public Utilities Commission (CPUC) has considered the SCE's current claims that this area of its service territory faces specific service reliability challenges, and that the proposed peaker is the most appropriate solution to those challenges.²

SCE continues to seek to install a 45-megawatt "peaker" power plant as the last of the "up to five" peakers called for in the "Assigned Commissioner's Ruling Addressing Electric Reliability Needs In Southern California For Summer 2007" (ACR Ruling) issued August 15, 2006, in a CPUC proceeding.³ As the discussion in the ruling makes clear, adding peakers within a year was intended to address a potential mismatch of supply and demand, particularly if parts of the state experienced another heat wave

¹ TURN is a non-profit corporation based in San Francisco, with approximately 20,000 members throughout California. For more than three decades, TURN has represented the interests of residential and small-business customers of California's large, investor-owned utilities before the PUC and in other fora. If SCE is permitted to construct the McGrath Peaker, SCE will likely seek to recover the associated costs through its regulated rates.

² This letter is being simultaneously forwarded to the Coastal Commission's staff assigned to this matter.

³ The August 15, 2006 ruling may be accessed at <http://docs.cpuc.ca.gov/efile/RULINGS/58906.pdf>.

similar to the one that struck California in the summer of 2006. Having SCE install up to five peaker plants was intended to be a near-term response to ensure southern California had sufficient generation supply to weather the summer of 2007. SCE selected five peaker locations; each of the four that did not present coastal development issues was successfully installed and operational by the end of August 2007, thus meeting the goals of the ACR Ruling.

The most recent findings of the CPUC and the California Independent System Operator (CAISO) both cast serious doubt on whether the McGrath Beach Peaker is needed to meet system loads. For example, in December 2007, the CPUC found that resources would be adequate in the broader Southern California region ("SP26") until 2013 – even considering the possible retirement of over 5,000 MW of existing resources.⁴ And the CAISO has also stated that resources well in excess of need existed as of last summer.⁵ Therefore, whether or not one agrees with the analysis in the original 2006 ruling, today the McGrath Peaker is no longer part of the solution to the problem it was originally intended to help address.

This change may explain why SCE has more recently been touting the purported local reliability benefits that would be achieved were the McGrath Peaker to go forward. As the utility laid out in general terms during an informal workshop held on March 2, 2009 at the CPUC, the configuration of the utility's transmission and distribution system and the geography of Ventura and Santa Barbara counties make that portion of SCE's service territory particularly vulnerable to transmission disruptions. According to SCE, adding "black start" capability would enable the utility to re-start existing generating units in the area (in particular, the Mandalay plant owned by Reliant), and then serve the area with this local generation even if an earthquake or wildfire or other disruption cut it off from the rest of SCE's grid. By SCE's logic, since the McGrath Peaker would have such "black start" capability, it's a natural choice to solve this local reliability issue.

The problem with treating the McGrath Peaker as a solution to these purported local reliability issues is that SCE has never sought to have these issues considered or addressed by the CPUC, the state agency with the expertise and experience to fully vet such claims. Indeed, the question about whether there is any continuing need for the McGrath Peaker plant has only been raised at the CPUC in recent months, and then only in informal settings. A more appropriate process would require the utility to demonstrate the purported local reliability problem exists, and to make that demonstration in a manner that would permit a full range of potential solutions to be identified and considered. Even

⁴ See Decision (D.) 07-12-052, Table SCE-1 (at p. 117), lines 4, 5 and 22 in particular, dated December 20, 2007. D.07-12-052 is available at http://docs.cpuc.ca.gov/word_pdf/FINAL_DECISION/76979.pdf.

⁵ See California Independent System Operator, *2008 Summer Loads and Resources Operations Preparedness Assessment*, p. 3, dated April 28, 2008, as cited at the CAISO's "Phase II Comments" in CPUC Rulemaking 08-01-025, p. 35, filed February 17, 2009. *Assessment* available at <http://www.aiso.com/1fb7/1fb7855eed50.pdf> and Comments available at <http://docs.cpuc.ca.gov/efile/CM/97507.pdf>.

if we were to agree with SCE that there is a local reliability problem, potential solutions might include maximizing the use of existing resources (such as restoring "black start" capability to the Mandalay plant, which had such capability in the relatively recent past), installing a peaker plant in a different location, or pursuing different additional resources (such as bolstering or adding transmission facilities, or putting any need for generation resources out to bid).

There is some skepticism about the legitimacy of the local reliability needs SCE has now identified, given that their identification coincided so closely with the utility's desire to obtain approval of the McGrath Peaker. However, even if one were to assume that there are indeed such local reliability needs, this should be the beginning of the analysis, rather than its conclusion. Before moving forward with consideration or approval of the McGrath Peaker there should be a fuller consideration of the nature of those needs and the options available to satisfy them. There is no imminent reliability threat that warrants compromising a reasoned and methodical analysis of the newly-disclosed electric utility service problem and the most appropriate solution given the important environmental, community, and economic issues associated with this matter.

For all of these reasons, TURN and the Los Padres Chapter of the Sierra Club urge the Coastal Commission to either deny SCE's appeal of the City of Oxnard's decision, or to postpone taking any action until after the CPUC has considered both the need for the McGrath Peaker and other potential ways for addressing that need.

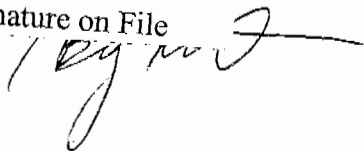
Thank you for your consideration of this matter. Please contact me if you have any questions about this letter

Yours truly,

Signature on File

Bob Finkelstein
Legal Director

Signature on File



For TURN and the Los Padres Chapter of the Sierra Club

cc: Peter Douglas, California Coastal Commission
Cassidy Teufel, California Coastal Commission

David Magney Environmental Consulting

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805/646-6045 Voice * 805/646-6975 FAX

10 March 2009

Peter Douglas, Executive Director
California State Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105-2219

Subject: SCE's Mandalay Beach Property Biological Resources (Appeal File No. A-4-OXN-07-096)

Dear Mr. Douglas:

David Magney Environmental Consulting (DMEC) was retained by the Sierra Club, Los Padres Chapter, to identify and assess the biological resources present at the SCE property at Mandalay Beach. DMEC concentrated assessment efforts to the parcels east of Harbor Boulevard, north and south of the Edison Canal. Oil extraction facilities are located immediately north and east of the SCE property. The North Shore development is located immediately south of the SCE property.

Another parcel located between the Mandalay Generating Station and Mandalay Beach Park, west of Harbor Boulevard, currently occupied ruderal vegetation being recolonized by coastal dune scrub vegetation after SCE's fuel storage tank farm was removed over five years ago. This parcel is where SCE proposes to build the new peaker plant.

The parcel between the canal and the transmission lines consists primarily of natural coastal dune scrub and backdune swale vegetation. Small portions of the site have been significantly disturbed in the past for oil development and activities associated with electrical generation and transmission. Oil extraction facilities occur immediately to the east and north of the property.

Debris is found at scattered locations of the site and some areas have been graded and filled, primarily in the western portion adjacent to Harbor Boulevard. Debris observed onsite includes concrete rubble, rusted pipes, steel cables, strands of barbed wire, and other trash. Regardless, much of the site is in relatively pristine condition.

The previously disturbed areas either are dominated by invasive exotic plant species or represent a large component of the vegetation. The dominant invasive exotic plant on the parcel is Hottentot Fig (*Carpobrotus edulis*), a common mat-forming shrub in the Ice Plant family (Aizoaceae). This invasive exotic plant has also invaded surrounding habitat, often competing with native plants. Tree Tobacco (*Nicotiana glauca*) is another invasive exotic plant onsite, but of only limited quantities and not highly competitive.

The site's soils are primarily aeolian sands that have formed a dune-swale complex running parallel to the coastline. The vegetation on these sands consists of Coastal Dune Scrub and Backdune Swale Wetland, both of which are extremely rare in southern California. Historically, the entire Ventura County coastline from Ventura to Point Mugu contained these habitat types; however, today only a few isolated remnants remain, such as at the SCE property. Nearly all the remaining habitat properties have been disturbed in the past by agriculture, oil development, dumping, and/or unmanaged recreation.

The dominant plants observed during the field visits consist of *Carpobrotus edulis*, *Ericameria ericoides*, *Rhus integrifolia*, *Artemisia californica*, *Toxicodendron diversilobum*, *Phacelia ramosissima*, *Opuntia littoralis*, *Dudleya lanceolata*, and *Salix lasiolepis*. The flora of the SCE parcels (excluding the parcel west of Harbor

Boulevard – not surveyed) appeared to be relatively rich with over 30 taxa observed, primarily shrubs and perennial herbs, during the brief site visits, conducted on 13 February 2000, 26 September 2008, 17 October 2008, and 19 November 2008. A list of the plants observed onsite is included as an attachment to this letter.

Several species of lichens were observed onsite, primarily corticolous (bark-inhabiting) taxa such as: *Cladonia* cf. *chlorophaea*, *Evernia prunastri*, *Flavoparmelia*, *Lecidea*, *Ramalina canariensis*, *Parmotrema*, and *Xanthoria*. Many of the older shrubs in the eastern portion of the parcel support several species of lichens. The site could support one or more rare species of lichen.

North-facing slopes of the dunes provide habitat for ephemeral green algae and mosses, which is an uncommon to rare situation in southern California since most extant dune systems are regularly disturbed by recreationists. The most abundant moss observed onsite (relative, since only the stabilized soils contain mosses) includes *Syntrichia* cf. *montana*, which may actually be an undescribed species¹. Based on the elevation range for this species as described in the *Flora of North America North of Mexico*, the occurrence at Mandalay Beach represents an extra-elevational population, since it is typically found at mid- to high-elevation sites². This situation has led Mr. Wishner and Dr. Mishler to believe that the *Syntrichia* I collected onsite actually represents an undescribed species of moss.

The property supports a number of wildlife, including birds, invertebrates, mammals, and reptiles. Since it was raining during the cursory field visit, wildlife observations were few. Wildlife observed included Mockingbird, White-crowned Sparrow, Northern Harrier, California Towhee, California Ground Squirrel, Coyote, Longtail Weasel, and Audubon Cottontail Rabbit.

DMEC mapped all the vegetation onsite according to the California Native Plant Society vegetation classification system³, which has been adopted by California and federal resource agencies, including the California Department of Fish and Game. Georectified high-resolution aerial photography dated September 2007⁴ was used as a base and air photo interpretation methods were applied systematically to the project site to map and classify the plant communities (alliances) present onsite, as well as non-vegetation land cover types.

DMEC mapped 293 polygons consisting of 35 alliances in 18 broader groups (based on the primary dominant plant), plus four other land cover types (water, roads, ruderal, and developed), on 53+ acres of land east of Harbor Boulevard and north and south of the Edison Canal. This area extended a little beyond the SCE parcels; therefore, the extra area was clipped using a boundary that included only the SCE parcels plus the Edison Canal, which is illustrated on Figure 1, Map of Plant Communities of the SCE Mandalay Property. The clipped vegetation areas included only 274 polygons on 48.6 acres. These are listed in Table 2, Plant Communities of the SCE Mandalay Beach Property, which also includes the acreage values for each type. The resulting map of plant communities is provided as Figure 1. Figure 1 also illustrates the general location of the footprints of the peaker plant and landscaping/revegetation and the proposed power line poles, placed as accurately as possible while lacking rectified maps of the project components.

DMEC's mapping found that the two SCE parcels contained 15 alliances, which consist of 29 mapable plant associations (plant communities). This represents a high degree of habitat diversity for a 49-acre area of the

¹ Personal communication, Brent Mishler, Curator, University of California, Berkeley, Jepson Herbarium, email dated 9 March 2009 regarding identification of specimen collected on 19 November 2008 from the SCE property by Mr. Magney and tentatively identified by bryologist, Mr. Carl Wishner. bmishler@calmail.berkeley.edu

² *Flora of North America*, description for *Syntrichia montana*. http://www.efloras.org/florataxon.aspx?flora_id=1&taxon_id=250075543

³ Sawyer, J.O., and T. Keeler-Wolf. 1995. *A Manual of California Vegetation*. California Native Plant Society, Sacramento, California.

⁴ Aerial photography obtained from CIRGIS, Inc., 1-foot resolution color aerial photography flown in September 2007.

Oxnard Plain. Table 2 provides an accounting of what was found and how much area each plant community occupies. Several of these alliances are considered sensitive habitats by the CNDDDB and should be considered as ESHA by the Coastal Commission, particularly since they contain rare species, including the Shoulderband snail (*Helminthoglypta*) and the undescribed species of moss (*Syntrichia*).

This property represents an important remnant of southern California coastal dune habitats, which has been almost entirely eliminated by human development and activities. While much of the site is in relatively good and natural condition, restoration activities need to be performed to return disturbed portions of these habitats to healthy and diverse conditions. DMEC mapped the vegetation of the two SCE parcels east of Harbor Boulevard to be able to understand what is present, how much of each plant alliance is present, and what types of plant communities would likely be impacted by the proposed project. The results are summarized below and illustrated in a map of the vegetation provided as an attachment to this letter.

Debris should be removed from the entire property. An extensive invasive exotic eradication program, followed by restoration planting with native species, should be implemented.

DMEC finds this property to be an important remnant of southern California Coastal Dune Scrub, which should be protected from development. Development pressures are extremely high on the Oxnard Plain, especially on the coast. For example, the City of Oxnard recently approved a 350+-unit housing development on a 91-acre parcel immediately south of the SCE property, which contained disturbed Coastal Dune Scrub and Backdune Swale Wetland Scrub habitats in spite of the rarity of these habitats in southern California. Mitigation required for that project is in jeopardy now since the developer (Trimark-Pacific) is now in receivership after defaulting on their bank loan.

DMEC encourages the Coastal Commission to protect the undeveloped portions of the SCE property east of Harbor Boulevard since the plant communities onsite qualify as Environmentally Sensitive Habitat Area.

Please contact me by phone at (805) 646-6045 or by mail at the address above if you have any questions regarding this letter.

Sincerely,

David L. Magney
President

- Attachments: Table 1, Checklist of Plants Observed at the SCE Mandalay Property
Table 2, Plant Communities of the SCE Mandalay Beach Property
Figure 1, Map of Plant Communities of the SCE Mandalay Property (east of Harbor Blvd. only)

cc: Jon Ziv, Sierra Club, Los Padres Chapter

Table 1. Plants Observed on the SCE Mandalay Property

Scientific Name	Common Name	Habit	WIS	Family
<i>Abronia umbellata</i>	Beach Sand-verbena	PH	.	Nyctaginaceae
<i>Ambrosia chamissonis</i>	Beach Bur	S	.	Asteraceae
<i>Ambrosia psilostachya</i> var. <i>californica</i>	Western Ragweed	BH	FAC	Asteraceae
<i>Ammophila arenaria</i> *	European Beachgrass	PG	FACU	Poaceae
<i>Artemisia californica</i>	California Sagebrush	S	.	Asteraceae
<i>Baccharis pilularis</i> ssp. <i>consanguinea</i>	Coyote Brush	S	(FACU)	Asteraceae
<i>Baccharis salicifolia</i>	Mulefat	S	FACW	Asteraceae
<i>Bromus diandrus</i> *	Ripgut Grass	AG	(FACU)	Poaceae
<i>Bromus madritensis</i> var. <i>rubens</i> *	Red Brome	AG	.	Poaceae
<i>Camissonia cheiranthifolia</i> ssp. <i>suffruticosa</i>	Beach Primrose	S	.	Onagraceae
<i>Carpobrotus edulis</i> *	Hottentot Fig	S	.	Aizoaceae
<i>Cirsium</i> sp. (<i>occidentale</i> ?)	Thistle	BH	.	Asteraceae
<i>Corethrogyne</i> [<i>Lessingia</i>] <i>filaginifolia</i>	California Cudweed-aster	PH	.	Asteraceae
<i>Cortaderia jubata</i> *	Pampas Grass	PG	FAC	Poaceae
<i>Crassula connata</i>	Pygmy Sand-crop	AH	FAC	Crassulaceae
<i>Croton californicus</i> var. <i>californicus</i>	California Croton	PH	.	Euphorbiaceae
<i>Cuscuta</i> cf. <i>californica</i>	California Dodder	AV	.	Cuscutaceae
<i>Cynodon dactylon</i> *	Bermuda Grass	PG	FAC	Poaceae
<i>Descurainia pinnata</i> ssp. <i>menziesii</i>	Menzies Tansy Mustard	AH	.	Brassicaceae
<i>Distichlis spicata</i>	Saltgrass	PG	FACW	Poaceae
<i>Dudleya lanceolata</i>	Lanceleaf Live-forever	PH	.	Crassulaceae
<i>Encelia californica</i>	California Bush Sunflower	S	.	Asteraceae
<i>Ericameria ericoides</i> ssp. <i>ericoides</i>	Heatherleaf Goldenbush	S	.	Asteraceae
<i>Eriogonum parvifolium</i> var. <i>parvifolium</i>	Dune Buckwheat	S	.	Polygonaceae
<i>Erodium cicutarium</i> *	Redstem Filaree	AH	.	Geraniaceae
<i>Pseudognaphalium leucocephalum</i>	White Everlasting	BH	.	Asteraceae
<i>Heterotheca grandiflora</i>	Telegraph Weed	BH	.	Asteraceae
<i>Heterotheca sessiliflora</i> ssp. ?	Hairy Golden-aster	BH	.	Asteraceae
<i>Hirschfeldia incana</i> *	Summer Mustard	BH	.	Brassicaceae
<i>Juncus textilis</i>	Basket Rush	PG	OBL	Juncaceae
<i>Keckiella ternata</i> var. ?	Ternate Penstemon	S	.	Veronicaceae
<i>Leymus condensatus</i>	Giant Ryegrass	PG	FACU	Poaceae
<i>Lotus scoparius</i> var. <i>scoparius</i>	Deer Weed	PH	.	Fabaceae
<i>Lupinus arboreus</i>	Yellow Bush Lupine	S	.	Fabaceae
<i>Malosma laurina</i>	Laurelleaf Sumac	S	.	Anacardiaceae
<i>Marah</i> sp.	Man-root	PV	.	Convolvulaceae
<i>Marrubium vulgare</i> *	White Horehound	PH	FAC	Lamiaceae
<i>Myoporum laetum</i> *	Myoporum	S	(FAC)	Myoporaceae



Scientific Name	Common Name	Habit	WIS	Family
<i>Tropaeolum majus</i> *	Garden Nasturtium	PH	(FACW)	Tropaeolaceae
<i>Nicotiana glauca</i> *	Tree Tobacco	T	FAC	Solanaceae
<i>Opuntia littoralis</i> var. <i>littoralis</i>	Coastal Prickly Pear	S	.	Cactaceae
<i>Phacelia ramosissima</i> var. ?	Branching Phacelia	S	.	Boraginaceae
<i>Plantago erecta</i>	California Plantain	AH	.	Plantaginaceae
<i>Pseudognaphalium microcephalum</i>	White Everlasting	BH	.	Asteraceae
<i>Rhus integrifolia</i>	Lemonadeberry	S	.	Anacardiaceae
<i>Ricinus communis</i> *	Castor Bean	S	FACU	Euphorbiaceae
<i>Rubus ursinus</i>	Pacific Blackberry	PV	FACW*	Rosaceae
<i>Salix exigua</i>	Narrow-leaved Willow	S	OBL	Salicaceae
<i>Salix lasiolepis</i> var. <i>lasiolepis</i>	Arroyo Willow	S	FACW	Salicaceae
<i>Salvia mellifera</i>	Black Sage	S	.	Lamiaceae
<i>Sarcocornia pacifica</i>	Pacific Swampfire	S	OBL	Chenopodiaceae
<i>Senecio flaccidus</i> var. <i>douglasii</i>	Shrubby Butterweed	S	.	Asteraceae
<i>Suaeda taxifolia</i>	Woolly Seablite	S	FACW+	Chenopodiaceae
<i>Toxicodendron diversilobum</i>	Western Poison Oak	PV	(FACU)	Anacardiaceae

Notes: Scientific nomenclature follows Flora of North America Committee (1993-2007 - *Flora of North America*) or Hickman (1993 - *The Jepson Manual: Higher Plants of California*).

Common names follow Abrams and Ferris (1960), Neihaus and Ripper (1976), and DeGarmo (1980).

Bold typeface indicates special-status species.

An "*" indicates non-native species that have become naturalized or persist without cultivation.

An "+" indicates non-native species that were cultivated &/or persist without active cultivation after planting.

Habit definitions:

- AF = annual fern or fern ally.
- AG = annual grass or graminoid.
- AH = annual herb.
- BH = biennial herb.
- PF = perennial fern or fern ally.
- PG = perennial grass or graminoid.
- PH = perennial herb.
- PV = perennial vine.
- S = shrub.
- T = tree.

Wetland indicator status [WIS] (Reed 1988):

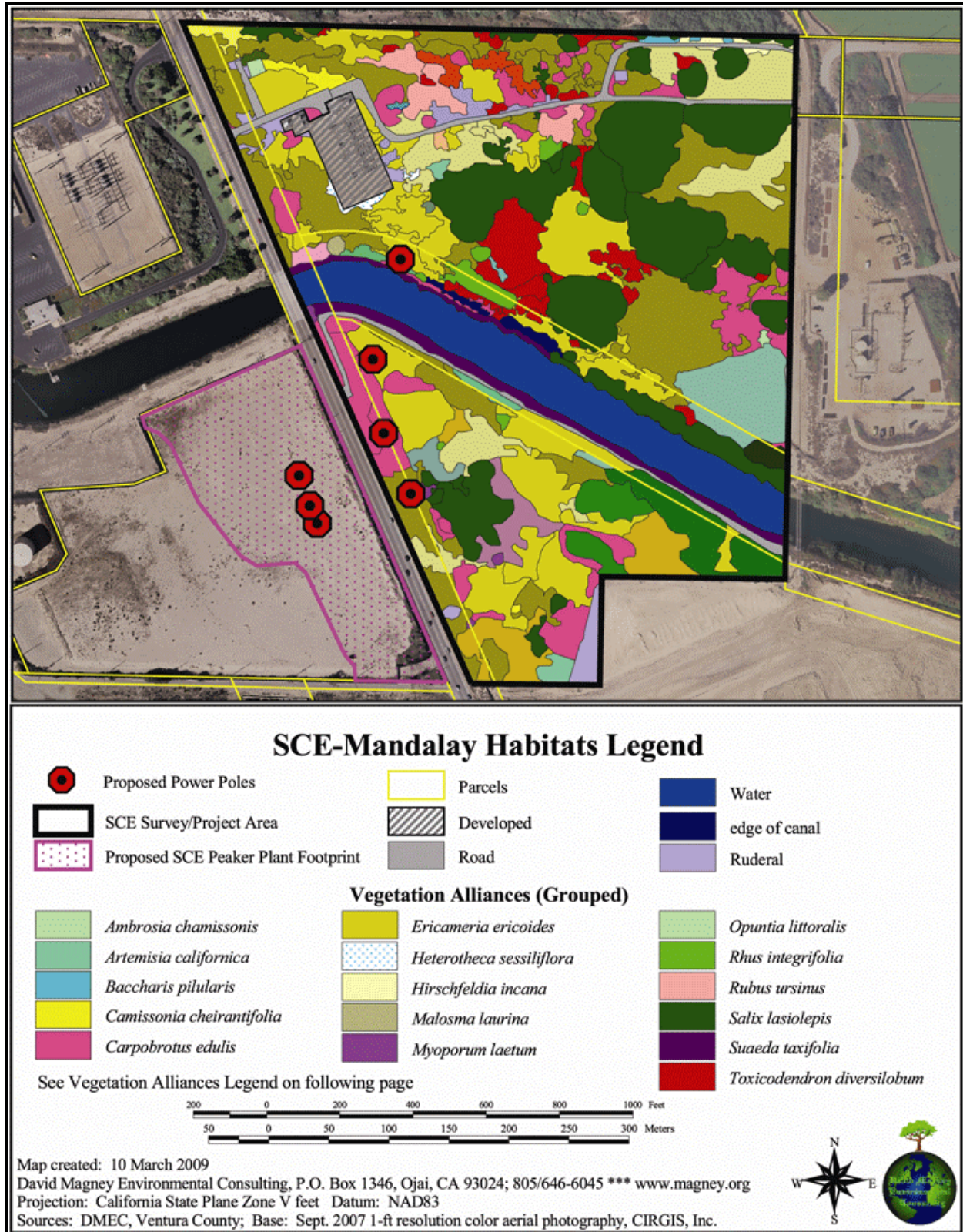
- OBL = obligate wetland species, occurs almost always in wetlands (>99% probability)
- FACW = facultative wetland species, usually found in wetlands (67-99% probability).
- FAC = facultative species, equally likely to occur in wetlands or nonwetlands (34-67% probability).
- FACU = facultative upland species, usually occur in nonwetlands (67-99% probability).
- + or - symbols are modifiers that indicate greater or lesser affinity for wetland habitats.
- NI = no indicator has been assigned due to a lack of information to determine indicator status.
- * = a tentative assignment to that indicator status by Reed (1988).
- A period "." indicates that no wetland indicator status has been given in Reed (1988).
- Parentheses around an indicator status indicates the wetland status as suggested by the author.









































Table 2. Plant Communities of the SCE Mandalay Beach Property

Plant Community Dominant	Alliance Name	Total Area (Acres)
<i>Ambrosia chamissonis</i>	<i>Ambrosia chamissonis-Camissonia cheiranthifolia</i>	0.219
<i>Artemisia californica</i> Community Area: 4.544 acres	<i>Artemisia californica</i>	0.189
	<i>Artemisia californica-Ericameria ericoides</i>	2.908
	<i>Artemisia californica-Opuntia littoralis</i>	0.026
	<i>Artemisia californica-Rhus integrifolia</i>	1.421
<i>Baccharis pilularis</i> Community Area: 1.051 acres	<i>Baccharis pilularis</i>	0.079
	<i>Baccharis pilularis-Artemisia californica</i>	0.105
	<i>Baccharis pilularis-Carpobrotus edulis</i>	0.867
<i>Camissonia cheiranthifolia</i> Community Area: 0.184 acres	<i>Camissonia cheiranthifolia</i>	0.012
	<i>Camissonia cheiranthifolia-Ericameria ericoides</i>	0.172
<i>Carpobrotus edulis</i> Community Area: 4.43 acres	<i>Carpobrotus edulis</i>	4.06
	<i>Carpobrotus edulis-Toxicodendron diversilobum</i>	0.37
<i>Ericameria ericoides</i> Community Area: 16.494 acres	<i>Ericameria ericoides</i>	6.671
	<i>Ericameria ericoides-Baccharis pilularis</i>	1.246
	<i>Ericameria ericoides-Carpobrotus edulis</i>	8.577
<i>Heterotheca sessiliflora</i>	<i>Heterotheca sessiliflora</i>	0.085
<i>Hirschfeldia incana</i>	<i>Hirschfeldia incana</i>	0.114
<i>Malosma laurina</i>	<i>Malosma laurina</i>	0.047
<i>Myoporum laetum</i>	<i>Myoporum laetum</i>	0.067
<i>Opuntia littoralis</i>	<i>Opuntia littoralis</i>	0.022
<i>Rhus integrifolia</i>	<i>Rhus integrifolia</i>	0.145
<i>Rubus ursinus</i>	<i>Rubus ursinus-Toxicodendron diversilobum</i>	0.647
<i>Salix lasiolepis</i> Community Area: 10.472 acres	<i>Salix lasiolepis</i>	8.546
	<i>Salix lasiolepis-Artemisia californica</i>	0.621
	<i>Salix lasiolepis-Baccharis salicifolia</i>	1.12
	<i>Salix lasiolepis-Rhus integrifolia</i>	0.145
	<i>Salix lasiolepis-Toxicodendron diversilobum</i>	0.04
<i>Suaeda taxifolia</i>	<i>Suaeda taxifolia</i>	1.013
<i>Toxicodendron diversilobum</i>	<i>Toxicodendron diversilobum</i>	1.736
Other	Water	3.873
	Road	1.44
	Ruderal	0.57
	Developed	1.041
	Edge of canal	0.183
Total:		48.377

Figure 1. Map of Vegetation on the SCE Mandalay Property



Plant Associations Legend

Vegetation Plant Associations Legend			
	Ruderal		<i>Ericameria ericoides</i>
	<i>Ambrosia chamissonis-Camissonia cheiranthifolia</i>		<i>Ericameria ericoides-Artemisia californica</i>
	<i>Artemisia californica</i>		<i>Ericameria ericoides-Baccharis pilularis</i>
	<i>Artemisia californica-Baccharis pilularis</i>		<i>Ericameria ericoides-Carpobrotus edulis</i>
	<i>Artemisia californica-Ericameria ericoides</i>		<i>Heterotheca sessiliflora</i>
	<i>Artemisia californica-Opuntia littoralis</i>		<i>Hirschfeldia incana</i>
	<i>Artemisia californica-Rhus integrifolia</i>		<i>Malosma laurina</i>
	<i>Baccharis pilularis</i>		<i>Myoporum laetum</i>
	<i>Baccharis pilularis-Artemisia californica</i>		<i>Opuntia littoralis</i>
	<i>Baccharis pilularis-Carpobrotus edulis</i>		<i>Rhus integrifolia</i>
	<i>Baccharis pilularis-Salix lasiolepis</i>		<i>Rubus ursinus-Toxicodendron diversilobum</i>
	<i>Camissonia cheiranthifolia-Ambrosia chamissonis</i>		<i>Salix lasiolepis</i>
	<i>Camissonia cheiranthifolia-Ericameria ericoides</i>		<i>Salix lasiolepis-Artemisia californica</i>
	<i>Camissonia cheiranthifolia</i>		<i>Salix lasiolepis-Baccharis salicifolia</i>
	<i>Carpobrotus edulis</i>		<i>Salix lasiolepis-Rhus integrifolia</i>
	<i>Carpobrotus edulis-Artemisia californica</i>		<i>Salix lasiolepis-Toxicodendron diversilobum</i>
	<i>Carpobrotus edulis-Baccharis salicifolia</i>		<i>Suaeda taxifolia</i>
	<i>Carpobrotus edulis-Ericameria ericoides</i>		<i>Toxicodendron diversilobum</i>
	<i>Carpobrotus edulis-Toxicodendron diversilobum</i>		<i>Toxicodendron diversilobum-Carpobrotus edulis</i>



April 28, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105

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MAY 02 2008
May 8, 2008 Agenda Item 12.c.
Appeal No. A-4-0XN-07-096
Nancy Lindholm
In Favor of Project

RE: Southern California Edison Peaker Project

Chairman Kruer and California Coastal Commissioners:

The Oxnard Chamber of Commerce supports the proposed peaker project in Oxnard. We believe Edison's proposal incorporates the best available and cleanest burning technology that will have minimal impacts to our environment and greatly improve the view corridor along Harbor Boulevard.

The Chamber is pleased with the fact that the peaker plant's electricity will be tied into the local system for use by Oxnard customers. Many local businesses have equipment that is sensitive to fluctuations in voltage. The peaker plant will help avoid interruptions to businesses and provide power to residences during high demand periods, when existing plants may go off-line, and in the case of natural disasters such as fires, floods and earthquakes.

Unlike some public comments we have heard regarding Oxnard being forced to accommodate facilities such as the peaker plant, we believe it is prudent of the city to embrace the technology that will assure a more dependable supply of electricity for its residents and businesses.

For these reasons, we encourage the California Coastal Commission to approve the project.

Sincerely,

Signature on File

Nancy Lindholm
President/CEO

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JUL 31 2008

CALIFORNIA
COASTAL COMMISSION



Oxnard
Chamber of Commerce

July 31, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, California 94105

August 6, 2008 Agenda Item 7.a..
Appeal No. A-4-OXN-07-096
Nancy Lindholm
In Favor of Project

RE: Southern California Edison Peaker Project

Chairman Kruer and California Coastal Commissioners:

The Oxnard Chamber of Commerce supports the proposed peaker project in Oxnard. We believe Edison's proposal incorporates the best available and cleanest burning technology that will have minimal impacts to our environment and greatly improve the view corridor along Harbor Boulevard.

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Unlike some public comments we have heard regarding Oxnard being forced to accommodate facilities such as the peaker plant, we believe it is prudent of the city to embrace the technology that will assure a more dependable supply of electricity for its residents and businesses.

For these reasons, we encourage the California Coastal Commission to approve the project.

Sincerely,

SIGNATURE ON FILE

Nancy Lindholm
President/CEO



CONGRESS OF CALIFORNIA SENIORS

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MAY 02 2008

CALIFORNIA
COASTAL COMMISSION

April 29, 2008

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Executive Assistant

to the State President

Gary Passmore

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Commission Chair Kruer,

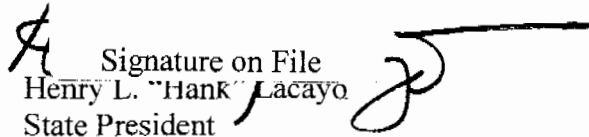
I'm writing to you as a resident of Ventura County and the State President for the Congress of California Seniors, a non-partisan broad based coalition of senior groups, whose primary responsibility is to speak out, pro or con, on issues impacting the economic interest and well being of senior citizens in the community.

We have been following closely Southern California Edison's peaker plant proposal within the confines of the City of Oxnard and want you know of our support for this project.

We urge the Commission to recognize the importance of a stable electrical source which is essential not only to our senior citizens but to the rest of the community including corresponding business concerns. The SCE Peaker Plant proposal addresses those needs and in addition will provide necessary insurance to reduce power outages and brown outs for all residents of the Oxnard plain.

We are pleased to voice support for this project and respectfully urge the California Coastal Commission to consider the need for a stable supply of energy in this community and approve Southern California Edison's peaker plant proposal.

Sincerely,


Signature on File
Henry L. "Hank" Lacayo

State President
3403 Bear Creek Drive
Newbury Park, CA 91320
805-498-7679
HankLacayo@aol.com





Ventura County Taxpayers Association

RECEIVED
APR 28 2008
CALIFORNIA
COASTAL COMMISSION

Patrick Kruer
Chair California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 940015

Dear Mr. Kruer:

The Ventura County Taxpayers Association is in support of the proposed Southern California Edison Peaker Plant near the Mandalay Generating Plant.

We are concerned that demand is outpacing new generation, especially with new local approved growth, on the books.

Look at the past history of rotating outages, during the energy crises and transmission line problems.

Couple that with the expected hot summer usage [expected fire dangers], again the increased demand. We are looking at a potential disaster.

There is mis-information out there. The Peaker is tied into the local distribution system and can only be used by the local community.

The proposed Peaker Plants are the best available cleanest burning technology and will have minimal impacts to the environment and costs.

The Ventura County Taxpayers Association recommends the California Coastal Commission approve the Peaker Plant that will help maintain quality electric service to Oxnard residents and business.

Sincerely;

Signature on File

Don Facciano
President

Ventura County Taxpayers Association

5156 McGrath Street
Ventura, CA 93003

805.644.3291
fax: 805.644.9208
email: vcta@jetlink.net

ORE

W 7a

OCTAVIO R. ELIAS

1080 MANDALAY BEACH ROAD • OXNARD SHORES • CALIFORNIA 93035

July 31, 2008

California Coastal Commission
45 Fremont Street
San Francisco, CA 94105-2219

Att: Cassidy Teufel
Appeal No. A-4-07-096 So Cal Edison

My husband and I strongly oppose the Peaker Plant Project on Harbor Bl, Oxnard California. The Commission's purpose is to protect and enhance the shoreline and the coastal ecosystem for the public.

With the obsolete, existing Reliant power plant adjacent to this site certain to be decommissioned, it is a perfect opportunity for the Commission to restore this beach site. The work has already begun with the preservation of the near extinct milkvetch that is planted nearby. Installing a new plant will be a tremendous setback and doom future generations.

As far as we can tell, there is no reason for it to be located on the shoreline since it is not water dependent. And the peak power usage is inland from the coast where the climate is hot and there is widespread air conditioner use. Rather than further degrade the shore, a plant should be built where it will have the least affect on the environment, where land is more plentiful and where the ecosystem not so fragile. The beach is a limited and irreplaceable commodity.

We hope that the Commissioners will **reject this application**. Thanking you in advance.

Sincerely,

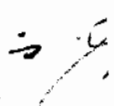


Signature on File

Octavio and RoseMarie Elias

1080 Mandalay Beach Road

Oxnard Shores Beach



Signature on File





EL CONCILIO
del Condado de Ventura

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Holly Cole
Verizon

Ernie Pineda
Wells Fargo Bank

Hank Laenyo
Congress of California Seniors

Andres Herrera
City of Oxnard, Councilmember

W 7a

July 29, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RE: SCE Peaker Project Proposal

Dear Mr. Patrick Kruer,

The board of El Concilio del Condado de Ventura has reviewed Southern California Edison's peaker proposal and has taken a position to **SUPPORT** the project.

Electricity is essential to the constituents we serve and to our own daily operations. The proposed plant will provide additional local resources that are needed as the community of Oxnard continues to grow. It will provide added insurance that our city will not have to experience rotating outages.

We respectfully request that the California Coastal Commission **APPROVE** Southern California Edison's peaker project.

Sincerely,

Signature on File

Armando Lopez
Board President
El Concilio del Condado de Ventura

*Titles for identification only



PATRICK LAVIN
Business Manager
Financial Secretary

**International
of Electrical**



**Brotherhood
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President

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1405 Spruce St., Suite H, Riverside, CA, 92507
(951) 784-7507 Fax: (951) 784-4818

August 6, 2008

Chairman Kruer and Honorable Commissioners
California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA
94105-5200

Agenda Item W7a

Re: Appeal No. A-4-OXN-07-096 (Southern California Edison Company, Oxnard "Peaker"
Power Plant)

Dear Chairman Kruer and Honorable Commissioners:

On behalf of the International Brotherhood of Electrical Workers, Local 47, I am writing to lend our support for Southern California Edison's application for the Oxnard Peaker. We urge the California Coastal Commission to adopt Staff's recommendation to grant the appeal and issue the Coastal Development Permit.

Our members are the ones called upon in the middle of the night, or on a weekend, or during a holiday, when the lights go out. When necessary, the men and women of IBEW Local 47 work 24 hours a day in order to restore service, oftentimes in hostile and harsh weather conditions. We are driven by the fact that we provide an essential public service, and the health and safety of our communities depend upon it.

Pending before the commission is a vote on a peaker plant that will not only help keep the lights on, but allow us to restore service quickly in the Oxnard/Ventura/ Santa Barbara area after disaster strikes. The California Public Utilities Commission ordered SCE to build this peaker (and four others) to meet energy demand needs and to improve electricity reliability in these areas. Thus, there is no question that this peaker is needed – and the need still exists, particularly because no new generation has been added to the Oxnard/Ventura/Santa Barbara area and this Project will allow for the start up of local power plants in the event of an emergency.

The peaker provides needed black start and quick start capabilities to restart the other, larger plants in the area in the event of an emergency and will provide interim power to key resources. Furthermore, because of its unique location on the edge of two distribution systems, the unit can be used to respond to emergency situations such as fires and earthquakes that can affect Ventura County, as well as emergencies that affect Santa Barbara County.

We understand the City of Oxnard is asking the Commission postpone its action until the October meeting. The need for this Project is now. The Project is already significantly behind schedule and the critical need for the Project continues to grow as the region's population and electricity demands grow. The Staff Report thoroughly evaluated the Project and concluded that the Project, as conditioned, will not cause any significant adverse impacts. The project should be approved.

Please help us do our job in providing reliable and safe electricity service. We respectfully request that the Commission accept the Staff's recommendation and approve the permit for the Project.

Should you have any questions regarding this communication, please feel free to contact me.

Yours truly,

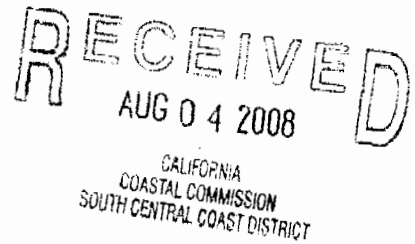


Patrick Lavin
Business Manager / Financial Secretary

PL:nb

August 3, 2008

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, Ca. 94105



RE: Appeal No. A-4-OXN-07-096
SCE "peaker" plant in City of Oxnard – OPPOSE

Dear Chair Kruer and Commissioners:

My wife and I are writing to express our opposition to SCE's appeal of the City of Oxnard's denial of the coastal development permit for the proposed "peaker" plant at North Harbor Boulevard.

My wife and I are biologists and are very familiar with the project area through both our consulting practice and our work on the Flora of Ventura County. Drawing on our biological experience in the area, we do not feel that the biological surveys of the site do an adequate job of characterizing the sensitive species that may be impacted by the project. Of primary concern are the months of the year in which the biological surveys were undertaken. The months of September and February are times during which many of the sensitive species would be dormant or otherwise unobservable, and while the report indicates that additional surveys were undertaken in May and June of this year, this happens to be one of the driest springs on record, again making the results of surveys rather dubious. As a case in point, although the biological report indicates that silvery legless lizards (*Anniella pulchra* ssp *pulchra*) may be present on the site, my wife has actually found them on the subject property. However, even people familiar with the species have trouble locating them, particularly in a dry year. In addition, horned lizards have been found by Fish and Game personell at McGrath Lake adjacent to the site.

Our principal concern is with the work anticipated east of Harbor Boulevard. This area supports a Southern Coastal Dune Scrub plant community with moderate species diversity according to the Biological Survey. Approximately 2 acres of this area will be disrupted through trenching, grading and project staging. As noted in the report, Southern Coastal Dune Scrub is of critical conservation concern due to its destruction and displacement through development throughout the coastal zone. The biological report seems to imply that because of the presence of *Carpobrotus*, this area is not particularly significant, however, all of the nearby sites that are undergoing restoration, have had to have *Carpobrotus* removed. When *Carpobrotus* is removed the native species quickly recolonize the area.

While 2 acres of Southern Coastal Dune Scrub may not seem like very much, it is typical of the "creeping incrementalism" which has allowed so much significant habitat to be destroyed. The proposed "peaker" plant is not coastal dependent

and could be easily located elsewhere, rather than in an area typified by sensitive habitats and rare and endangered species. We urge you to protect Oxnard's wonderful coastline and reject SCE's appeal.

Thank you for your consideration of our concerns.

Sincerely,

Richard A. Burgess
Patricia K. Munro
221 Juneau Place
Oxnard, Ca. 93036

RECEIVED
AUG 04 2008

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Appeal #A-4-Onx-07-096

Applicant: Southern California Edison Company

Project Location: 251 North Harbor Blvd., Ventura County

Atten: Cassidy Teufel @ California Coastal Commission

Dear Sirs:

I am a resident of Mandalay Shores, a beach front community adjacent to proposed Peaker Plant location. As many Oxnard residents I am concerned with improving the quality of life and economic vitality of our city. Protecting the Coastal area on the west and south side of Oxnard is a very integral part of this goal.

I urge the Coastal Commission to deny Southern California Edison Company's appeal. It has been publicly stated by Edison officials, that Oxnard is their preferred site and that there are alternative locations. Since, the proposed development is not Coastal dependent, why not consider inland areas that will most benefit from the Peaker Plants energy production.

In the 1940's and 50's, Oxnard was primarily an agriculture area. Thus, Coastal land was not considered as valueable as it is today, in the 21st century. Let's move forward and be good stewards of our Coastal land.

Respectfully

Julie Pena
Mandalay Shores Resident
805-582-4165

Cassidy Teufel

From: Miele, Mildred [Mildred.Miele@wellpoint.com]
Sent: Monday, August 04, 2008 8:49 AM
To: Cassidy Teufel
Subject: Edison's Proposed McGrath Beach Peaker Plant Project in Oxnard

California Coastal Commission

The California Coastal Commission's responsibility is to protect California's Coast and the citizens who live on that Coast. Why is it that the Commission and its Staff are being pawns of Southern California Edison? Oxnard City Officials and Ventura County Officials voted down the McGrath Beach Peaker Plant Project knowing it would have a negative impact on Oxnard's environment. Why is it that the Commission's Staff is voting in favor of it? Why are alternatives sources of energy not being considered such as Wind Energy?

The citizens of Oxnard have had a history of being exposed to dangerous pollutants. At present we have Reliant Energy dirtying our air right next to the proposed sight of the peaker project. We don't need more pollutants along with dangerous chemicals being stored on the proposed peaker sight. The proposed peaker plant smoke stack will be in the path of Oxnard Airport – another negative. Planes will be forced to fly over a residential area to avoid that smoke stack.

The energy will not even be used for Oxnard's continually growing population. Why not locate such a plant in an unpopulated area?

It is time the Coastal Commission considered all the negatives of this project on the citizen's of Oxnard instead of trying to please Southern California Edison. Think about how you would feel if your local environment was on the attack yet again. And shame on you if you make this decision without that consideration.

Mildred Miele
3107 So. Harbor Blvd.
Oxnard, CA 93035

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Cassidy Teufel

From: Roger Pariseau [rpariseau@roadrunner.com]
Sent: Sunday, August 03, 2008 3:25 PM
To: Cassidy Teufel
Subject: Proposed Edison Peaker Plant in Oxnard

Agenda Number: 7a
Appeal Number: A-
4-OXN-07-096
Roger G. Pariseau,
Jr.

Dear Ms. Teufel:

I and many other Oxnardians are strongly opposed to the proposed Edison peaker plant to be located at Oxnard's Mandalay Beach area. A letter you received from Assemblymember Julia Brownley touches on one point that I was preparing to send to you: That point is that the Coastal and Nature Conservancies are striving to get both coastal power plants removed for the reasons Ms. Brownley explained so well.

As a life-long avian behaviorist, I have long noted the ill effects on our birds as development encroaches on their native areas. I'm not referring to the birds you see in your neighborhood, rather the species that require particular plants, insects, fishes and crustaceans found only along undeveloped shorelines.

Further, Mother Nature designed things to protect other things. Believe it or not river water was once potable! The Native Americans noticed this and did not interfere. It took Western insurgents to accomplish all the damage to our oceans, lakes, rivers and streams we are now experiencing.

I implore the Coastal Commission to rectify these problems by denying this and all other coastal developments. I would prefer that all permanent structures within three miles of our waters be eventually removed by prohibiting construction along those lines. By doing this we might be able to save our planet and, incidentally, our own species.

Sincerely,

Roger G. Pariseau, Jr.
1410 Junewood Way
Oxnard, CA 93030-3334
(805) 377-8879
<http://fnnc.org>

HONORABLE ANTHONY C. VOLANTE
2534 OCEANMIST COURT
PORT HUENEME, CALIFORNIA 93041

May 5, 2008

Patrick Kruer, Chair
California Coastal Commission
45 Fremont St., Ste. 2000
San Francisco, California 94105

Re: Southern California Edison Peaker Project Support Letter

Honorable Chairman Kruer and California Coastal Commissioners:

I am writing to you as a resident of Ventura County and a former three term Mayor for the City Of Port Hueneme strongly supporting and urging you and the Commission to recognize the importance of a stable electrical source which is essential not only to the residents of Port Hueneme but to the rest of Ventura County, Santa Barbara and to our businesses.



I and my neighbors have been following closely Southern California Edison's peaker plant proposal within the confines of the City of Oxnard and want you to know of our support for this project.

My support is based on the fact that this facility is proposed for a site that is designated for energy production and supports the existing Reliant energy generating facility, which is a coastal dependent industrial use.

The proposed peaker plant complies with the adopted local Coastal Plan for the Oxnard area. It is a highly beneficial use for Ventura County's and Santa Barbara County's coastal and inland communities. Southern California Edison's proposal addresses many of the concerns of the community, and I know addresses them appropriately. They have worked hard to reduce the environmental and social impact of building and maintaining the plant while striving to provide the highest quality service possible.

I am pleased to voice without reservation my strong support for this project and respectfully urge the California Coastal Commission to adopt this proposal.

Sincerely, 

 Signature on File  Signature on File
Honorable Anthony C. Volante
805-984-8066, E-mail volantet@aol.com

BY FAX 415.904.5400

California Coastal Commission Hearing - May 8, 2008
Agenda Number 12.a Appeal No. A-4-OXN-07-096
SCE Peaker Project
J. R. & Leslie M. Braun - Qualified Support of Project

4 May 2008

California Coastal Commission
RE: SCE Mandalay Peaker Project

Honorable Commission Members:

We live within 2 miles of the proposed project. We would like Southern California Edison (SCE) to improve their canal area for pedestrian access and more importantly convert the SCE weir adjacent to Westport to a pedestrian bridge, either now or in the immediate future.

We believe a unique opportunity now exists for our city to work with Southern California Edison (SCE) to provide additional community benefits as well as supplementary power during periods of high demand. Now that the Westport & Seabridge areas have become a reality, we think it to be a relatively simple matter to connect their pedestrian walks & paths to that of Mandalay Bay & Oxnard Beach Park areas.

We are suggesting a pedestrian path along the west side of the Edison Canal from Eastbourne to the Edison weir, modifying the weir for pedestrians and tying into the Westport park at the corner of Chesapeake Dr. If necessary, we would suggest constructing a new small footbridge to connect both sides of the channel. This could provide greatly enhanced pedestrian trails with access all the way from Oxnard Beach Park (including Embassy Suites, Hollywood Beach & Oxnard Shores) to the shopping & dining at Seabridge on Victoria and beyond. Although pedestrians should be the highest priority, the path should accommodate bicycle traffic. This type of alternative travel opportunity can help mitigate local area growth, provide economic benefits and enhance community character.

We are surprised that the City of Oxnard has not already made this an objective, as pedestrian/bike paths seem to be an important part of community planning in many areas. We believe them to be a goal of the General Plan Circulation Element as well as mentioned by SCAG and national planning standards. Nevertheless, this would be a perfect time for all parties to work together to provide this tremendous benefit. If desirable, we are happy to meet with representatives to look at the proposed route from land and/or water side.

Thank you for the opportunity to comment. We would support the Peaker project with the trail improvements noted.

Jay & Leslie Braun
4563 Gateshead Bay
Oxnard CA 93035
jrlmb.ci@gmail.com

Alison Dettmer

From: shorebreak50@aol.com
Sent: Sunday, April 27, 2008 12:57 PM
To: Alison Dettmer
Subject: Peaker Plant

Dear Coastal Commission,

I cannot believe your commission is supporting installing a Peaker Power plant here at Mandalay Beach in Oxnard. As a resident living in Oxnard for the last 30 years I have witnessed one battle after another as industry continues to push these ugly, unneeded utilities on our waters and beaches. Protecting our environment is what I admired and thought the job of the Coastal Commission was always about.

Not only is this proposed project right in the path of an airport runway and nesting grounds of many local birds, it will be unsightly and noisy when in constant use to cool not the people in our communities but inland areas. Why put it here at our beautiful coastline? It does not need ocean water to exist. I also feel it will open up the door to installing the LNG plant off our coast. Here in Oxnard, they have enough of these types of industries in our backyards. Enough is enough; we have pulled our weight over the years, establishing Oxnard and Port Hueneme as almost a dumping ground. I know many Californians think Oxnard people do not care and will put up less of a fight. This is the mentality of many Californians. They are wrong: Oxnard is changing; we do care about our local environment.

Why is the Coastal Commission taking a stand against our Oxnard City Council and Planning Commission? Explain it to me please, I just do not understand. I have always felt the Coastal Commission was on the side of what is best for the environment.

Sincerely,
Phyllis Singer

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Alison Dettmer

From: Michelle Smith [Michelle.Smith@ventura.org]
Sent: Monday, April 28, 2008 9:44 AM
To: Alison Dettmer
Subject: Comments - ITEM 12-c Appeal No. A-4-OXN-07-096 (Southern California Edison, Oxnard)

In regards to the subject item scheduled to be heard by Coastal Commissioners on May 8, 2008.

It is my understanding that Coastal Commission staff plans to recommend approval of this project regardless of the fact that the City of Oxnard City Council and the Oxnard City Planning Commission denied the project and strong opposition from residents. I would like to remind the Commission and their staff of the following concerns:

1. Oxnard is already is home to 2 full scale power plants, 1 at Ormond Beach and the Mandalay Beach plant, which are both operated by Reliant Energy. There is also 1 co-generation power generator operating in Central Oxnard that is owned by Sithe Energies.
1. Endangered birds (Snowy Plover) have nesting sights at the property commonly known and referred to as Mandalay Beach, which is located only several hundred feet from the proposed Peaker Plant site. Mandalay Beach is an undeveloped State owned property that the Ventura County Parks Department oversees on their behalf. Construction and operation of another power generator at Mandalay Beach will surely impact the environment and would be a detriment to the Snowy Plover and all birds and wildlife in the area.
3. In the future, it is expected that the two existing Reliant plants will soon be decommissioned. They are old, inefficient, and do not need to be located on the coast. The Reliant plants were previously owned by Southern California Edison (SCE) prior to deregulation, and it is likely that SCE will attempt to build a large new power plant on the site when the Reliant Mandalay plant is decommissioned. Approval of the Peaker plant at this site would set a precedent. Oxnard has been a "dumping ground" for undesirable projects that are harmful to the natural environment for many years now. Residents and concerned others seek to change that.
5. A peaker power plant is basically a natural gas-fired jet engine generator that does not use seawater for cooling and does not need to be located on the coast.
6. The peaker would be located in the Coastal Zone. The City of Oxnard's position is that the Local Coastal Plan does not allow non-coastal dependent energy facilities in the Coastal Zone.
7. The City of Oxnard has played host to power generators on our coastline for the last 40 + years. It's time for another city to be selected for these type of environmentally disturbing projects.
8. SCE representatives claim that Michael Peevey, president of the California Public Utilities Commission, is requiring them to build peaker plants, but there is no requirement that one be located in Oxnard, or in the coastal zone.

I urge the Coastal Commission to deny this project wholeheartedly. Please consider the lives of coastal animals and the residents of Oxnard and Port Hueneme when making this most important decision.

Submitted respectfully.

Michelle J. Smith
801 Trinidad Way
Oxnard, CA 93033
Homeowner and 40 year resident of Oxnard

Alison Dettmer

From: Glen Aalbers [glen42@roadrunner.com]
Sent: Monday, April 28, 2008 5:07 PM
To: Alison Dettmer
Subject: Peaker Plant Oxnard

I am a resident of Oxnard Shores Mobile Home Park and I am in favor of the Peaker Plant. It will be a big assist for our power supply.

Glen L. Aalbers
5540 West 5th Street
Unit 134
Oxnard Shores, CA
805-815-0151
Livin at and enjoy'n the beach!

Alison Dettmer

From: Oxnardbutterfly@aol.com
Sent: Sunday, April 27, 2008 10:17 PM
To: Alison Dettmer
Subject: Peaker Plant at SCE in Oxnard: Appeal of Denial

Agenda Item: 12-C Appeal No. A-4-Oxn-07-096
(Southern California Edison, Oxnard)
Nancy Pedersen

I am opposed to the Peaker Plant because Oxnard already has two electric plants on its coastline. Other cities in Ventura County have beaches without power plants, why has Oxnard been blighted with not just the two plants (at Ormond Beach and this one off Harbor Blvd) but also a Super Fund site at Halaco. Environmental Justice would demand that Oxnard not be targeted for yet another unsightly blight on its coastline.

Many businesses in Oxnard have their own peaker plants. More are being built so there is obviously another solution to the need for more power. With all these peaker plants there is even less need for this one to be built on the Oxnard coast.

This peaker plant is not coastal dependent. If it is needed, which is doubtful, it could just as easily be built inland where the demand for new power is greater. Why not build it in a community that has no power plants?

I urge you to deny this appeal and stop this peaker plant from being foisted upon a community that is united against it.

Sincerely,

Nancy Pedersen
514 East Kamala Street
Oxnard, CA 93033

Need a new ride? Check out the largest site for U.S. used car listings at [AOL Autos](#).

Cassidy Teufel

From: Norman Eagle [greeneagle2@verizon.net]
Sent: Tuesday, April 29, 2008 1:34 PM
To: Cassidy Teufel
Cc: bterry@webtv.net
Subject: Southern California Edison Appeal A-4-OXN-o7-096

Dear Mr./ Ms. Teufel:

We urge you to reject the Southern California Edison Company appeal A-4-OXN-07-096, on the following grounds:

The location for the peaker plant is inimical to population health

It is expected that thousands of tons of CO2 will be emitted from the plant which is exactly what is NOT needed at this perilous time of encroaching global warming,

The SCEC should be encouraged to use this investment to explore less dangerous approaches to energy production.

Is the Commission aware that work has just begun on the construction of a residential development of OVER 200 UKNITS – JUST ACROSS THE STREET from the proposed Plant. I repeat: JUST ACROSS THE STREET. This alone should disqualify the proposal.

We trust the Commission will do the right thing for our people, and our planet.

Norman and Betty Eagle
2037 Majorca Dr
Oxnard, 93035
(805) 382-0969.

May 8, 2008 Agenda Item 12-c
Appeal No. A-4-OXN-07-096
Opposed

Shirley Godwin
3830 San Simeon Ave.
Oxnard, CA 93033
April 28, 2008

Attn: Alison Dettmer
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

RE: Appeal No. A-4-OXN-07-096 (So. California Edison Co., Oxnard) Item 12-c

Members of the Commission:

I am writing on behalf of the Oxnard community group, the Saviers Road Design Team. The name of our group comes from the name of a major road in Oxnard. We are all local volunteers in our community who are working to revitalize and improve our City. Because Oxnard is bordered by the ocean on both the south and west, one of our major focuses is the coast. We see our coastal areas as key to improving our quality of life and economic vitality.

We urge the Coastal Commission to deny the appeal. Members of our group attended the Southern California Edison Open House, the Oxnard community meeting, the Oxnard Planning Commission and the Oxnard City Council hearings on this Peaker project. Edison officials also made a special presentation to our group, and we asked them many questions.


The written and oral staff reports at the Oxnard hearings were extensive and discussed at length. We do not believe that any substantial issues remain that were not already thoroughly covered at the Oxnard hearings regarding the relevant Local Coastal Plan sections and the definition of "coastal-dependent energy facility." Certainly Oxnard officials would be the most knowledgeable about the intent of the language in the LCP.

The ruling by PUC President Michael Peevey, the assigned commissioner, states "... SCE should pursue the development and installation of up to 250 MW of black-start, dispatchable generation capacity within its service territory for summer 2007 operation." The ruling does not require a peaker plant specifically in Oxnard, and it definitely does not require a peaker in the coastal zone.

It is important to note that there was no action taken on the MND by the Oxnard Planning Commission or the Oxnard City Council and that a number of speakers at the Oxnard hearings addressed the inadequacy of the MND and the need for a full EIR. The speakers stated that any industrial facility, especially a power generating facility, located in the fragile and sensitive coastal zone, must have full environmental review.

- Alternative sites must be evaluated in an EIR. Edison officials have stated in public meetings that the Mandalay Beach site was their preferred site but not the only alternative. For example, since the Peaker is not coastal dependent, the SCE substation in Moorpark, and other inland alternatives that are not in the Coastal Zone, must be evaluated.
- Peaker plant emissions must be accurately evaluated in an EIR. SCE's statement that the Peaker will result in a slight decrease in emissions because of a local source must be questioned, because the electricity will first be transmitted to the Santa Clara Station in Ventura, CA before any distribution to the Oxnard area or to other local areas. SCE's emissions projections are calculated and averaged on a yearly basis rather than a daily basis of actual days of Peaker use, which understates the emissions during actual use.
- The Mandalay Beach site cannot be presumed to be an expansion within an existing site because this site and the neighboring Reliant Generating Station site are under separate ownership. In addition, the Independent System Operator is studying the Reliant Mandalay Generating Station as not essential to the grid and not suitable for repowering, and it is anticipated that it will be decommissioned.
- Environmental Justice must be addressed in an EIR. Oxnard has a significant minority population. Oxnard is already home to two power generation plants at Mandalay Beach and Ormond Beach as well as several cogeneration plants operated by private companies. The Halaco metals recycling Superfund Priority listed site is also in Oxnard.

Sincerely,

 Signature on File

Shirley Godwin, Chairperson
Saviors Road Design Team - Oxnard, CA

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DIRECTOR
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

May 3, 2008

Re: Commission Appeal A-4-OXN-07-096

To Whom It May Concern:

I am asking you to not approve the above appeal to construct and operate a larger power plant. I do not believe the environmental concerns have been adequately addressed as far as the effect on water quality, wetlands destruction and most importantly the air quality for the nearby population.

Once this project is approved, there is no turning back and the damage can be irreversible. We and the commission have an obligation to help protect this valuable area for future generations and to protect the public health.

Please do not approve the above appeal.

Thank you,

Signature on File

Lloyd Pilch
5207 Whitecap St.
Oxnard, CA

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MAY 05 2008

OFFICE OF THE
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Angela Slaff
5131 Wavecrest Way
Oxnard, CA 93035

May 4, 2008

California Coastal Commission
South Central Coast District
89 South California Street, Suite 200
Ventura, CA 93001-2801

What a disappointment to read in the Ventura County Star newspaper that the California Coastal Commission is recommending approval of a 45-megawatt "peaker" power plant at 251 North Harbor Boulevard, Oxnard, CA.

Please consider all of the hazzards that such a plant would bring to our neighborhoods. Not only is the tower that is included in the building plans right in the flight path of Oxnard Airport, but more importantly the pollutants put out by this plant will add substantially to our already overburdened atmosphere.

We already have Reliant Energy next door to this proposed plant. One can see the steady stream of pollutants streaming out of it's smoke stack daily.

It is my understanding that most of the energy this plant will provide is not for Oxnard area, but for cities quite a ways away from here. Why not build plant in not so populated area.

In closing, let me ask you this: If you lived within a few blocks of this proposed "Peaker" plant, would you approve this plant in your back yard?

Sincerely,

Signature on File

Angela Slaff



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CALIFORNIA
COASTAL COMMISSION

May 1, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Ste. 2000
San Francisco, CA 94105

Dear Chairman Kruer and Commissioners,

The hospitality industry within the Oxnard and Ventura County is a major contributor to the economic vitality of our community. Our guests expect the comforts of home as well as not experiencing down time to their business day or their recreational time.

As our community grows the demand for electrical power will continue to increase and the loss of power due to over extending usage. Natural disasters are always another possibility for curtailing our electrical power availability. We believe the approval and construction of the Oxnard Peaker Plant will provide the backup power needed in the event these two situations arise.

Oxnard tourism continues to grow as we become a destination for our beaches, sporting activities and weather. We believe the proposed site along Harbor Blvd. is an ideal location as it has an established Southern California Edison plant already in place.

We sincerely hope a solution is reached to expedite the current proposal of the Oxnard Peaker Plant.

Sincerely,

Signature on File

Patrick L. Mullin, CHA
General Manager




Guadalupe Gonzalez Ph.D., M.P.H.
Executive Director

EL CONCILIO
del Condado de Ventura

TO: Patrick Krueger, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
Oxnard, CA 94105

Fax (415) 904-5400

FROM: Guadalupe Gonzalez 
Executive Director
El Concilio del Condado de Ventura
Phone: (805) 486-9777 X 228

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CALIFORNIA
COASTAL COMMISSION

Attached please find letter of support. If you need any additional information, please contact me at 805-486-9777 X228.

Thank you.

108



EL CONCILIO
del Condado de Ventura

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Economy

Olivia Obregon
Lazer Broadcasting

Michelle Pettes
The Gas Company

Maria L. Pelaya
Citibank

Rudy Gonzales
Southern California Edison

May 5, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RE: SCE Peaker Project Proposal

Dear Mr. Patrick Kruer,

The board of El Concilio del Condado de Ventura has reviewed Southern California Edison's peaker proposal and has taken a position to SUPPORT the project.

Electricity is essential to the constituents we serve and to our own daily operations. The proposed plant will provide additional local resources that are needed as the community of Oxnard continues to grow. It will provide added insurance that our city will not have to experience rotating outages.

We respectfully request that the California Coastal Commission APPROVE Southern California Edison's peaker project.

Sincerely,

Signature on File

Guadalupe González, Ph.D., M.P.H
Executive Director
El Concilio del Condado de Ventura



109



Tom Waddell, CLU
State Farm: Providing Insurance and Financial Services
License #0452893
1851 N Lombard St Ste 203
Oxnard, Ca 93030
Office: 805-604-1800 or 800-326-2033
Fax: 805-604-1877

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MAY 06 2008

CALIFORNIA
COASTAL COMMISSION

May 2, 2008

Mr. Patrick Krueer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

RE: SCE Proposed Peaker Power Plant

Dear Mr. Krueer:

I support the construction of the proposed peaker power plant by Southern California Edison. I am dismayed by the negative reception this project has incurred.

The plant will generate electricity that is tied into the local electrical system and used in Oxnard and Ventura County. As a business person in Oxnard, I have had too many occasions where our power has either gone down during office hours or over the weekend. The problems associated with these power outages for a business that relies heavily on electronic data and systems are many. The rotating power outages that we have all faced in the past will grow as the demand increases. We have also experienced many power outages in our home in Camarillo. In addition to providing the necessary electricity at peak times, the plant would utilize the cleanest burning technology and would have minimal impacts to the environment.

I believe that there are little or no alternatives to provide the necessary power to Ventura County and Oxnard other than the proposed plant. As we continue to grow, the importance of reliable, safe, and clean energy is paramount. My local State Farm associates and business colleagues will be very unhappy if this project is rejected. We hope and trust that you and your colleagues will agree with our viewpoint and approve the construction of this power plant. I believe the failure to take advantage of this opportunity would be a mistake.

Thank you for this opportunity to share my views.

Sincerely,

Signature on File

Tom Waddell

Cc: Rudy Gonzales, SCE

May 3, 2007

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CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

California Coastal Commission
South Central Coast District
89 South California St., Suite 200
Ventura, CA 93001-2801

Ladies and Gentlemen:

I am writing to express my discontent with the proposed Peaker Power Plant. I fail to understand why this plant needs to be put in this area!! The plant should be put in the area where the power is needed—somewhere where the air conditioners are running day and night!

We have bought expensive property in this area because we need the cool breezes and clean air for our health. Many of the homeowners in this area moved here because they wanted out of the hot, smog-infested valleys. This plant will affect our air quality negatively. Even the Edison literature states that there are emissions of nitrogen oxide, volatile organic compounds, ammonia, and carbon monoxide! Do we want this in our pristine beach community??

The city of Oxnard denied the construction of this “peaker” plant, and I fail to understand why the Coastal Commission recommends its approval. **I thought the Coastal Commission was all about preserving the beauty, accessibility, and pristine condition of our coastline. What are you thinking? Obviously, you’re not!!!**

Sincerely,

Signature on File

Art & Janice Serote
5020 Amalfi Way
Oxnard, CA 93035

Mildred A. Miele
3107 South Harbor Blvd.
Oxnard, CA 93035

May 5, 2008

California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

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CALIFORNIA
COASTAL COMMISSION

RE: Peaker Power Plant, Harbor Blvd, Oxnard
Commission Appeal No: A-4-OXN-07-096

It is time the California Coastal Commission begins considering the welfare of the citizens of Oxnard and not special interest groups. Several years ago I attended a Coastal Commission meeting where members extended the Ventura County dump which was located in Oxnard, far beyond the timeframe it should have been in operation. No consideration was given the citizens of Oxnard who were affected by the pollution from the dump. Now the California Coastal Commission is again using Oxnard as a dumping ground overturning the decision of the City of Oxnard to deny the construction and operation of a 45-megawatt "peaker" power plant on our beautiful coastline.

Following are some of the many reasons this plant should NOT be built:

1. Volatile chemicals will be stored at the Edison sight at close proximity to residences.
2. Exhaust release stack will be high enough to affect the flight plan of planes flying to/from Oxnard Airport.
 - a. Will planes be dangerously redirected to fly over homes? Several small planes with engine problems have already made emergency landings on our streets.
3. Oxnard citizens have had more than their share of polluting operations in our area:
 - a. When Raytheon's Oxnard location was closed, pollutants were left in the ground.
 - b. A business on 5th Street between Harbor and Victoria left contaminated soil when it closed its' operations.
 - c. Oxnard is the home of the Ventura County Naval Base and Point Mugu which are generators of pollutants. I was employed for a government contractor and was appalled when I worked on documents for testing missiles on the bases which included nuclear energy and its hazardous waste.
4. The Ventura County dump was located in Oxnard, polluting our air and soil much longer than should have been allowed thanks to the California Coastal Commission.
5. There is a Reliant Energy Plant operating right next to the proposed site of the peaker power plant. There are already enough chemicals and pollutants involved in this operation.
6. There is a marine sanctuary right off our coast. Oxnard is home to many species of wild life. Their safety should also be taken into consideration.
7. **THE ENERGY WILL NOT EVEN BE USED FOR OXNARD.** Why not locate the plant away from homes and in the area where the energy will be used.

Would members of the California Coastal Commission care to live so close to this plant??? I think NOT!! It is time Oxnard is considered more than just a dumping ground for pollutants.

Mildred A. Miele

Robert L. Duarte
2081 N. Oxnard Blvd #191
Oxnard, CA 93036

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CALIFORNIA
COASTAL COMMISSION

Patrick Kruer, Chair
California Coastal Commission
45 Fremont St, Ste 2000
San Francisco, CA 94105

RE: Oxnard Peaker Plant

Honorable Chair Kruer,

This letter is written in support of the Coastal Commission's staff recommendation that you overturn the City of Oxnard and issue a Coastal Development Permit for this electrical generation facility.

My support is based on the fact that this facility is proposed for a site that is designated for energy production the approved Oxnard Local Coastal Plan and supports the existing Reliant energy generating facility, which is a coastal dependent industrial use. If this facility cannot be sited at a location already designated for such use under the Coastal plan – where can it be sited?

My support is also based on the fact that this peaker plant is needed to protect coastal communities from Southern Ventura County to through Santa Barbara County from brownouts, blackouts & the risk of long term power outages. Whether such occurrences are the result of natural disasters or excess demand on a region-wide or state-wide basis, they represent real threats to the health (especially the health of the infirm), welfare (especially the welfare of the most needy) and the economy of our community. By supplanting the coastal energy supply and providing a means of quick startup for the reliant Energy facility, the peaker plant can moderate, if not prevent, these occurrences.

I am a resident of Oxnard & the individuals who have spoken in opposition of the peaker plant do not speak for me. I find it presumptuous that these individuals purport to speak on behalf of persons like me – who they have never consulted.

Sincerely,

Robert Duarte



Haas Automation, Inc.

May 1, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105

Dear Chairman Kruer:

Haas Automation, an Oxnard-based employer of 1500 people strongly supports Edison's proposed peaker power plant. Our future growth is dependent on this project.

Over the past 10 years in which Haas Automation has been an Oxnard resident, we have suffered hundreds of thousands of dollars in downtime and damaged equipment due to interruptions in electricity. This is an unnecessary burden on our company. We are already under great pressure to improve efficiency and better compete with offshore competitors.

While alternative sources of power are preferred and supported by Haas, the fact is that those alternative sources do not exist today and without them we are being unnecessarily penalized. I urge you to consider Southern California Edison's peaker project. This immediate and relatively clean source of power is needed today.

Sincerely,

Signature on File _____

Peter Zierhut
Director of Corporate Relations
Haas Automation, Inc.

Thomas C. Nielsen
994 East Collins Street
Oxnard, CA 93036

May 1, 2008

Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Ste. 2000
San Francisco, CA 94105

Re: Oxnard (McGrath Beach) Peaker Plant

Honorable Chair Kruer:

This letter is written in support of the Coastal Commission's staff recommendation that you overturn the decision of the City of Oxnard and issue a Coastal Development Permit for this electrical generation facility.

My support is based upon my understanding of the function of the proposed facility and the need for its energy production to be included in the state's power grid. The site that is proposed is currently designated to be used for the production of electrical power and has done so in its past. The need for this facility to be located at McGrath Beach is well founded due to location of this county in relation to the overall power grid, we have found ourselves near the "end" of the power grid.

My support is also based upon my understanding of the duty cycle (of power energy production) that this facility will be asked to undertake during its operational life, and this understanding is critical for the local residents to comprehend. The complex function and operation of the current grid is based on interdependent power generation facilities and the supported population centers, in order for the population centers to be assured of an adequate supply of un-interrupted power, the utility has to have energy plants it can call upon in times of extreme need. This means that old facilities need to be replaced by modern and more efficient ones. This modular facility is an example of a new generation plant being placed next to old technology, for the purpose of start up, support and one day replacement of that older equipment.

In closing, as a long time resident of Oxnard, I would like to point out that the general community is under the misconception that our two old existing power plants (within the Oxnard sphere of influence) are fully operational and are generating at their full power capacity for the grid, this could not be further from the truth, the technology they currently have (as you are aware) does not allow them to do so, as the local air quality would then be seriously degraded and the lawsuits to shut them down would follow. The belief that this peaker plant is an unnecessary addition to an already plentiful energy supply is false, and arguments made to this point are also false. We are in need of this upgrade (as well as many others) to our states electrical grid. We will be the recipients of this improvement, so I ask that the commissioners act for the good of the state as well as the residents of Ventura County. I urge you to issue a Coastal Development Permit for this facility.

Sincerely,



Signature on File
Thomas C. Nielsen



DFD ENTERPRISES, INC.

LIC. NO. 314958 P.O. BOX 802, CAMARILLO, CA 93017 (805) 485-7722 981-4312

~~2655 VENTURA BOULEVARD, OXNARD, CALIFORNIA 93058~~

620 Graves Avenue, Oxnard, CA 93030

July 30, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 94105

RE: SCE Proposed Peaker Power Plant

Dear Mr. Kruer:

DFD Enterprises, Inc. has been in the Oxnard plain for many, many years. We have experienced several electrical outages and brown outs especially during the summer months. We recognize the importance of stable electricity to the residents and the business community. Stable electricity is crucial to the overall operation of our business.

To this end, DFD Enterprises, Inc. strongly supports Southern California Edison's Peaker Project at 251 N. Harbor Blvd. This project is located on SCE land adjacent to generating station formerly occupied by station fuel tanks. The area is parcel zoned and designated for Energy Production in Oxnard. We feel the City Oxnard should do everything within its powers to prevent power interruptions as a result of any unforeseen natural disaster, such as earthquakes, fires, etc. Quick start generation to provide energy is urgently needed.

The business community, the City of Oxnard and its residents all need backup sources of electricity now. We urge you to support this most important project.

Sincerely,

SIGNATURE ON FILE *lmanno*

Florence LaManno
President/CEO
DFD Enterprises, Inc.

cc: Rudy Gonzales, SCE -



May 5, 2008

Mr. Patrick Kruer
Chairman- Cal. Coastal Commission
45 Fremont St. Suite 2000
San Francisco, Ca. 94105

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CALIFORNIA
COASTAL COMMISSION

Dear Chairman Kruer;

As the Public Relations Director for six large automobile dealerships, we are always looking for ways to conserve energy and electricity. Currently we operate three dealerships in the city of Oxnard, Ca.

From everything I've heard and read about Southern California Edison's proposal to build a peaker plant here, it seems to be a win-win for local business who strives to maintain a profit in these tough challenging times.

There have been cases in the past when, during particular busy selling weekends, we have lost power and consequently lost business due to inability to process much needed paperwork.

As I understand it, the proposed peaker plant would provide added power directly to Oxnard.

And with much of the needed infrastructure already in place, I urge you and the commission to look favorably on this project.

Best regards,

Signature on File

Shane Morger
PR Director
Bunnin Automotive Group



VCEDA's Mission Statement: To advocate for policies, legislation and programs that stimulate business and a vital economy as the foundation for a vibrant quality of life in Ventura County.

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May 2, 2008

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Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

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United Way of Ventura County
- Tom Sundling
ITS Corporation
- Anthony J. Taormina
Oxnard Harbor District
- Zoe Taylor
Federated Chambers of Ventura County
- Dick Thomson
Procter & Gamble Paper Products
- Rob Westberg
Amgen, Inc.
- Dave White

Re: SCE Proposed Peaker Plant in Oxnard

Dear Chairman Kruer:

The VCEDA Board of Directors is in support of Southern California Edison's proposed Peaker Plant near the Mandalay Generating Station in Oxnard.

VCEDA recognizes the importance of stable electricity to residents and businesses in Ventura County. We believe this peaker plant will help ensure that outages and brown outs will be reduced this summer and beyond.

Also, the peaker plant will help provide higher quality electricity to local companies with equipment sensitive to voltage fluctuations.

We urge the California Coastal Commission to approve this application that will help maintain quality electric service to Oxnard residents and businesses.

Respectfully,

Signature on File
Bill Buratto
President/CEO

118



National Environmental Respect Award Winner



May 2, 2008

Mr. Patrick Kruer, Chair

California Coastal Commission

45 Fremont St., Ste 2000

San Francisco, CA 94105


Dear Chair Kruer.

AG RX is an Oxnard based employer with 125 employees. We have been headquartered in Oxnard for over 50 years. We strongly support Edison's application for the proposed peaker plant.

AG RX cannot be exposed to grayouts or blackouts caused by a lack of available electricity. This peaker plant will be at the end of a transmission line and would directly benefit our community when the need arises. Their proposal is to construct it next to an existing and operating facility and would be on property designated for this type of use for over 35 years

Please give Edison's application favorable consideration.

Sincerely,


Signature on File
Joseph E. Burdullis

CFO, AG RX

OFFICES

OXNARD: 751 South Rose Avenue • P.O. Box 2008, Oxnard, California 93034 • Phone (805) 487-0696 Fax (805) 483-6146
FILLMORE: 186 East Telegraph Road, Fillmore, California 93015 • Phone (805) 524-2687 Fax (805) 524-1412
SOMIS: 3250 Somis Road, Somis, California 93066 • Phone (805) 386-2674 Fax (805) 386-1234
GOLETA: 6150 Francis Botello Road, Goleta, California 93117 • Phone (805) 681-1686 Fax (805) 681-1689

May 1 2008
1917 N Dwight Av
Camarillo CA
93010-3852
(805) 482-5282

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont St. Suite 20000
San Francisco, CA 94105
Fax (415) 904-5400

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MAY 02 2008
CALIFORNIA
COASTAL COMMISSION

Subject: So. CA Edison's Oxnard peaker project

Chairman Kruer and Commissioners:

I am associated with Calleguas Municipal Water District.

Calleguas M W D serves approximately 550,000 people in the cities of Simi Valley, Moorpark, Thousand Oaks, Camarillo, Port Hueneme, both Navy bases and Oxnard.

Water is the life blood of all communities.

Electricity is necessary for pumping, purifying and distribution of potable water.

The proposed peaking generation plant at Oxnard will assure that Calleguas' water will be delivered to our customers.

I encourage the California Coastal Commission to approve the peaker project in Oxnard.

Signature

9
Signature on File
Don Hauser
Calif. C E 20406



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MAY 02 2008
CALIFORNIA
COASTAL COMMISSION

May 1, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Ste. 2000
San Francisco, CA 94105

Dear Chairman Kruer and Commissioners,

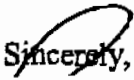
The hospitality industry within the Oxnard and Ventura County is a major contributor to the economic vitality of our community. Our guests expect the comforts of home as well as not experiencing down time to their business day or their recreational time.

As our community grows the demand for electrical power will continue to increase and the loss of power due to over extending usage. Natural disasters are always another possibility for curtailing our electrical power availability. We believe the approval and construction of the Oxnard Peaker Plant will provide the backup power needed in the event these two situations arise.

Oxnard tourism continues to grow as we become a destination for our beaches, sporting activities and weather. We believe the proposed site along Harbor Blvd. is an ideal location as it has an established Southern California Edison plant already in place.

We sincerely hope a solution is reached to expedite the current proposal of the Oxnard Peaker Plant.

Sincerely,


Signature on File
Patrick L. Mullin, CHA
General Manager

Commission Appeal No. A-4-oxn-07-096
Nancy Symons

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CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

**Coastal Commission
South Central Coast District Office
89 South California Street, Ste 200
Ventura CA 93001**

April 29, 2008

Re: Commission Appeal No. A-4-oxn-07-096

Dear Commissioners:

I have lived in the coastal area of Oxnard for over 7 years. I do not believe the proposed Edison Peaker Plant is an appropriate use for the coastal region of Oxnard. There will be negative visual, noise and biological environmental impacts to this proposed plant that will not be able to satisfactorily be mitigated.

Please protect our precious coastal area from further negative impact.

Thank you.

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MAY 02 2008

CALIFORNIA
COASTAL COMMISSION



Signature on File



Nancy Symons
5222 Sandpiper Way
Oxnard, CA 93035
805-985-1177

SHERMAN N. MULLIN
665 MANDALAY BEACH ROAD
OXNARD, CALIFORNIA 93035-1051

TEL. 805-985-1413
EMAIL: MOON1@ROADRUNNER.COM

RECEIVED
MAY 01 2008
CALIFORNIA
COASTAL COMMISSION

April 28, 2008

California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Reference: Appeal No. A-4-OXN-07-096

Ladies and Gentlemen:

We strongly oppose the proposed Southern California Edison peaker power plant at 251 N. Harbor Boulevard, Oxnard, CA, for the many reasons which follow.

The proposed plant does not require cooling water, as does the adjacent Reliant Energy power plant, so it need not be ocean adjacent.

The proposed site is surrounded by pristine prime state owned coastal land, to which the proposed plant would be a permanent eye sore.

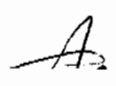
The site is in an area where a major remediation effort has been made to restore land to its natural state. This is true of land across the street and also of many acres to the north. The proposed plant would be a blatant reversal of this major initiative.

The current Reliant Energy plant is fully capable of supplying electrical power on a peaking basis.

In summary, allowing an electrical power plant to be established in this prime coastal location would be an outrageous reversal of the fundamental stated objectives of the California Coastal Commission. Please live up to your sober obligations to the people of California and reject Southern California Edison's appeal.

Yours truly,

Signature on File
Judia B. Mullin


Signature on File
Sherman N. Mullin

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MAY 05 2008

CALIFORNIA
COASTAL COMMISSION

May 8, 2008 Agenda Item 12-c
 Appeal No. A-4-OXN-07-096
 Opposed

Patricia Einstein
 2014 Long Cove Dr.
 Oxnard, CA 93036
 April 29, 2008

Attn: Alison Dettmer
 California Coastal Commission
 45 Fremont St., Suite 2000
 San Francisco, CA 94105-2219

RE: Appeal No. A-4-OXN-07-096 (So. California Edison Co., Oxnard) Item 12-c

Members of the Commission:

I am writing on behalf of the children of Oxnard. I am a teacher and resident in Oxnard. I teach my second grade students numerous California teaching standards as well as the difference between right and wrong behavior.

One thing they are reminded of daily is the fact that I am here to help them and protect them. If I have any reason to believe someone is doing harm to them, I am required by law to report it to the proper channels to be investigated.

Today I am here to report to you that these children have a right to go the beach and enjoy its' natural beauty. Oddly, that is not so in Oxnard. Oxnard has been a victim of coastal neglect and abuse since before the Coastal Act was established. The majority of its residents are lower class Hispanics and the city is seen as prey to big business.

The city of Oxnard's Planning Commission and City Council said no to this peaker plant!

Consider this analogy:

A small child isn't sure how to stop an adult from abusing it, but the child does its' best to say no! Can the adult go around another way and get permission to abuse the child? In my book, NO means No. Don't assist Edison and allow the molestation of the Oxnard coast to continue.

Luckily, the Coastal Act was established. I'm positive that the members of the California Coastal Commission are familiar with the reasons it was established. Let's just look at portions it.

30001.5. The Legislature further finds and declares that the basic goals of the state for the coastal zone are to: (a) **Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.**

30001.2. The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and **coastal-dependant developments**, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state.

30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

30264. Notwithstanding any other provision of this division except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed in the coastal zone if the proposed coastal site has been determined by the State Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516.

The Edison Company wants to put a peaker plant in the coastal zone when it is not a coastal-dependent development.

I could not find any reference in the Coastal Act to a new non-coastal dependent energy development. This peaker plant does not need to be placed here. There are alternative sites. Edison is in process of building peaker plants in Norwalk, Ontario, Rancho Cucamonga, and Stanton. Please don't think I am just being another N.I.M.B.Y. Here in Oxnard we have two other power plants in our back yard and feel we have our share of coastal eyesores.

I truly have faith that the commission is here to protect the coast and will not favor Edison because they were smarter and found a loophole.

Environmental Justice should be addressed in an EIR. Oxnard has a significant minority population. Oxnard is already home to two power generation plants at Mandalay Beach and Ormond Beach as well as several cogeneration plants operated by private companies. The Halaco metals recycling Superfund Priority listed site is also in Oxnard.

Will another power plant be placed here and the public kept in the dark to the degree of contaminants or environmental damage that will occur because of the lack of an EIR? There must be a reason why no plants or animals exist on this Edison site.

At least make Edison go back and complete an Environmental Impact Report so the human health factors of stirring up the sand and the other effects of the Peaker plant can be studied. How do we know it's not another Halaco?

Sincerely,

Signature on File

Patricia Einstein
Teacher at Brekke Elementary
Oxnard, CA
(805) 889-5680

Attn. Alison Dettmer,

Can you please replace my personal 3 page the letter I faxed on Friday, May 2nd with this one and attach it to the 18 student letters. I was in such a rush that I forgot to sign, proof read and change it to legal size.

Thank you so much,
Patricia Einstein

May 19 2008

Dear Commissioners,

Please protect the beach and the plants and animals that live on the beach. We want the beach left alone.

The Edison Plant can go some where else.

Your friends,

Oscar Sosa

Dear Commissioner,

May 1, 2008

Dear Commissioner,

We want to protect the beach. We don't want anything to happen to the animals on the beach. I want to protect all of the fish. Please vote no on the Edison power plant.

Your friends,

Anthony Alzabe

Dear Commissioner,

Dear Commissioner,

Dear Commissioner,

May 1st, 2008

Dear Commissioners,

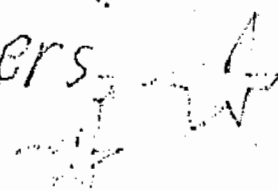
We want the beach to look the way God made it. We don't want the Eds on paint because it will hurt the birds. And it will give pollution to people that go to the beach. We want you to take all the power plants out.

Your friendly

Jordyn Chevalier

May 1, 2008

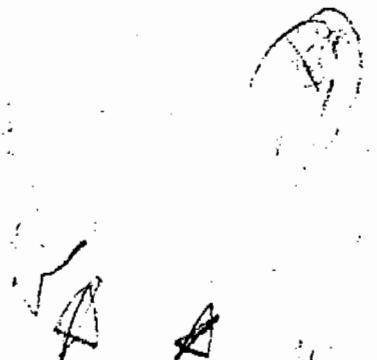
Dear Commissioners,



We want the beach to look the way God made it. We don't want the birds to get hurt. We don't need the Edison plant. We don't need the Edison plant because the people in Oxnard will get pollution.

Your friends,

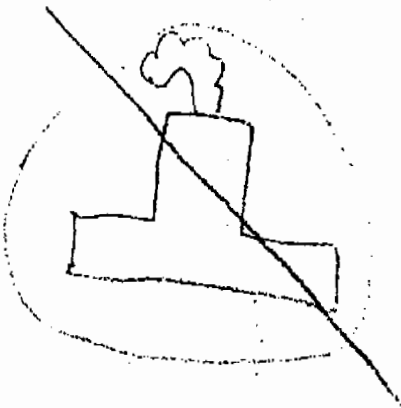
Christian Gostales



May 1, 2008

Dear Commissioners,

We want the beach to look the way God made it. We don't need the Edison plant. We don't want the birds to get hurt. The people don't want the Edison plant. God would not like this on the beach.



Love,

Miriam Covarrubias

May 1, 2008

Dear Commissioners,

We want to protect the beach. It is not fair. We already have 2 power plants. We want the beach to look the way God made it. The people in Oxnard don't want it. The birds will fly away from it.

Love,

Kylie DeLeon

May 1, 2008

Dear Commissioners,

We want the beach
to look the way God
made it. I don't want
the fish to die or birds
to be hurt. I hate the
power plant. It's not
fair and we want you
to take all the power
plants down.



Love,

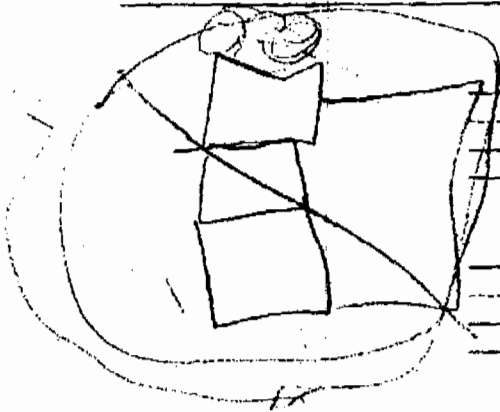
Mia Espinoza



May 1, 2008

Dear commissioners,

I want the beach to be clean. We want the beach natural. I don't want the birds to get hurt. It's not fair because this won't keep the beach clean.



Your friend,

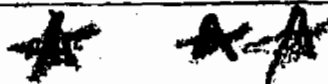
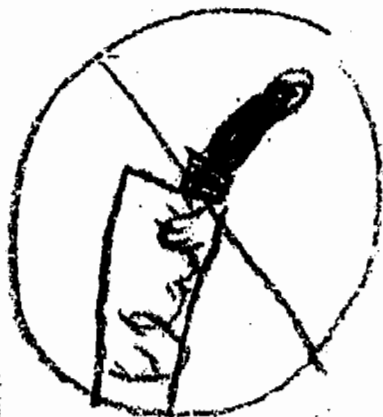
Alec Gonzalez



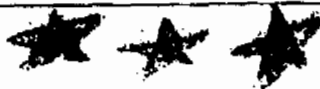
May 1, 2008

Dear Commissioners,

We want to protect the beach. We don't want it because it will hurt our birds. It is not fair. We want you to take all of them down. Please don't put another one in Oxnard. We want to protect our beach.



Your friend,



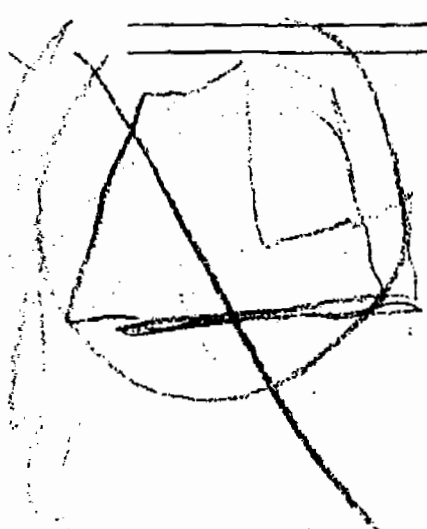
Rebeckah Guevara



May 1, 2008

Dear Commissioners,

We want to protect the beach. We do not want the Edison plant because the smoke will hurt the birds. We want you to take down all the power plants. The smoke will hurt people.



Love,

Bryson Jaramillo

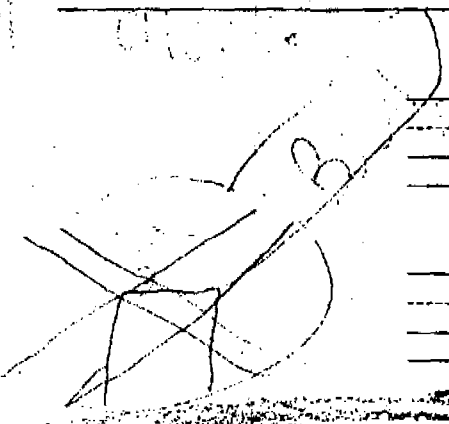


May 1, 2008

Dear Commis...ers



We want to
 protect the loca.
 The b... will not
 look like...
 the loca on plan.
 We don't like the
 smoke from the power
 plant...
 Please...



May 1, 2008

May 17, 2008

Dear Comissioners,

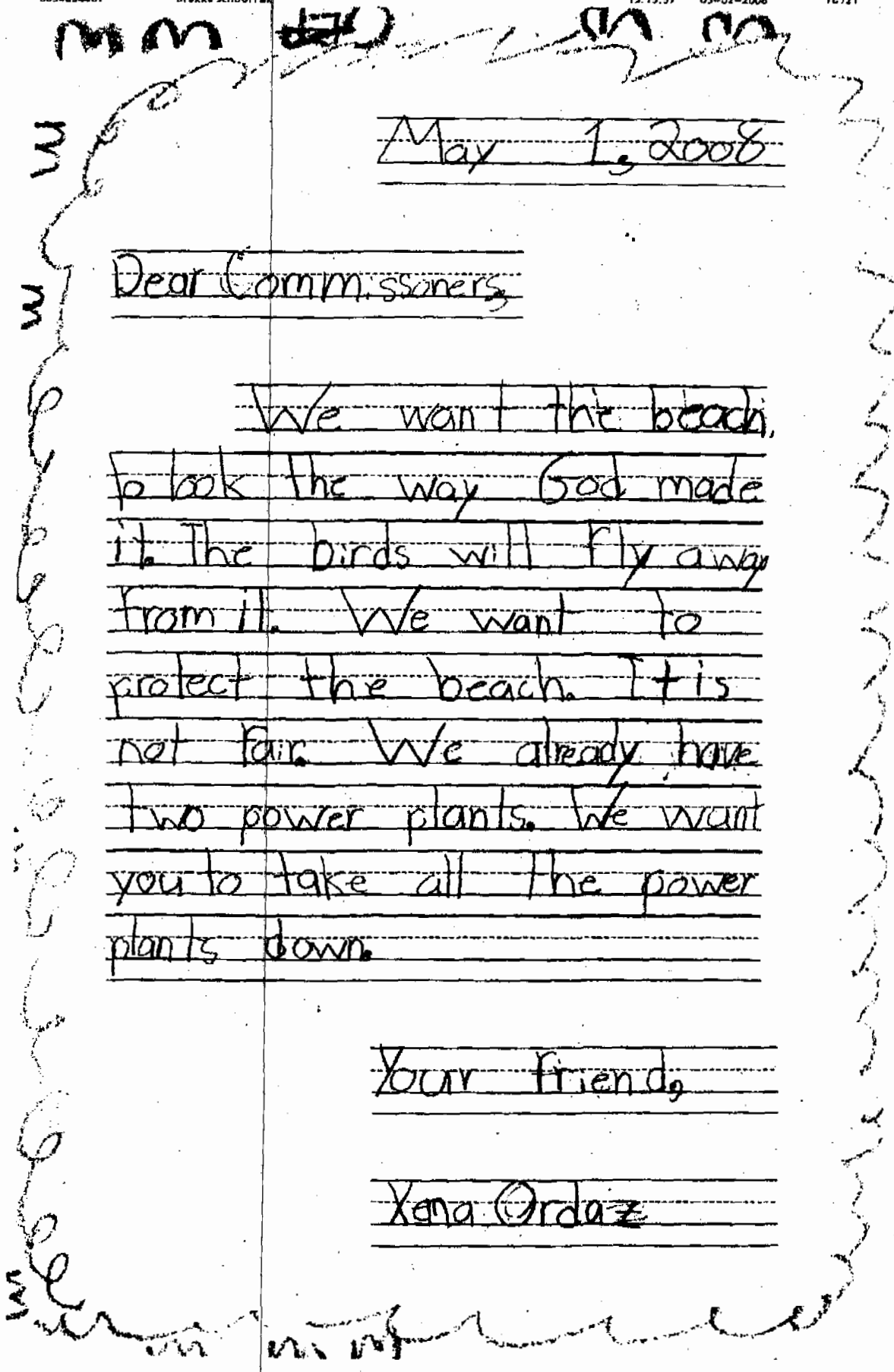
We want the beach to look the way God made it. We want to see the birds and we want you to take all the power plants down. We don't need the Edison plant. Vote no on the peaker plant.



Your friends,

Celest Martinez

(A)



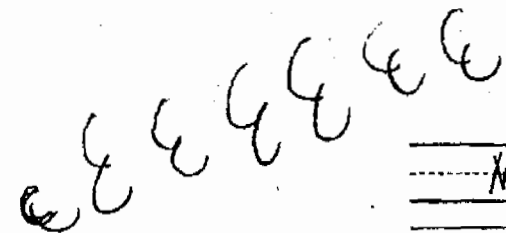
May 1, 2008

Dear Commissioners,

We want the beach to look the way God made it. The birds will fly away from it. We want to protect the beach. It is not fair. We already have two power plants. We want you to take all the power plants down.

Your friends,

Xena Ordaz

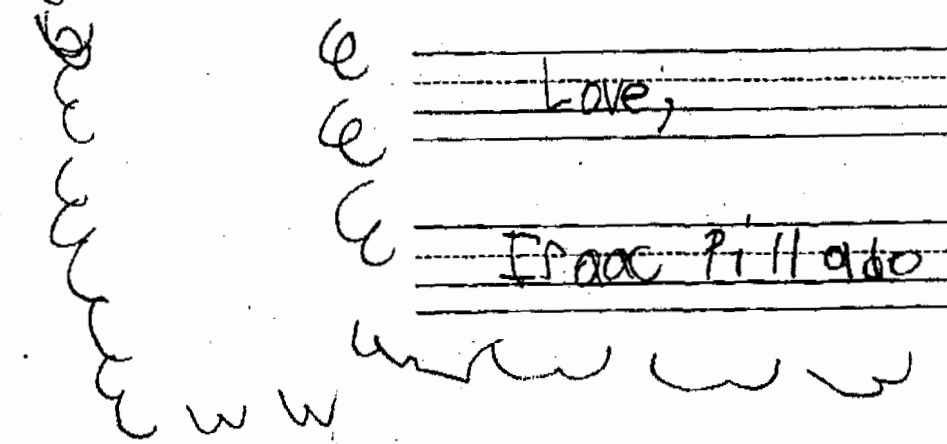

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n
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May 1, 2008

Dear Commissioners,

We want to protect
 the beach. We want the
 beach to be natural.
 We don't want the Edison
 plant. We want the beach
 to look the way God made it.
 The people in Oknard
 don't want it.

Love,
 Isaac Pillado



May 1, 2008

Dear Commissioners,

We want to protect
the beach. We want it the way
God made it. We want to see
the birds. We don't want the
people to get sick. And we don't
want the people to get hurt.

Your friend,

Victor Santander

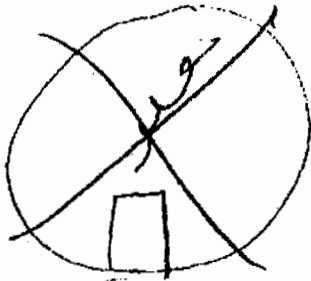




May 29 2008

Dear Comissioners,

The people in Oxnard
don't want the power plant.
I want the birds to
fly and be happy forever.
another Power Plant ever
again. I want the animals
be happy forever.



Love,

Miguel Soto

May 1, 2008

Dear Commissioners,

We want to protect
the beach. It's not fair
we already have 2
power plants. It will
make the plants die.
We don't need 3
power plants. Vote no

Love,
Suzanne

Alex Supkož

**MARC L. CHARNEY
P. O. BOX 9100
OXNARD, CA 93031-9100**

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MAY 02 2008

CALIFORNIA
COASTAL COMMISSION

April 28, 2008

Patrick Kruer, Chair
California Coastal Commission
45 Fremont St., Ste. 2000
San Francisco, CA 94105

Re: Oxnard (McGrath Beach) Peaker Plant

Honorable Chair Kruer:

This letter is written in support of the Coastal Commission's staff recommendation that you overturn the decision of the City of Oxnard and issue a Coastal Development Permit for this electrical generation facility.


My support is based on the fact that this facility is proposed for a site that is designated for energy production in the approved Oxnard Local Coastal Plan and supports the existing Reliant energy generating facility, which is a coastal dependent industrial use. If this facility cannot be sited at a location already designated for such use under the Coastal Plan, then where can it be sited?

My support is also based upon the fact that this peaker plant is needed to protect coastal communities from Southern Ventura County through Santa Barbara County from brownouts, blackouts, and the risk of long term power outages. Whether such occurrences are the result of natural disasters or excess demand on a region-wide or statewide-basis, they present real threats to the health (especially the health of the infirm), welfare (especially the welfare of the most needy) and economy of our community. By supplanting the coastal energy supply and providing a means of quick startup for the Reliant energy facility, the peaker plant can moderate, if not prevent, these occurrences.


One final matter of importance. During the course of the hearings that have occurred prior to the Coastal Commission hearing, several individuals who have opposed this application have stated that they speak for the Oxnard beach community. I am a member of that community and they do not speak for me. I find it presumptuous and offensive that these individuals purport to speak on behalf of persons with whom they have never consulted and from whom they have never received authorization. I trust that the Commissioners will recognize that their statements deserve no credence.

Patrick Kruer, Chair
April 28, 2008

The proposed peaker plant complies with the adopted local Coastal Plan for the Oxnard area. It is a highly beneficial use for Ventura County's and Santa Barbara County's coastal and inland communities. It presents no significant unmitigated environmental risk. I urge you to issue a Coastal Development Permit for this facility.


Sincerely,

Signature on File

 Marc C. Carney

117 Eagle Rock Avenue
Oxnard, California 93035
April 28, 2008

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CALIFORNIA
COASTAL COMMISSION

Mr. Patrick Kruer, Chair
CALIFORNIA COASTAL COMMISSION
45 Fremont Street, Suite 2000
San Francisco, California 94105

Dear Mr. Kruer:

I am writing in support of Southern California Edison's appeal of the Oxnard City Council denial of a permit to build a peaker generation plant at the site of the already existing generation plant in Oxnard. I am the Chief Financial Officer of a local bank, a board member of the Ventura County Economic Development Association and live approximately five miles from the site of the proposed peaker. I pass the site every day on my way to work in Ventura. To the extent someone is likely to be impacted by additional emissions or visual impacts I would fit in that category.

The State of California has recognized the need for additional generation capacity and the CPUC directed SCE to build 5 peaker plants. The local areas of Ventura and Santa Barbara counties do not differ from the rest of California in that they have the same electricity generation limitations and will suffer the potential of brownouts/blackouts in times of peak usage. Because of this it is logical to place additional generation capability in the local geographic area.

While I understand the hesitance of any city to having large industrial plants built in their jurisdiction, the construction of this facility should be approved for the following reasons:

1. Construction of this facility complies with the Coastal Act.
2. The additional environmental impact of this facility would not be significant.
3. The site is already zoned for power generation. The current facility isn't a visual delight, but it won't be significantly worse with the addition of the peaker plant.
4. The peaker plant will provide additional peak generation capabilities and could in times of emergency be a primary source of electricity for critical loads in the local community.

While I will not be able to attend the Coastal Commission hearing on this appeal on May 8, 2008, I do wish to express my support of the appeal and for approval of construction of the peaker plant at McGrath Beach in Oxnard.

Very truly yours,

Signature on File

Gerald I. Rich

BEARDSLEY & SON

CUSTOM DRY & LIQUID FERTILIZERS

(805) 485-2113 2473 CAMINO DEL SOL Fax (805) 485-3364
P.O. BOX 135
OXNARD, CALIFORNIA 93030

April 24, 2008

California Coastal Commission
Mr. Patrick Kruer, Chairman
45 Fremont Street Suite 2000
San Francisco, CA 94105-2219

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MAY 01 2008

CALIFORNIA
COASTAL COMMISSION

Dear Mr. Kruer:

As the owner of a business located in Oxnard, I am writing in support of the Proposed SCE Peaker Project.

The City of Oxnard is currently undergoing rapid expansion in both the commercial and residential arenas. This dramatic expansion must lead us to review our energy needs and determine the best way this increased need might be met. I believe the SCE Peaker Project can be a valuable tool in maintaining a safe, reliable and low impact flow of electricity to the City.

The rolling blackouts required in past years may be avoided with this peaker plant in place. In case of interruptions of service caused by earthquakes or other natural disasters, the peaker plant could provide critical service to Oxnard's businesses, hospitals and homes.

Southern California Edison's proposal addresses many of the concerns of the community, and I believe addresses them appropriately. They have worked hard to reduce the environmental and social impact of building and maintaining the plant while striving to provide the highest quality service possible.

I urge you to help serve the needs of the City by moving to adopt this proposal.

Thank you for your consideration.

Sincerely,

Signature on File

Thomas S. Beardsley, President
Beardsley & Son, Inc.

TSB/cm



ENTERPRISES, INC.

LIC. NO. 314958 P.O. BOX 802, CAMARILLO, CA. 93011 (805) 485-7323 x 981-4312

~~3800 VENTURA BOULEVARD, OXNARD, CALIFORNIA 93020~~

620 Graves Avenue, Oxnard, CA 93030

April 27, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 94105

RE: SCE Proposed Peaker Power Plant

Dear Mr. Kruer:

DFD Enterprises, Inc. has been in the Oxnard plain for many, many years. We have experienced several electrical outages and brown outs especially during the summer months. We recognize the importance of stable electricity to the residents and the business community. Stable electricity is crucial to the overall operation of our business.

To this end, DFD Enterprises, Inc. strongly supports Southern California Edison's Peaker Project at 251 N. Harbor Blvd. This project is located on SCE land adjacent to generating station formerly occupied by station fuel tanks. The area is parcel zoned and designated for Energy Production in Oxnard. We feel the City Oxnard should do everything within its powers to prevent power interruptions as a result of any unforeseen natural disaster, such as earthquakes, fires, etc. Quick start generation to provide energy is urgently needed.

The business community, the City of Oxnard and its residents all need backup sources of electricity now. We urge you to support this most important project.

Sincerely,

Signature on File

Florence LaManno
President/CEO
DFD Enterprises, Inc.

Cc: Rudy Gonzales, SCE

MANDALAY SHORES COMMUNITY ASSOCIATION, INC.
Suite 316
3844 W. Channel Islands Blvd.
Oxnard, CA 93035



May 8, 2008 Agenda Item 12-c
Appeal No. A-4-OXN-07-096
Opposed

CALIFORNIA
COASTAL COMMISSION

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MAY 05 2008

May 4, 2008

Attn: Alison Dettmer
California Coastal Commission
San Francisco, CA 94105-2219

RE: Appeal No. A-4-OXN-07-096 (So. Calif. Edison Co., Oxnard, CA.) Item 12-c

Members of the Commission:

We, the Board Members of the Mandalay Shores Community Association and the Oxnard Shores Neighborhood Council, representing over 1400 residences, within a quarter of a mile of the proposed Edison Peaker plant, oppose this project because of its potential negative environmental impact.

Our main focus is the health and welfare of our beach community. The proposed site of this Peaker plant project is an abandoned fuel tank field, which may contain contaminated soil. Peaker plant emissions and noise also a concern.

Our understanding is that the proposed plant does not require an E.I.R., thus we have no way of knowing what air quality residents will be breathing during and after the construction of this plant. And let's not ignore our natural habitat. How will emissions and the noise of this plant affect the native birds that migrate annually to this nesting area.

Mandalay Beach is already the home of one of the two power generation plants located in Oxnard, CA. An additional Peaker plant and its noise would be aesthetically displeasing, not only to local residents, but also to visitors and vacationers that come to enjoy our tranquil coastal area.

Help preserve our coastal zone. Edison officials have publicly stated that Mandalay Beach is their "preferred" site and that there are alternative sites, not located in a Coastal Zone. Since, the proposed Peaker plant is not coastal dependent, we urge that these alternative sites be considered.



Signature on File

Larry McGrath
President, M.S.C.A and O.S.N.C.
Julie Pena
M.S.C.A. Secretary

Mildred A. Miele
3107 South Harbor Blvd.
Oxnard, CA 93035

May 5, 2008

California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

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MAY 05 2008

RE: Peaker Power Plant, Harbor Blvd, Oxnard
Commission Appeal No: A-4-OXN-07-096

CALIFORNIA
COASTAL COMMISSION

It is time the California Coastal Commission begins considering the welfare of the citizens of Oxnard and not special interest groups. Several years ago I attended a Coastal Commission meeting where members extended the Ventura County dump which was located in Oxnard, far beyond the timeframe it should have been in operation. No consideration was given the citizens of Oxnard who were affected by the pollution from the dump. Now the California Coastal Commission is again using Oxnard as a dumping ground overturning the decision of the City of Oxnard to deny the construction and operation of a 45-megawatt "peaker" power plant on our beautiful coastline.

Following are some of the many reasons this plant should NOT be built:

1. Volatile chemicals will be stored at the Edison sight at close proximity to residences.
2. Exhaust release stack will be high enough to affect the flight plan of planes flying to/from Oxnard Airport.
 - a. Will planes be dangerously redirected to fly over homes? Several small planes with engine problems have already made emergency landings on our streets.
3. Oxnard citizens have had more than their share of polluting operations in our area:
 - a. When Raytheon's Oxnard location was closed, pollutants were left in the ground.
 - b. A business on 5th Street between Harbor and Victoria left contaminated soil when it closed its' operations.
 - c. Oxnard is the home of the Ventura County Naval Base and Point Mugu which are generators of pollutants. I was employed for a government contractor and was appalled when I worked on documents for testing missiles on the bases which included nuclear energy and its hazardous waste.
4. The Ventura County dump was located in Oxnard, polluting our air and soil much longer than should have been allowed thanks to the California Coastal Commission.
5. There is a Reliant Energy Plant operating right next to the proposed site of the peaker power plant. There are already enough chemicals and pollutants involved in this operation.
6. There is a marine sanctuary right off our coast. Oxnard is home to many species of wild life. Their safety should also be taken into consideration.
7. **THE ENERGY WILL NOT EVEN BE USED FOR OXNARD.** Why not locate the plant away from homes and in the area where the energy will be used.

Would members of the California Coastal Commission care to live so close to this plant??? I think NOT!! It is time Oxnard is considered more than just a dumping ground for pollutants.

Mildred A. Miele

RECEIVED

MAY 05 2008

5/4/08

CALIFORNIA COASTAL COMMISSION

FAX-415-904-5400

5/5/08
Ventura office suggested I call.

(SF office)

TO: CALIFORNIA COASTAL COMMISSION

89 South California Street, Suite 200
Ventura, CA 93001-2801
(805) 585-1800

FROM: BILL MILEY, 919 NO. SIGNAL STREET, OJAI CA 93023

Bill Miley

SUBJECT: COMMISSION APPEAL NO.: A-4-OXN-07-096, Southern California Edison Company, Construction and operation of a 45-megawatt "peaker" power plant. Commission meeting 5/7-8-9/08. (I request this appeal be denied)

I would like to make several points in defence of the denial of the appeal by Southern California Edison for their Peaker Power Plant to be located next to the current Reliant Mandalay Generating Plant on Harbor Boulevard in Oxnard, Ca.

1. After reading the staff report of the Commission and seeing that they found a "hole" in the Oxnard City Local Coastal Plan which they interpret as allowing power plants even though they are not coastal dependent, it seems this was never the intent of the city of oxnard to allow new or additional "anykind" of power plants on its coastal dune structures. As populations expand, coastal areas which for the most part are open and still sandy and with residual dunes were intended to be protected. STAFF FINDING A "LOOPHOLE" IN THE OXANRD LCP SEEMS TO VIOLATE THE INTENT OF CEOA OF PROTECTING OUR NATURAL AND IRREPLACEABLE RESOURCE.

2. I don't believe the required section on ALTERNATIVES TO THE PROJECT was adequately done or considered by the staff in their recommendation. The PEAKER PLANT is a stand-alone facility as long as space is available for supporting structures and access to transmission lines is available. It certainly is in other areas of ventura county, such as Moorpark. I would suggest that Edison is trying to save money on land acquisition or lease by using the Mandalay site. This site is not appropriate as it is a one-of-a-kind Pacific Ocean Coastal area and shouldn't be cluttered with a sound generating, visual contaminating non-coastal dependent power generating facility which could be placed relatively easily some place else (by a power generating company which does this as a business).

3. TURBINE NOISE -- I am sure somewhere in all of the documents for this application, there is commentary about the sound levels which will be generated by this Peaker Plant Facility.

But I did not find anything that spoke to the sound/noise production when it is operating. SOUND GENERATION BOTH ATGROUND LEVEL AND AIRBORNE LEVEL WILL BE AN ADVERSE ENVIRONMENTAL ISSUE. The current Mandalay Reliant Plant when operating does not produce any, beyond ambient sound, as my family experiences on the beach have noticed. What is the staff thinking when their only "key" to recommending approval is the "loophole" in the Oxnard City LCPlan and totally failing to address the noise level of this turbine, with no comment or adverse mitigation for this sound generating Peaker Plant Facility.

Lots of sound gets generated by the gas turbine exhaust. According to this website (http://poweracoustics.com/Tech%20Papers%20PDF/NoiseCon_2003_Paper.pdf) POWER ACOUSTICS, INC, ORLANDO, FL ,

"Gas turbine based power generation facilities require customized noise abatement features to achieve various community noise standards or regulations. While many sound sources exist within these facilities, the most complex and costly to silence is typically that related to the gas turbine exhaust."

4. THE NOISE PROBLEM -- SINCE THE PEAKER PLANT IS A GAS POWER TURBINE ENGINE AND WILL GENERATE EXHAUST SOUND FROM ITS OPERATION THIS ENVIRONMENTAL ADVERSE EFFECT MUST RECEIVE VERY CAREFUL ENGINEERING STUDY AND CONCLUSION.

A. MY OPINION AND IT IS A STRONG OPINION BASED ON WHAT I KNOW ABOUT CEQA, IS THAT NO SOUND GENERATING POWER GAS TURBINE SHOULD BE LOCATED IN A COASTAL ZONE UNLESS THERE IS NO OTHER PLACE TO PUT IT AND IT IS A LIFE AND DEATH NECESSITY.

THIS ISN'T!!! IT CAN BE LOCATED OUTSIDE THE COASTAL ZONE, AND LOCATED IN A PLACE TO TOTALLY MITIGATE TURBINE EXHAUST NOISE.

B. ANIMALS, ESPECIALLY BIRDS AND PEOPLE SHOULD NOT HAVE TO EXPERIENCE THE EXHAUST GAS NOISE FROM A PEAKER PLANT TURBINE ON OUR CALIFORNIA COAST.

5. COASTAL COMMISSIONERS: PLEASE LOOK AT THE BIG PICTURE. REJECT THE STAFF RECOMMENDATION AND DENY THIS APPEAL.

THANK YOU

BILL MILEY

Law Office of Tim Riley

MEMBER OF THE
NEW YORK BAR

5246 OUTRIGGER WAY
CHANNEL ISLANDS HARBOR
OXNARD SHORES
CALIFORNIA 93035

MEMBER OF THE
CALIFORNIA BAR

TELEPHONE (805) 984-2350 • FACSIMILE (805) 984-2FAX • WEBSITE TimRileyLaw.com • EMAIL Tim.Riley@gtc.net

California Coastal Commission

Hearing Date: May 8, 2008

Th12c De Novo Review Appeal # A-4-OXN-07-096

PRAYER: DENY

The Appeal Should Be Denied.

Common sense and the integrity of our precious California Coast should prevail.

This appeal should not be granted based upon SCE's untimely and impractical rationale.

Conceded Issues:

Southern California Edison, at prior public hearings, has conceded:

1. The peaker plant can be built inland and does not need sea water for cooling or operation;
2. Optional inland locations for the plant do in fact exist;
3. The plant is primarily intended to provide inland power during peak need.
4. Belatedly, SCE proposes this project in response to an order with a deadline which has passed.

Argument and Reasoning:

The integrity of our coast should be protected by the integrity of our commonsense - not squandered by untimely or impractical rationales. Since the peaker plant does not require seawater for operation or cooling, it would be misguided to permit another power plant on our coveted coast when the same power plant, admittedly, can be built inland. This is true, even more so, where the power generated is intended to service inland communities. Moreover, the 2007 CPUC deadline has passed, and SCE needs a time-machine to "more fully" comply.

Conclusion:

Where coastal resources are so limited, only sound and pressing reason should prevail - not belated or impractical rationales. The proposed peaker plant is not physically or practically dependant on the coast for its operation. SCE should consider building the peaker plant at an available inland site where the power generated is intended for inland use.

Respectfully, please deny the coastal power plant.

Sincerely,

Law Office of Tim Riley

Timothy Clifford Riley
TCR/me

ORE
OCTAVIO R. ELIAS

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MAY 05 2008

CALIFORNIA
COASTAL COMMISSION

1080 MANDALAY BEACH ROAD • OXNARD SHORES • CALIFORNIA 93035

May 1, 2008

ITEM 12-c

Appeal No. A-4-Oxn-07-096

So. Cal Edison, Oxnard

California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Commissioners:

What is your mandate? To protect California's coastline from unneeded and unnecessary development, blight and degradation.

Errors were made many, many years ago with the approval to Edison of the old, existing Reliant Energy power plant on Harbor Bl. that has been polluted the air and interrupted the ecosystem. It was water-cooled and probably less expensive to run which justified its location on the shoreline. The old plant is now obsolete and due to be decommissioned.

The proposed Peaker Plant could be with us forever. It is not coastal dependent. My understanding is that the City of Oxnard has offered other more appropriate sites with minimal red tape. Besides the aesthetic issue, Ventura County is 15th in the nation for smog. To site an industrial facility where the winds will carry particulants to the general population is absurd.

So much has been accomplished in that general area over the past few years with the *privately-funded cleanup of toxic substances* at the North Shore development at the corner of 5th & Harbor. The discovery and propagation of the 'extinct' milk vetch plant has been a success. It is a slap in the face to us all to contradict all the good that we have worked for.

You have a once in OUR lifetime opportunity to Restore the Beach.

Sincerely,

Signature on File

Octavio and RoseMarie Elias

Cassidy Teufel

From: charles godwin [godwinc@earthlink.net]

Sent: Wednesday, July 30, 2008 9:42 PM

To: Cassidy Teufel

Subject: Larry Godwin comments on CCC August 6, 2008, item 7-a Appeal No. A-4-OXN-07-096

August 6, 2008, item 7-a

Appeal No. A-4-OXN-07-096

Southern California Edison

Larry Godwin

Oppose

July 25, 2008

Cassidy Teufel

California Coastal Commission

45 Fremont St., Suite 2000

San Francisco, CA 94105-2219

Members of the Commission:

I am asking the Commissioners to deny the Southern California Edison(SCE) appeal and not permit the construction of the peaker power plant on Harbor Blvd. in Oxnard.

The emissions from the peaker plant in the staff report are averaged over the year, even though the plant will operate 25% of the time. The plant will emit 4 times the average amount of pollution on days when it is in operation (the hottest and most polluting days in Ventura County, which is a non-containment county)

I disagree with Southern California Edison's principal reasons for the Mandalay installation:

1. Black start of the Reliant Mandalay generating station:

- If there was truly a need for Black start of the Reliant Mandalay generating station, a small black start generator could be added to the Reliant plant to start the plant as stated in Footnote 15 on page 52.
- SCE has no control over the Reliant Plant
- The Reliant plant is expected to cease operation within the next few years
- When the Reliant plant ceases operation, the plant area will probably be returned to its natural state

1. Emergency power for the Goleta substation:

- If reliable emergency power is required, the peaker should be at the Goleta substation, not Oxnard. In an emergency in the Santa Barbara/Goleta area, it is unlikely that a small 45-megawatt Peaker at Mandalay would make any difference.
- Page 42 of SCE Exhibit 13 states the Goleta site would provide important local reliability benefits to the Goleta subsystem.

For the reasons noted above, location of the SCE peaker plant installation at Oxnard is not justified.

Public Utilities Commissioner Michael Peevey's "Assigned Commissioner's Ruling Addressing Electric Reliability Needs in Southern California for Summer 2007" is no longer applicable and should not be construed as justification for the need of a peaker plant at Mandalay Beach in Oxnard. It is also too late for construction of this peaker for 2008 summer use.

There is also the general question of the need for this 45 megawatt peaker at all.

Attached below is "State electricity surplus going into summer", by David R. Baker, SF Chronicle Staff Writer, Wednesday, May 21, 2008.

Sincerely,

Larry Godwin

3830 San Simeon Ave

Oxnard, CA 93033

State electricity surplus going into summer

David R. Baker, SF Chronicle Staff Writer

Wednesday, May 21, 2008

California should have more than enough electricity this summer to keep the lights on and the air conditioners humming, state officials said Tuesday.

In its annual summer forecast, the California Energy Commission said the state should have 22 percent more power on tap than it will need for typical summer weather.

Even in an unusually hot summer, the state wouldn't run out of juice. California would still have 14 percent more electricity than needed, according to the forecast. State energy regulators try to maintain a cushion of 15 to 17 percent, on average.

Electricity supplies should be ample despite a dry spring that will lower the amount of energy generated by hydroelectric dams in the Sierra.

But California officials say don't consider the rosy forecast an excuse to waste power. They are relying on energy conservation and efficiency to cut the number of new power plants needed in the state, and they don't want people to stop saving now.

"While California is in a good position this summer, even with lower hydro electricity available, we urge consumers to continue conserving electricity on hot afternoons," said Melissa Jones, the energy commission's executive director. "Energy efficiency measures will help consumers reduce their electricity use during peak hours and save money."

California officials have kept a watchful eye on summer power supplies ever since the state's electricity crisis of 2000 and 2001, when a combination of high energy demand, congested power lines and market manipulation by energy companies caused blackouts across the state.

Since then, California has added 38 power plants, according to the commission. Although some older plants have been decommissioned, enough electricity has been added to the state's grid since 2001 to power 5.2 million homes. This summer, the state also will be able to import more electricity than usual from hydroelectric dams in the Pacific Northwest, which experienced a wet winter and spring.

Northern California faces less than a 1.5 percent chance of rotating blackouts this summer, according to the forecast. Southern California has a higher possibility of blackouts - about 3.8 percent.

--- Shirley & Larry Godwin
--- godwinc@earthlink.net

Cassidy Teufel

From: charles godwin [godwinc@earthlink.net]

Sent: Wednesday, July 30, 2008 11:33 PM

To: Cassidy Teufel

Subject: Shirley Godwin comments on CCC August 6, 2008, item7-a Appeal No. A-4-OXN-07-096

August 6, 2008, item7-a

Appeal No. A-4-OXN-07-096

Southern California Edison

Shirley Godwin

Oppose

July 30, 2008

Cassidy Teufel

California Coastal Commission

45 Fremont St., Suite 2000

San Francisco, CA 94105-2219

Members of the Commission:

My comments address the California Coastal Commission staff report dated July 2, 2008 for the Southern California Edison Oxnard Mandalay Peaker project.

On page 6, III Special Conditions, # 2 Mitigation Measures it states, "This permit incorporates those mitigation measures identified in the **uncertified** May 11, 2007, Mandalay Peaker Project Mitigated Negative Declaration ..." I believe that this is a violation of CEQA. While many speakers at the Oxnard Planning Commission and Oxnard City Council hearings addressed the inadequacy of the MND, neither the Commission nor the Council took action on the MND and definitely did not approve the proposed mitigation measures.

On page 4 Visual Resources, the description of the project site, on the west side of Harbor Blvd., is both inaccurate and incomplete and also contradicts what is proposed in the revised SCE landscape plan. The only reason that the Peaker site could be called a "brownfield site" is that SCE has not exercised good stewardship of this site.

When the SCE oil storage tanks were removed, SCE did not restore the site. The only vegetation consists of a small amount of mostly non-native vegetation like ice plant. The fencing around the site has not been maintained and is an eyesore. In contrast, immediately north of the adjoining Reliant Mandalay Station and peaker property is a coastal restoration area. By direction of the City of Oxnard and the California Coastal Commission, this site is being restored as mitigation for the residential development across Harbor Blvd. to the southeast.

The statements that there are no significant visual or aesthetic resources and that impacts would be minimal is wrong. The site is surrounded by coastal dunes and bordered by Harbor Blvd. which is a designated Coastal Scenic Highway. The Peaker would be clearly visible from Harbor Blvd, Mandalay State Beach and the new housing development, called "Northshore", across Harbor Blvd. to the southeast.

Because of concerns by the US Fish and Wildlife Service that trees would provide roosting habitat for predatory birds (and therefore endanger Western Snowy Plovers and California Least Terns), SCE's proposed landscaping plan will not include trees that might provide visual screening from Harbor Blvd. and adjacent areas. With only groundcover and shrubs, the Peaker will have a very significant visual impact.

Southern California Edison should be ordered to restore their coastal property and not receive approval to locate a Peaker plant there.

Shirley Godwin

3830 San Simeon Ave.

Oxnard, CA 93033

--- Shirley & Larry Godwin

--- godwinc@earthlink.net

Sherman N. Mullin
665 Mandalay Beach Road
Oxnard, California 93035-1051

Tel. 805-985-1413
Email: moon1@roadrunner.com

July 31, 2008

Cassidy Teufel
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Members of the California Coastal Commission:

Subject: Proposed McGrath Beach Peaker Plant Project In Oxnard,
California

We have read the Commission's Staff Report this project.

It is the work of a group which specializes in bureaucratic trivia and has lost sight of the Commission's charter. If you do your duty as a conscientious Commission, bound by law to protect the coast of California, you will reject the recommendations of the staff and disapprove this project. There are no logical reasons for this plant to be directly on the shoreline and permanently deface it. Do the right thing for California, something you can be proud of, not ashamed of.

Yours truly,

s/Judia B. mullin s/Sherman N. Mullin
Judia B. Mullin Sherman N. Mullin

**MARC L. CHARNEY
P. O. BOX 9100
OXNARD, CA 93031-9100**

RECEIVED

JUL 30 2008

CALIFORNIA
COASTAL COMMISSION

July 28, 2008

**VIA FACSIMILE TO: (415) 904-5400
AND U.S. MAIL**

Patrick Kruer, Chair
California Coastal Commission
45 Fremont St., Ste. 2000
San Francisco, CA 94105

Re: Oxnard (McGrath Beach) Peaker Plant

Honorable Chair Kruer:

This letter is written in support of the Coastal Commission staff's recommendation that you overturn the decision of the City of Oxnard and issue a Coastal Development Permit for this electrical generation facility.

This facility is proposed for a site that is designated for energy production in the approved Oxnard Local Coastal Plan and supports the existing Reliant energy generating facility, which is a coastal dependent industrial use. As your staff points out, there is no requirement that the proposed plant, itself, be coastal dependent. If this facility cannot be sited at a location already designated for such use under the Coastal Plan, then where can it be sited?

This peaker plant is vital to protect coastal communities from Southern Ventura County through Santa Barbara County from brownouts, blackouts, and the risk of long term power outages. These occurrences might be the result of natural disasters or excess demand on a region-wide or statewide-basis. Regardless of the cause, they present real threats to the health, welfare and economy of our community. By supplanting the coastal energy supply and providing a means of quick startup for the Reliant energy facility, the peaker plant can moderate, if not prevent, these occurrences.

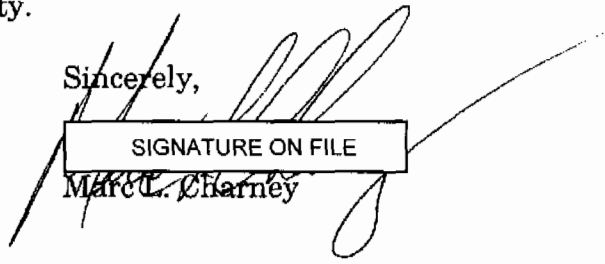
A small number of individuals have exerted extraordinary efforts to rally opposition to this project from the Oxnard beach community. They have played on homeowners' fears of loss of property value and environmental risks, that will supposedly result from the peaker plant. None of their claims is supported by fact.

The proposed peaker plant complies with the adopted local Coastal Plan for the Oxnard area. It is a highly beneficial use for Ventura County's and Santa

Patrick Kruer, Chair
California Coastal Commission
July 28, 2008

Barbara County's coastal and inland communities. It presents no significant unmitigated environmental risk. I urge the Commission to issue a Coastal Development Permit for this facility.

Sincerely,



SIGNATURE ON FILE

Marc L. Charney



CONGRESS OF CALIFORNIA SENIORS

1230 "N" STREET, SUITE 201, SACRAMENTO, CA 95814 • (916) 442-4474 • (800) 543-3352 • FAX (916) 442-1877 • www.seniors.org

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Gary Passmore

July 28, 2008

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JUL 29 2008
CALIFORNIA
COASTAL COMMISSION

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Commission Chair Kruer:

I'm writing to you as a resident of Ventura County and the State President of the Congress of California Seniors, a non-partisan broad based coalition of senior groups, whose primary responsibility is to speak out, pro or con, on issues impacting the economic interest and well being of senior citizens in the community.

We have been following closely Southern California Edison's peaker plant proposal within the confines of the City of Oxnard and want you to know of our support for this project.

We urge the Commission to recognize the importance of a stable electrical source which is essential not only to our senior citizens but to the rest of the community including corresponding business concerns. The SCE peaker plant proposal addresses those needs and in addition will provide necessary insurance to reduce power outages and brown outs for all residents of the Oxnard plain.

We are pleased to voice support for this project and respectfully urge the California Coastal Commission to consider the need for a stable supply of energy in this community and approve Southern California Edison's peaker plant proposal.

Sincerely,

SIGNATURE ON FILE

Henry L. "Hank" Lacayo
State President
3403 Bear Creek Drive
Newbury Park, CA 91320
805-498-7679
HankLacayo@aol.com

165



Robert Cabral Consulting
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JUL 29 2008

CALIFORNIA
COASTAL COMMISSION

July 28, 2008

Mr. Patrick Kruer
California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 94105

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JUL 29 2008

CALIFORNIA
COASTAL COMMISSION

Dear Mr. Kruer,

Robert Cabral Consulting, RCC, is a Ventura County based consulting firm that works with local organizations in employee development, learning, and accounting. With many of the firm's clients residing in the city of Oxnard, I am writing in support of the proposed SCE Peaker Project. No one likes power plants but we all like electricity. You have to replace aging infrastructure. If rolling blackouts occur, we at RCC will be affected too. This area is growing rapidly, agricultural land is now being developed into commercial and industrial sites. The proposed Peaker Project provides the needed energy and reduces the amount of time that businesses might have if its power is interrupted.

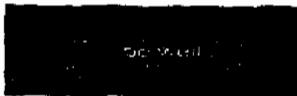
Robert Cabral Consulting agrees that in the event of an emergency, we need reliable emergency backup, and the peaker provides this solution. Please help serve the needs of the city by moving to adopt this proposal.

Thank you for your consideration,

SIGNATURE ON FILE

Robert Cabral
Certified Facilitator
805.377.6115
robert@robertcabralconsulting.com

www.robertcabralconsulting.com



117 Eagle Rock Avenue
Oxnard, California 93035
July 28, 2008

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JUL 28 2008

CALIFORNIA
COASTAL COMMISSION

VIA FACSIMILE 415/904-5400

Mr. Patrick Kruer, Chairman
CALIFORNIA COASTAL COMMISSION
45 Fremont Street, Suite 2000
San Francisco, California 94105

Dear Mr. Kruer:

I am writing in support of Southern California Edison's appeal of the Oxnard City Council denial of a permit to build a peaker generation plant at the site of the already existing generation plant in Oxnard. I am the Chief Financial Officer of a local bank, a board member of the Ventura County Economic Development Association and live approximately five miles from the site of the proposed peaker. I pass the site every day on my way to work in Ventura. To the extent someone is likely to be impacted by additional emissions or visual impacts I would fit in that category.

The State of California has recognized the need for additional generation capacity and the CPUC directed SCE to build 5 peaker plants. The local areas of Ventura and Santa Barbara counties do not differ from the rest of California in that they have the same electricity generation limitations and will suffer the potential of brownouts/blackouts in times of peak usage. Because of this it is logical to place additional generation capability in the local geographic area.

While I understand the hesitance of any city to having large industrial plants built in their jurisdiction, the construction of this facility should be approved for the following reasons:

1. Construction of this facility complies with the Coastal Act.
2. The additional environmental impact of this facility would not be significant.
3. The site is already zoned for power generation. The current facility isn't a visual delight, but it won't be significantly worse with the addition of the peaker plant.
4. The peaker plant will provide additional peak generation capabilities and could in times of emergency be a primary source of electricity for critical loads in the local community.

While I will not be able to attend the Coastal Commission hearing on this appeal on August 6, 2008, I do wish to express my support of the appeal and for approval of construction of the peaker plant at McGrath Beach in Oxnard.

Very truly yours,

SIGNATURE ON FILE

Gerald I. Rich

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JUL 28 2008

CALIFORNIA
COASTAL COMMISSION



July 28, 2008

Mr. Patrick Kruer, Chair
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Mr. Kruer,

I am a resident of Oxnard and also have an aviation business at the Oxnard Airport. I need uninterrupted power to support my customers. That said I am in 100% in favor of Southern California Edison Oxnard peaker plant project.

I plan to be speaking in support of it at the next hearing.

Thank You,

Charles W. McLaughlin
President



Ventura County Taxpayers Association

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JUL 28 2008

CALIFORNIA
COASTAL COMMISSION

Patrick Kruer
Chair California Coastal Commission
45 Fremont Street, Suite 200
San Francisco, CA 940015

July 28, 2008

Dear Mr. Kruer:

The Ventura County Taxpayers Association is in support of the proposed Southern California Edison Peaker Plant near the Mandalay Generating Plant.

We are concerned that demand is outpacing new generation, especially with new local approved growth, on the books.

Look at the past history of rotating outages, during the energy crises and transmission line problems.

Couple that with the expected hot summer usage [expected fire dangers], again the increased demand. We are looking at a potential disaster.

There is mis-information out there. The Peaker is tied into the local distribution system and can only be used by the local community.

The proposed Peaker Plants are the best available cleanest burning technology and will have minimal impacts to the environment and costs.

The Ventura County Taxpayers Association recommends the California Coastal Commission approve the Peaker Plant that will help maintain quality electric service to Oxnard residents and business.

Sincerely;

SIGNATURE ON FILE

Don Pacciano
President
Ventura County Taxpayers Association

5156 McGrath Street
Ventura, CA 93003

805.644.3291
fax: 805.644.9208
email: vcta@jellink.net

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JUL 28 2008
CALIFORNIA
COASTAL COMMISSION

July 21, 2008

Cassidy Teufel
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Dear Ms. Teufel:

I am writing with regard to the resubmitted or appealed application for the McGrath Beach Peaker Power Plant project in Oxnard, California. I strongly support the Oxnard City Planning Departments decision not to approve this application for an additional power plant on the beach in Oxnard.

I believe that the proposed plant does not require a coastal location and further that it will foul the air, spoil ocean views and produce unwanted noise and truck traffic. This is just the sort of situation that the Coastal Commission was created to deal with, and I hope you will help the commission support local residence in our resistance to this proposal.

Sincerely,


SIGNATURE ON FILE

Michael R. Cobb

HONORABLE ANTHONY C. VOLANTE
2534 OCEANMIST COURT
PORT HUENEME, CALIFORNIA 93041

July 28, 2008

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JUL 28 2008

CALIFORNIA
COASTAL COMMISSION

Patrick Kruer, Chair
California Coastal Commission
45 Fremont St., Ste. 2000
San Francisco, California 94105

Re: Southern California Edison Peaker Project Support Letter

Honorable Chairman Kruer and California Coastal Commissioners:

I am writing to you as a resident of Ventura County and a former three term Mayor for the City Of Port Huene me strongly supporting and urging you and the Commission to recognize the importance of a stable electrical source which is essential not only to the residents of Port Huene me but to the rest of Ventura County, Santa Barbara and to our businesses.

I and my neighbors have been following closely Southern California Edison's peaker plant proposal within the confines of the City of Oxnard and want you to know of our support for this project.

My support is based on the fact that this facility is proposed for a site that is designated for energy production and supports the existing Reliant energy generating facility, which is a coastal dependent industrial use.

The proposed peaker plant complies with the adopted local Coastal Plan for the Oxnard area. It is a highly beneficial use for Ventura County's and Santa Barbara County's coastal and inland communities. Southern California Edison's proposal addresses many of the concerns of the community, and I know addresses them appropriately. They have worked hard to reduce the environmental and social impact of building and maintaining the plant while striving to provide the highest quality service possible.

I am pleased to voice without reservation my strong support for this project and respectfully urge the California Coastal Commission to adopt this proposal.

Sincerely,

SIGNATURE ON FILE

Honorable Anthony C. Volante
805-984-8066, E-mail volantet@aol.com

Cassidy Teufel

From: Avie guerra [mavieg2002@yahoo.com]
Sent: Sunday, July 27, 2008 8:59 PM
To: Cassidy Teufel
Subject: Peaker plant no

We do not need a peaker plant at Oxnard. THANK YOU . Avie guerra 1831 Bernadette St. , OXNARD , Ca. 93030

RECEIVED

JUL 25 2008

CALIFORNIA
COASTAL COMMISSION

2150 Kingsbridge Way
Oxnard, CA 93035-3730
July 16, 2008

California Coastal Commission

Hearing Notice Wednesday August 6, 2008 9 AM-City of Oceanside
RE: Energy, Ocean Resources and Federal Consistency Division
Item 7. Coastal Permit Applications

- a. Appeal No.A-40XN-07-096 (Southern California Edison, Oxnard) Appeal by Southern California Edison from decision of City of Oxnard denying permit to construct and operate 45 megawatt "peaker" power plant, at 251 N. Harbor Blvd. Oxnard, Ventura County (CT-SF)

An alternate sight should be chosen in an underdeveloped area.
Perhaps North of the existing Edison plant on Harbor Blvd.
in Oxnard. Maybe in Port Hueneme.

The beauty of the Coast surrounding the Oxnard Harbor
and Ventura must be preserved. I LOVE THIS PLACE IN PARADISE.

Sincerely,

SIGNATURE ON FILE

Shirley A. Komick
Resident since 1973.
Owner of 2 properties in Mandalay Bay
Original buyer!

Cassidy Teufel

From: Angelaslaff@aol.com
Sent: Wednesday, July 23, 2008 5:01 PM
To: Cassidy Teufel
Subject: PROPOSED EDISON PEAKER POWER PLANT PROJECT IN OXNARD

Angela Slaff
5131 Wavecrest Way
Oxnard, CA 93035

RE: ITEM 7a Appeal No. A-4-OXN-07-096 (Southern California Edison, Oxnard)

What a disappointment to read that the California Coastal Commission staff had recommended approval of a proposed Edison peaker plant in Oxnard above the objections of the Oxnard Planning Commission, Oxnard City Council and countless citizens living in this beach community.

Please consider all of the hazards that such a plant would bring to our neighborhoods. Not only is the tower that is included in the building plans right in the flight path of Oxnard Airport, but more importantly the pollutants put out by this plant will add substantially to our already overburdened atmosphere. Our residential community is within a few blocks of the proposed plant and we rely on California Coastal Commission to protect our coast.

We already have Reliant Energy next door to this proposed plant. One can see the steady stream of pollutants pouring out of it's smoke stack daily.

It is my understanding that most if not all of the energy this plant will provide is NOT for Oxnard area, but for cities inland from here. In last several years, Oxnard has become a highly populated area. Why not build plant in not so populated area.

In closing, let me ask you this: If you lived within a few blocks of this proposed "Peaker" plant, would you approve this plant practically in your back yard?

Thank you, Angela Slaff

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Cassidy Teufel

From: shorebreak50@aol.com
Sent: Sunday, July 20, 2008 8:31 PM
To: Cassidy Teufel
Subject: Peaker Plant Why here in Oxnard?

Dear Cassidy Teufel,

As I sit here typing you, the Coastal Commission, I am wearing a sweater a bit chilled living here in Oxnard even though it is Summer, July 20th to be exact. I do not really get it, why do we here in Oxnard need a Peaker Plant? Very few of us in Oxnard even find a need to use air conditioning, Why put a Peaker Plant on a beautiful coastal area next to a flight path zone which is also an issue of safety? Why not where needed in the hot in land valleys and dessert communities where air conditioners are use the most. I read that a Peaker Plant does not need to coexist with water to run, so why here?

We all know that Oxnard has been chosen many times in the past to support such eye soars why again? We have enough in our back yard! Let another community do their share. Especially in communities that need it and use it the most. I just do not get it. Can the Coastal Commission truly explain the choice of putting a huge eye soar on our pristine beach even though Peakers do not need to be supported by an ocean. Please support our effort to stop the unnecessary Peaker here in Oxnard! Find another Power plant to put the Peaker next to in a city that truly needs the energy.

Sincerely
Phyllis Singer, Oxnard resident

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JUL 21 2008

CALIFORNIA
COASTAL COMMISSION

July 10, 2008

California Coastal Commission
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

Atten: Cassidy Teufel

Dear Ms. Teufel:

I am a weekender at the Colony at Mandalay Bay. Soot from the present plant covers my outside patio furniture. I need to scrub everything down every weekend.

Putting another plant near this present plant will inundate us and give us health problems.

I came to Oxnard for the last 30 years to breathe ocean air not soot from the present plant.

Please refuse their request.

Sincerely,

SIGNATURE ON FILE

Richard Lee
3921 Kingswood Road
Sherman Oaks, CA 91403

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JUL 21 2008

CALIFORNIA
COASTAL COMMISSION

August 6, 2008 7-a
May 8, 2008 Agenda Item 12-c
Appeal No. A-4-OXN-07-096
Southern California Edison

Jane M. Tolmach
Oppose

July
May 5, 2008

Cassidy Teufel
~~Alison Dettmer~~
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

Members of the Commission:

I am asking the Commissioners to deny the Southern California Edison appeal and not permit the construction of the peaker power plant on Harbor Blvd. in Oxnard.

I was a member of the Oxnard City Council from April 1970 to March 1978, including serving a term as Mayor. I continue to have a strong interest in coastal development issues.

I was a leader in the evaluation of two other major coastal industrial projects: the LNG receiving and regassification terminal proposed onshore at Ormond Beach by Western LNG in the 1970's and the Southern California Edison Ormond Beach Power Plant (now owned by Reliant Energy).

The Ormond Beach Power Plant was only approved because the technology at that time required location on the coast because seawater was needed for cooling. With the current technology, this is no longer the case.

Therefore, I do not believe there is any justification for issuing a Coastal Development Permit for the proposed SCE peaker plant. I do not believe the intent of Oxnard's LCP was ever to include non-coastal dependent power plants when coastal dependency was no longer required.

Sincerely,

SIGNATURE ON FILE

Jane M. Tolmach
656 Douglas Ave.
Oxnard, CA 93030

Cassidy Teufel

From: AnkerFam@aol.com
Sent: Thursday, July 31, 2008 6:45 PM
To: Cassidy Teufel
Subject: Edison Peaker Plant

Dear M. Teufel

The city of Oxnard has a long history of Beach Abuse and part of it is completely racist and classist. Would you consider putting an edifice like this in Santa Barbara, Newport, La Jolla or Laguna? I think we both know the answer to that. The Oxnard beaches are as naturally, physically beautiful as any beaches in California, but because of our agricultural heritage our beaches have suffered man's abuse. We are trying to climb out of this abyss of disrespect and we do not need to have more insults piled upon us. Rather than add another peaker plant, you should be getting rid of all of them, including the one on Ormond where the Nature Conservancy is in the process of restoring a natural wetland. Don't forget we are also directly across from the American Galapagos (Channel Islands National Park) and lots of living creatures are depending on us to do the right thing. When you consider that these edifices don't even require seawater, it is pretty much a no brainer, to just say no.

Best Regards,

Jean Anker
Port Huneneme

The peaker is basically a natural gas-fired jet engine generator that does not use seawater and does not need to be on the coast. The peaker would be located in the Coastal Zone. *The City of Oxnard's position is that the Local Coastal Plan does not allow non-coastal dependent energy facilities in the Coastal Zone.*

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Cassidy Teufel

From: mrseinstein@mac.com on behalf of Patricia Einstein [mrseinstein@mac.com]
Sent: Friday, August 01, 2008 9:52 AM
To: Cassidy Teufel
Subject: Appeal No. A-4-OXN-07-096

August 6, 2008 Agenda Item 7-a

Appeal No. A-4-OXN-07-096
Opposed

Patricia Einstein
2014 Long Cove Dr.
Oxnard, CA 93036
August 1, 2008

Attn: Cassidy Teufel
California Coastal Commission
45 Fremont St., Suite 2000
San Francisco, CA 94105-2219

Members of the Commission:

Why is this agenda item being heard further away from the working middle/lower class citizen of Oxnard? I have many concerns and questions about the staff report. Can anyone answer them?

***The staff report fails to mention the impact of the view of the coastline from Harbor Blvd.**

***The staff report failed to research the City of Oxnard's original record of the LCP to see if they are interpreting the LCP for it's original intent.**

In the staff report this is footnoted:

Because of its location within the peaker plant parcel to the west of Harbor Boulevard, the 2,000 foot stringing/staging area has been subtracted from the ground disturbance estimate included in Exhibit 1.

***Why has this area been subtracted? Will nearby ESHA be destroyed for the staging area?**

***What will be the air quality on days the peaker plant will be in operation?**

I am truly opposed to this Edison Perker plant for numerous reasons. The Commission really needs to think of the welfare of the children and the minority field workers who are outdoors every day in Oxnard. What air pollution study has been done to see the effects of the pollution generated from this Edison plant?

The report done by Edison states the peaker plant will only be in operation 25 percent of the year but averages their pollution over the entire year.

Shouldn't the public be aware so that we can protect the innocent who are outside and unaware of the health and safety issues?

Here in Oxnard 66 percent of the population is minority Hispanics. Agriculture is still picked by hand. These field workers need to be protected.

Please rethink this project. Edison should have proposed a solar energy facility that would be less evasive to the environment and public. Please vote against the staff report.

**Sincerely,
Patricia Hernandez-Einstein**

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JUL 31 2008

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Agenda Item 7.a.
Appeal No A-4-OXN-07-096
Southern California Edison

Manuel M. Lopez
Oppose

July 31, 2008

Alison Dettmer
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, Ca 94105-2219

Members of the Commission

I have been a participant in The City of Oxnard's decision making most of my adult life.

I was born in Oxnard and while a college student became a member of a group that opposed a proposed major street in my neighborhood that we believed would have endangered many children, and thereby found my calling in life.

I served the city as a Community Relations Commissioner, Redevelopment Agency member and Chair, Planning Commission member and Chair and City Council member for over 40 years.

I was the elected Mayor of Oxnard from 1992 until 2004 when I chose not to run for re-election.

The city was a lead agency on a proposed LNG re-gasification project on the coast off of Oxnard in the 1970s when I was on the Planning Commission and several similar proposals made while I was Mayor are currently either under discussion or have been defeated.

I was also on the Planning Commission and the City Council during the development and implementation of the Local Coastal Plan.

During all the time that I served in local government here, a cardinal rule all members of the different bodies embraced was the restoration and preservation of the beaches and view corridors.

Numerous individuals, both private and public have cooperated and have expended years of time and effort to save, preserve and restore what we have on the coast here within what we believe is in concert with the goals of coastal zone preservation;

Preservation of Oxnard Shores before it was completely developed, development of the park at Mandalay Bay, the hotel at the Colony, remediation of the long term oil waste site at Fifth and Harbor Streets including research and funding to restore the milk vetch plant, revocation of Halaco's operation and future remediation efforts, opposing LNG and non coastal dependent power plants and preservation and remediation plans for our wetlands and Western Snowy Plover and least tern sites are but a few examples of what has been accomplished cooperatively here by our residents, local government and other government agencies.

When Oxnard was a small town of 7000-8000 residents and the beach seemed far away, siting heavy industry there out of sight seemed like a good idea, but wiser heads prevailed as commuting became easier and the population increased. Restoration of the beaches for use as natural resources has been paramount as a written and unwritten policy now for many years.

During the many years of my involvement in city planning as a Commissioner and as a member of the City Council and as Mayor, I do not recall anyone officially or unofficially advocating that we continue siting heavy industry at the beach as was done in the early days. It would have been suicidal politically for an elected person to do so here.

The 45-megawatt "Peaker" Power Plant now being considered at Mandalay Bay by Edison is counter to all our efforts and would negate overnight many of the things that have been accomplished without bringing any benefits to the state that cannot be accomplished by use of another site. There are many other more suitable sites that are available to Edison for this development without degrading an existing community that is trying to restore a resource for use by everyone in the state. Further intense industrial development would undo all that has been done to improve livability in the area.

You have the authority to say yes or no to the project. It is easy for proponents to look for legal reasons to approve it. It is also possible but equally legally defensible to find reasons to deny it. There are many. Think in terms of what is good for all our state residents and what we will leave for our children. If you do so you will find an overwhelming need to deny the project.

Sincerely,

SIGNATURE ON FILE

Manuel M. Lopez
141 South A Street
Oxnard, Ca 93030