



July 6, 2017

Chair Felicia Marcus and Board Members
c/o Jeanine Townsend, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814

Sent via electronic mail to: commentletters@waterboards.ca.gov

RE: Comment Letter – Once-Through Cooling Policy Amendment

Dear Chair Marcus and Board Members:

California Coastkeeper Alliance unites locally-based Waterkeeper organizations to fight for swimmable, fishable, drinkable waters for California communities and ecosystems. The undersigned groups appreciate the opportunity to comment on the Draft Staff Report and Proposed Amendment for extending the Encina Power Station (Encina) compliance date from December 31, 2017 to December 31, 2018. While our organizations have advocated for over a decade to phase-out the destructive practice of once-through cooling (OTC), we do not oppose the Encina extension to December 31st, 2018.

The State Water Board adopted the OTC Policy on May 4, 2010, establishing technology-based standards to implement federal Clean Water Act section 316(b), which requires that the location, design, construction, and capacity of cooling intake structures reflect the best technology available for minimizing adverse environmental impact. The Policy adopted in 2010 established compliance dates for power plants on a schedule compatible with orderly retirement and replacement of capacity using then-current electricity planning and procurement processes.

NRG submitted the Encina Implementation Plan outlining on a unit-by-unit basis how they intended to achieve compliance with the Policy by their compliance deadline of December 31, 2017. However, the closure of San Onofre Nuclear Generation Station in January 2012 and the decision by Southern California Edison to retire it in June 2013 was not anticipated when the State Water Board set the compliance schedule for several thousand

megawatts of power facilities to satisfy state and federal statutes. Given this unanticipated closure of SONGS, and the delay in construction due to litigation, we agree with the State Water Board's justification for extending Encina's compliance schedule for a year.

The Statewide Advisory Committee on Cooling Water Intake Structures (SACCWIS) properly evaluated grid reliability to recommend Encina's extension. The California Energy Commission, California Public Utility Commission, and California Independent System Operator worked on reliability studies for the Southern California area, and developed the Encina Power Station 2018 Reliability Report. The report was presented and approved by the SACCWIS. SACCWIS recommended an extension of the final compliance schedule in the Policy for the Encina Power Station generating facility Units 2-5 from December 31, 2017 to December 31, 2018. We do not disagree with that recommendation.

The Poseidon-Carlsbad desalination project should not be given any additional time to co-locate with Encina because of this extension. We understand that Encina has until December 31st, 2018 to cease its OTC operations. However, there remains the possibility that Encina will be able to cease OTC operations before the December 31st deadline. If the Carlsbad Energy Center is operational prior to the December 31st, 2018 deadline, then Encina should be able to cease OTC operations at that point. More importantly, Encina should not be allowed to continue the intake of seawater solely for the purpose of providing its co-located neighbor with seawater for desalination purposes. Encina and Poseidon-Carlsbad should be explicitly put on notice that once the Carlsbad Energy Center is online and Encina OTC operations are no longer warranted, then seawater intake for the co-located desalination facility will cease immediately.

Our organizations are not opposed to the Encina one-year extension. However, we request an explicit statement in the record that Encina will not continue to intake seawater for Poseidon-Carlsbad after the Carlsbad Energy Center becomes operational.

Sincerely,



Sean Bothwell
Policy Director
California Coastkeeper Alliance

On behalf of:

Matt O'Malley
Executive Director & Coastkeeper
San Diego Coastkeeper

Elizabeth Murdock
Director, Pacific Ocean Initiative
Natural Resources Defense Council

Dana Murray
Senior Coastal Policy Manager
Heal the Bay

Jennifer Savage
California Policy Manager
Surfrider Foundation