

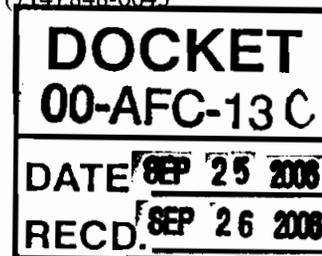
OCEAN OUTFALL GROUP
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September 25, 2006

California Energy Commission
1516 Ninth Street
First Floor, Hearing Room B
Sacramento, CA



Attention: Donna Stone

Re: Docket No. 00-AFC-13C

In the Matter of: AES Huntington Beach Generating Station Retool Project
Minute Order Regarding Compliance with Condition of Certification BIO-5

Dear California Energy Commission:

In the above referenced matter, I concur with the Siting Committee's determination that the impingement and entrainment impacts are significant and that, in the absence of disallowing the once-through-cooling pipes altogether, the appropriate mitigation impacts is the payment of \$7,956,000 to the Huntington Beach Wetlands Conservancy for restoration of the Huntington Beach Wetlands or more.

This mitigation is designed to restore 104 acres of the Huntington Beach Wetlands. However, the total mitigation that is needed to mitigate larval loss is 539 acres of new bay habitat, according to the September 14, 2006 PowerPoint by Davis, Raimondi and Stone. The Huntington Beach Wetlands is not the same habitat as open bay, so the mitigation requirements should actually be greater than 539 acres, not less.

Therefore, AES is getting off too easily with the payment of \$7,956,000, even with reduced operations being proposed by AES.

Preferably, the once-through-cooling pipes would not be permitted at all. The trend from both state and federal agencies is to eliminate these pipes altogether. It might be cheaper in the long run if AES would modernize and use land based cooling systems as other power plants must use, or decommission their coastal power plant completely, as they were going to do in 1995.

Sincerely,

Jan D. Vandersloot, MD

Jan D. Vandersloot, MD
Director, Ocean Outfall Group