CALIFORNIA ENERGY COMMISSION
1516 NINTH STREET
SACRAMENTO, CA 95814-5512

DOCKET
00-AFC-13C
DATE SEP 8 2006
RECD. SEP 8 2006

STATE OF CALIFORNIA
ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
SITING COMMITTEE

In the Matter of:	)	**Docket No. 00-AFC-13C**
	)	
AES HUNTINGTON BEACH GENERATING STATION RETOOL PROJECT	)	**MINUTE ORDER REGARDING COMPLIANCE WITH CONDITION OF CERTIFICATION BIO-5**
	)	

AES Huntington Beach, LLC, the owner/operator of the Huntington Beach Generating Station (HBGS), was required by condition of certification BIO-4 to fund a study of the impingement and entrainment impacts of the HBGS once-through cooling system. If those impacts are significant, condition BIO-5 requires AES to provide funds for their mitigation. The impingement and entrainment study was funded and is complete but Energy Commission staff and AES disagree about 1) whether the impacts are significant, 2) the level of impacts, and 3) the appropriate mitigation for the impacts. After attempting to resolve the disagreement, staff referred the matter to the Siting Committee. Staff presented its analysis and AES countered with its information and arguments to the Siting Committee at a publicly noticed Siting Committee workshop in Huntington Beach on July 25, 2006. On September 14, 2006, the matter will be heard before the Energy Commission.

Upon consideration of staff's analysis and all other information and arguments from staff and AES and comments from representatives of the California Coastal Commission, the Santa Ana Regional Water Quality Control Board and members of the public, we find—and recommend that the Energy Commission find—that the impingement and entrainment impacts are significant and that the appropriate mitigation for those impacts is the payment of $7,956,000 to the Huntington Beach Wetlands Conservancy for restoration of the Huntington Beach Wetlands.

IT IS SO ORDERED.

Date: September 8, 2006

SITING COMMITTEE

John L. Geesman

JOHN L. GEESMAN, Presiding Member

Jeff Byron

JEFFREY BYRON, Associate Member