MEMORANDUM

Date: July 14, 2005

To: Greg Carpenter

From: Mercedes McLemore

Subject: Minutes from July 13, 2005 LCWSG Meeting

Roll Call:

Tom Lockhart, Belmont Shores Mobile Estates
Hank Snapper, Spinnaker Bay HOA
Mike Pugh, College Estates
Dave Bates, Island Village HOA
Denis Craig, Island Village HOA
Lisa Rinaldi, Pacific Villas HOA
Thomas Marchese, University Park Estates
Ann Dennison, College Estates
Ric Trent, Save Our Bay
Janice Dahl, University Park Estates

City of Long Beach:

Greg Carpenter
Mercedes McLemore

MEETING CALLED TO ORDER—6:10 p.m.

Public Comments

CJ Hentzen from Island Village asked to speak. He stated that the people who make up the study group are his neighbors and he loves them. He also stated that the wetlands as they stand today are not an eye soar, and he wishes that the site would simply stay the way that it is because there is no need to make any changes.

Meeting Open for Staff Comments--NONE

Speaker Presentation:

Greg Carpenter opened the discussion by introducing the Los Cerritos Wetlands Study Group and explaining its purpose. He explained that the study group reviews various proposals for the wetlands area, considers the numerous factors (ex. Traffic) surrounding the area, and works to increase their awareness of wetlands preservation. It was decided that the community should weigh in on what should be developed, saved, etc. in the area before bringing any more major development to the community. The study group members have been meeting for the past 8-9 months to educate themselves on the background information that is necessary to determine what would best fit in the community. The group will eventually cause changes in SEADIP to modify it and make it more suitable, considering factors that specifically affect the area.

Mr. Carpenter then introduced Tanya Bonfiglio, Chuck Holloway, and Sara Easley Perez, the guest speakers, to the study group. All three speakers work for the Los Angeles Department of Water and Power (LADWP), and are responsible for California Environmental Quality Act (CEQA) documentation of the agency's documents. Ms. Bonfiglio explained that the purpose of her presentation was to discuss the Haynes project, give an idea of the current operations on site, and get the group a bit more familiar with the site.

Ms. Bonfiglio opened her presentation by giving a few brief facts about the Haynes Power Plant site. It consists of 122 acres total, the majority of which is located within the Long Beach city boundary. 7.5 acres of the site is located in Seal Beach. The site of the Haynes plant was purchased by LADWP to replace the Seal Beach steam plant years ago. She stated that the Seal Beach plant was demolished in 1967, but that the site has since been sold back to the city of Seal Beach. Ms. Bonfiglio also showed the group a photograph of the Seal Beach site prior to the demolition. She stated that the land was dedicated in 1963 and named after Dr. John Randolph Haynes. The site was originally designed to have six (6) units; the last unit was built in 1967. But since then, some modernization efforts have taken place. According to Ms. Bonfiglio, three (3) new units have been installed, and two (2) have been taken out of service. She stated that we get power from as far North as Oregon and Utah, and this power is transferred to the Los Angeles (LA) area. Next, she showed the group a map of the four (4) generating stations, which are in-basin power plants. These are the Sun Valley Generating Station, Scattergood Generating Station (just west of El Segundo), the Harbor Generating Station (Wilmington area), and the Haynes Generating Facility. Ms. Bonfiglio stated that most of the energy imported to the City comes from the North, and so Haynes often acts as a backup facility. According to her, Haynes is the largest generating station, and gives off enough energy for approximately 1.5 million people. It has a 1619-megawatt capacity, but is not often operating to its full capacity. Ms. Bonfiglio then said that she does not know how a power plant ended up at this location, only that it was intended to replace the Seal Beach Plant. She also noted that she was not sure why the Seal Beach plant had existed in its location.

Ms. Bonfiglio went on to explain that the cooling water comes from the intake structure Schooner or Later. This water goes from the San Gabriel (SG) River into the circulating channel and then into the Haynes Power Plant. This keeps the water from stagnating in the waters of Naples. Instead, the water gets sucked out of Alamitos Bay and gets discharged elsewhere, never returning. Chairman Ric Trent notes that this is one of the reasons for "ray bay," the water is always warm in that area. Ms. Bonfiglio continued showing the group various photos of the Haynes site from various angles, the SG River, and the AES facility.

Next, Ms. Bonfiglio told the group that LADWP was in the process of modernizing the facility by replacing inefficient units with more efficient technology. Units 8, 9, and 10 are examples of such technology. She stated that some units are being replaced, and that an Environmental Impact Report (EIR) will be circulated for public review regarding this project. If anyone is interested, simply let her know and she will provide notice that it is available for viewing. She was then asked if the new plants are more "on-demand" plants, and so steam would have to be generated from one in order for the other ones to work. Chuck Holloway described the plant as a "spinning reserve." This means that even when the other units are working, some still need to keep spinning because it

would take too long to get them revved up in case of backup. Mr. Holloway also stated that Unit One is probably one of the cleaner burning units that exist amongst the older ones. Unassociated with future modernization, there are still going to be sound barriers in front of Unit One in order to avoid excess noise. Mr. Holloway was then asked what the cost is associated with making Unit Six equal to Unit One. He responded that there would be a public meeting to discuss re-powering issues with the plant where questions such as that one would be discussed. The tentative date for this meeting is August 16, 2005. A member of the study group told the speakers that as LADWP brings more development into the city, they are also bringing more noise and nuisance. Another member of the group also stated that the guest speakers were not really answering questions, and that LADWP is not trying to be better neighbors, and is actually at the base of several problems. Mr. Holloway stated that Unit Six was a dirty unit, and he was then told that LADWP should have spent money cleaning the unit rather than the modernization efforts that are proposed now. The Chairman suggested that we continue on with the presentation, and that any specific issues or questions such as these should be addressed at the meeting on August 16. He encouraged everyone who has concerns to attend this meeting. Ms. Bonfiglio added that there will also be a circulation period for the EIR, and that people with concerns should submit written comments. A study group member stated that even with written comments, LADWP would follow through with its plans and ignore the community members. He also stated that noise vibrations come through the walls of Island Village, that it is an incredible nuisance, and they the residents should have been noticed a long time ago. It was also noted that there are similar issues in University Park due to the AES Plant. With respect to this plant, there has been an inordinate amount of smoke and smell. When people ask about environmental concerns regarding these sites, no one seems to have answers. Some of the residents believe that these issues have been “painted over” and they are being told the sites are clean without any real consideration. Ms. Bonfiglio stated that when the EIR is posted there would be a Notice of Availability (NOA) distributed listed the various meeting dates. This information will also be available on the LCW website.

Ms. Bonfiglio was then told that one way to mitigate costs was to add sidewalks, medians, etc., and asked if she knew anything about this. She stated that she was aware of some proposed improvements to traffic flow on Second Street and noise barriers, but that was all. Apparently the Superintendent is looking into various methods of improving the facility, but the primary responsibility is for modernization efforts. She was then asked where the project would go once the CEQA process is complete. She responded that she has received comments regarding the Notice of Preparation (NOP), and these are being addressed. She also emphasized that the August 16th meeting is not a scoping meeting, it is simply a community meeting. She then told the group that LADWP is the Lead Agency, and that the board meeting is considered their form of public hearing. So the board can certify the Final EIR, and there is a thirty (30)-day Statute of Limitations to file a lawsuit. She also informed the group that there are exemptions in law for power generating facilities, and so zoning compliance is not required. Outside of consideration from the Regional Water Quality Control Board (RWQCB) and Air Quality Management District (AQMD), there is no other review. When asked if she has addressed the issue of less water being circulated through the Alamitos Bay Area, Ms. Bonfiglio stated that this issue would be addressed in the EIR and is being discussed with the RWQCB.

Ms. Bonfiglio then discussed the land owned by the Bixby Ranch Company. She stated that there will be some exploratory drilling on that site, and a well will be installed to see

if there is a viable project possible on the site. However, this is an operation occurring on site that is completely separate from any LADWP activity. The Long Beach Desalination Pileup project will be located in the area, and will hopefully be operative in spring of 2006.

Following the presentation, the question and answer portion of the meeting began. Ms. Bonfiglio was first asked what the long-term outlook was for the remainder of the site. She responded that no plans are proposed at this time. The next question was what the tanks were originally used for. She said they were intended to hold fuel oil, but that the whole plant operates on natural gas now. When asked what the tank is currently holding, Ms. Bonfiglio responded that it would hold low sulfur diesel fuel as backup but that no additional tanks are proposed.

After the visitors left, the second scheduled discussion began regarding the proposed Home Depot. Ric Trent stated that there was going to be a brief discussion regarding the process of the study group, more so than the actual Home Depot EIR. He continued on to say that he does not want the committee to break off and not complete what it was comprised to do. Greg Carpenter was in attendance to address the June meeting cancellation. Mr. Carpenter began by apologizing to the group, stating that we apparently created a larger problem than we intended to. Next, he explained that we were unable to secure a guest speaker after finding that the LADWP presentation would not be until July. Mr. Carpenter explained that he cancelled the meeting, but later got word that there would be an ad hoc meeting amongst the study group members to compose a statement regarding the Home Depot EIR instead. Mr. Trent stressed that based on the deadline fast approaching; he felt that a meeting was necessary. He then clarified that the study group does not fall under the Brown Act, and therefore the 72-hour rule does not apply. There were 9-10 people present, and they met at the adjacent park instead of the Councilman's field office (the usual meeting place). Mr. Trent stated that this was a "single-issue" meeting, and based on the approaching deadline a decision had to be made regarding what comments would be submitted for the EIR. At the meeting, a draft comment was composed that was to be delivered to Angela Reynolds in the Planning Department. In order to make sure that this was not a "rump committee" that was present, he compared the response list with the official roster of the study group to ensure that the comment was legitimate. Mr. Trent then passed a file out to everyone that included the correspondence that took place that day. This file included emails, a list of official study group members and alternates, etc. He went on to explain the complaint that was filed by member Hank Snapper regarding the ad hoc meeting that was arranged. Everyone took a moment to review the letters and complaints before having an open discussion regarding group protocol. Mr. Trent added that there needed to be a discussion regarding the "alternate rule" for the group.

Next, Hank Snapper took the floor to explain his reasons for submitting a complaint to the Planning Department. He began by stating that he was a little disappointed to have missed a meeting, but was extremely disappointed when he found out that the "most important decision of the year was made in such an informal way." Mr. Snapper does not feel that the Home Depot is even a wetlands issue. He added that at the time of the "private meeting," there was still sufficient time to compose a statement for the EIR at another scheduled meeting time with proper notice. Mr. Snapper had already spoken

with Mr. Trent regarding the results of the group. He claims that he was encouraged because he had been informed that the group would not hold a conclusive opinion, but would only discuss the pros and cons of the development. Mr. Snapper concluded that once he read the group's submittal, he felt that he had been had.

After Mr. Snapper finished speaking, various responses came from the other group members. The first response was that it is understandable how Mr. Snapper could have felt blind-sighted, because he hadn't found out about the ad hoc meeting until the following day. However, this group member did not feel that anything was written in the comment that had not already been discussed in previous meetings. The purpose of the comment submittal was only to reserve the group's right to make comments later. Mr. Trent wanted to voice some concern regarding the project, but that it was not of such great importance, as Mr. Snapper had believed. Mr. Snapper was then reminded that there may be opposing opinions within the group, but no one was trying to do anything behind his back. The original meeting was not called off due to a secret agenda, and they still wanted Mr. Snapper to participate in the group.

Another group member stated that they had a mixed feeling upon finding out about the ad hoc meeting, because of the confusion that was caused by canceling and then rescheduling. They added that emailing is not the best method of noticing, and that it seemed that the process broke down at that point.

Mr. Trent stated that his concern was that this is not a Brown Act group. So yes, the meeting was called off and then on hastily, but it does not really matter. Not much time was left to get a comment submitted because it required time to compose, and Mr. Snapper was out of town. Janice Dahl picked up where Mr. Trent left off to say that such a comment was necessary in order to get a "placeholder" within the EIR. The day of the original meeting was one time that they knew all the members should be available. And even with that meeting, there was just enough time following it for everyone to review the statement and sign it.

Next, Mr. Carpenter clarified that the deadline was for comments that people wanted responses to in the Final EIR.

Mr. Trent stated that there were three major points he wanted to make to the group regarding the ad hoc meeting, and they are as follows:

> Point 1: He feels that it is a great misuse to take a position as the group's take, if in fact, it is not. He is willing to resign if the group feels that he overstepped his position as Chairman.
>
> Point 2: How the Alternate system works. There is an official roster of study group members and designated alternates. Anyone who is not a member or alternate should not be included in their process, nor should their comments be considered at all. Everyone needs to understand that they are not to speak for the group with a statement that the group itself did not conclude to.
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> Point 3: Guidelines for scheduling/rescheduling meetings and noticing group members.

A motion was made that Mr. Trent properly represented the group in the comment submitted for the EIR, and then seconded. Another motion was also made that the original committee can only be modified with the group's approval. Therefore, any motions or votes made by alternates are to be under the actual committee member's name. Mr. Trent stressed that it is very important that such alternates attend the meetings; absences and replacements are justified only due to catastrophic circumstances. This motion carried unanimously. And finally, a motion was made for the College Park Estates alternate to be changed from Mike Filipow to Ann Dennison. This motion was seconded and carried. Ms. Dahl corrected the group roster, stating that Ben Goldberg is no longer the representative from University Park Estates Neighborhood Association (UPNA) and she is his replacement. She also motioned that the new alternate for UPNA is Tom Marchese instead of her. This motion was carried unanimously as well.

In terms of rescheduling, one group member recommended that 24-48 hours notice is sufficient. A motion was made that if notice is given more than 48 hours in advance, email is sufficient. If notice is given 24-48 hours in advance, dual notice (email and phone calls) is required. If less time is available, the meeting shall be had. This motion carried unanimously. Mr. Trent said that Mr. Carpenter and himself would go through the original guidelines of the group and make sure that it sufficiently describes its purpose. He wants to make sure that as advocates of their individual associations, the members represent the input received from their neighbors.

Mr. Trent closed the meeting reiterating that he did not want anyone to leave the meeting feeling animosity. He has neither anger nor resentment towards anyone for voicing his or her opinions. The disagreement is to be placed behind them, and they will move forward to reach the ultimate goal of the Los Cerritos Wetlands Study Group.

Other Issues

- Next meeting Date is August 10, 2005

Meeting Adjourned at 8:40 p.m.