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Westly Leads Effort to Protect State's Ocean

SACRAMENTO – State Controller and Ocean Protection Council member Steve Westly led a vote against the environmentally-damaging technology known as “once-through cooling.” There are 21 coastal and tidal power plants from Humboldt Bay to San Diego Bay that can use up to 17 billion gallons of seawater daily for cooling as part of this technology.

“California has led the nation on environmental and coastal protection,” Westly said. “The resolution sends a clear message that we will protect the ocean for our kids.”

Westly took his seat on the Ocean Protection Council and led the motion enacting a tough resolution against once through cooling.

“I’m proud to be serving on a Council that has an opportunity to fight for our ocean, just as Teddy Roosevelt and John Muir fought for the land at the beginning of the 20th century. This Council must serve as a driving force for cleaning an ocean that’s been suffering from decades of abuse,” Westly continued.

Westly led the vote on a similar resolution earlier this week at the State Lands Commission meeting. The resolution stated that it would not approve leases for new power plants using once-through cooling. It also required existing power plants using once-through cooling to comply with state and federal regulations, including the Clean Water Act, to receive a lease renewal.

The once-through cooling process draws seawater from the ocean and circulates it through a power plant. The water increases in temperature as it draws heat from the plant. The heated water is then discharged back into the ocean.

Power plants that use this technology have the impact of destroying marine life on a massive scale. The intake pipes kill tons of fish and larvae every day while the discharge of hot water can destroy the ocean and estuary ecosystems.

“Once-through cooling is a threat to California’s environment and our \$43 billion ocean economy,” Westly added.

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Power plants using once-through cooling are located in: Humboldt Bay; Pittsburg (Contra Costa County), Contra Costa, Potrero (San Francisco), Hunter's Point (San Francisco), Moss Landing (Monterey Bay), Morro Bay, Diablo Canyon (San Luis Obispo County), Mandalay (Oxnard), Ormond Beach (Oxnard), Scattergood (Los Angeles/Playa Del Rey), El Segundo, Redondo Beach, Los Angeles Harbor, Long Beach, Alamitos (Long Beach), Haynes (Long Beach), Huntington beach, San Onofre (San Diego County), Encina (San Diego County), South Bay (San Diego County).

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Please see attached Ocean Protection Council resolution.

Resolution of the California Ocean Protection Council Regarding the Use of Once-Through Cooling Technologies in Coastal Waters

Adopted April 20, 2006

WHEREAS, the California Ocean Protection Act mandates that the Ocean Protection Council (OPC) coordinate and improve the protection of California's ocean and coastal resources; and the Governor's Ocean Action Plan calls for the OPC to play a leadership role in managing and protecting California's oceans, bays, estuaries and coastal wetlands, including integration of coastal water quality programs to increase their effectiveness; and

WHEREAS, California currently has 21 coastal power plants that use once-through cooling technology to operate their plants, many of which are located on bays and estuaries, and these plants are collectively permitted to withdraw nearly 17 billion gallons of water per day; and

WHEREAS, the OPC is committed to maintaining energy reliability in California, and also recognizes the need to improve coastal and estuarine water quality and protect species diversity and abundance; and

WHEREAS, the U.S. Environmental Protection Agency (U.S. EPA) has determined, after a thorough review of the rulemaking record for implementation of section 316(b) of the Clean Water Act, that there are multiple types of undesirable and unacceptable environmental impacts associated with once-through cooling technology; and

WHEREAS, The U.S. EPA has found these types of impacts to include entrainment and impingement; reductions of threatened and endangered species; damage to critical aquatic organisms, including important elements of the food chain; diminishment of a population's compensatory reserve; losses to populations including reductions of indigenous species populations, commercial fisheries stocks, and recreational fisheries; and stresses to overall communities and ecosystems as evidenced by reductions in diversity or other changes in system structure and function; and

WHEREAS, a recent report by the California Energy Commission found that, of the 21 Californian coastal power plants that use once-through cooling, only seven have recent studies of entrainment impacts that meet current scientific standards; and all these studies have found that adverse impacts occur due to entrainment of aquatic organisms; impingement and entrainment result in changes to community structure; thermal impacts from the discharge of cooling water may be significant, particularly in enclosed water bodies; and the possible cumulative impacts of entrainment and impingement are currently unknown; and *WHEREAS*, the 2005 Integrated Energy and Policy Report to the California Legislature recommended the

OPC work with other agencies to improve assessment of the ecological impacts of once-through cooling and to develop a better approach to implementing best technology available; and *WHEREAS*, on April 17, 2006, the California State Lands Commission passed a resolution urging the California Energy Commission and the State Water Resources Control Board to develop and implement policies that eliminate the impacts of once-through cooling on the environment; and

WHEREAS, staff members of State Water Resources Control Board, California Energy Commission (CEC), California Coastal Commission, and Ocean Protection Council have met and found it extremely helpful to coordinate roles due to the complex nature of coastal power plant permitting.

NOW, THEREFORE, the California Ocean Protection Council hereby:

RESOLVES that, in agreement with U.S. EPA findings, the environmental impacts from once-through cooling technologies for coastal power plants can be significant, and resolves to urge the State Water Resources Control Board to implement Section 316(b) and more stringent state requirements requiring reductions in entrainment and impingement at existing coastal power plants and encourages the State to implement the most protective controls to achieve a 90-95 percent reduction in impacts; and

FURTHER RESOLVES to encourage the State Water Resources Control Board's formation of a technical review group to ensure the required technical expertise is available to review each power plant's data collection proposals, analyses and impact reductions and fairly implement statewide data collection standards needed to comply with section 316(b); and

FURTHER RESOLVES to establish an interagency coordinating committee composed of staffs from the Water Boards, California Energy Commission, the Public Utilities Commission, California Coastal Commission, and others to integrate agency actions and coordinate regulatory authorities; and

FURTHER RESOLVES to fund a 6-month study that will analyze each of the existing coastal plant's conversion to alternative cooling technologies or installation of best technology available; and

FURTHER RESOLVES to work with the Water Boards, California Energy Commission, the Public Utilities Commission, California Coastal Commission, and others to investigate possible non-regulatory incentives that can accelerate desirable conversions of once-through cooling technologies, in addition to regulatory programs that can reduce the impact of once-through cooling technologies.

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