FOR IMMEDIATE RELEASE

Subject: Redondo Beach City Council Authorizes Litigation against State Water Resources Control Board for Failing to Fully Analyze Significant Environmental Impacts of Extending Once-Through-Cooling Policy Compliance Deadline for Redondo Beach Generating Station.

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At its meeting on Tuesday, September 8, 2020, the City Council of Redondo Beach unanimously voted to sue the State Water Resources Control Board (State Water Board) for violations of the California Environmental Quality Act (CEQA) when it recently approved an extension of the compliance deadline under its Once-Through-Cooling Policy (OTC Policy) for four coastal power plants, including the Redondo Beach Generating Station (RBGS), without fully analyzing the environmental impacts of the policy extension.

Initially adopted in 2010, the OTC Policy is intended to protect marine life from the harmful effects of cooling water intake structures at coastal power plants. The OTC Policy initially required the RBGS and other coastal power plants to effectively eliminate their once-through-cooling systems, or take other measures to achieve comparable results, by December 31, 2020. The operator of the RBGS, AES, had previously declared its intention to shut down the power plant if the compliance deadline was not extended. The City of Redondo Beach has long awaited the final compliance deadline when the power plant would cease emitting harmful air pollutants in its black, billowing smoke and contaminating the surrounding environment.

The State Water Board’s decision to extend the OTC Policy compliance deadline means that the RBGS will continue to operate for at least one more year. This means more marine life will be killed and harmful air pollution emitted into the densely populated South Bay communities of Redondo Beach, Hermosa Beach,
and other surrounding cities. By comparison, the population surrounding the RBGS is larger than the combined populations surrounding the other three power plants subject to the extension (Ormond, Huntington Beach, and Los Alamitos). Additionally, the City’s analysis concluded that the RBGS was not necessary to maintain the State’s grid reliability during hot summer months.

Under CEQA, the State Water Board must identify significant environmental impacts, mitigation measures, and reasonable alternatives of its regulatory actions. The State Water Board failed to conduct the required level of analysis under CEQA or mitigate the anticipated impacts caused by the extension. Instead, it prepared a perfunctory statement, without supporting evidence, that concluded no new impacts would occur as a result of the OTC Policy extension. This was done in a short addendum to a ten-year old environmental document previously prepared when the OTC Policy was first adopted. Furthermore, the State Water Board failed to analyze a reasonable alternative that excluded the RBGS from the OTC Policy extension.

The City is disappointed that the State Water Board failed to protect the health of residents and marine life by extending a long-awaited ten-year old compliance deadline. More importantly, it did so without first complying with CEQA’s policy of disclosing all potential environmental impacts to the public and decision makers. Despite acknowledging the significance of their action, State Water Board Members did not demand a complete environmental review before approving the extension. Instead, it deferred to other state agencies’ representations that more power was needed from one of California’s oldest, and least efficient, power plants.

The City of Redondo Beach had hoped to avoid the cost, time, and unintended consequences of litigation as to the State Water Board’s OTC Policy extension. The City submitted extensive written comments to the State Water Board on April 16, 2020 and on May 18, 2020, outlining its concerns about extending the deadlines, and provided oral comments at a workshop and at the September 1, 2020 Board meeting, all to no avail. The State Water Board ignored the City’s concerns and extended the deadline anyway. The City does not want to jeopardize operations at the Los Alamitos, Huntington Beach, or Ormond power plants. Nevertheless, the City Council was left with no choice but to initiate litigation when the State Water Board failed to protect the environment and the residents of Redondo Beach by unnecessarily extending the OTC Policy compliance deadline for the Redondo Beach Generating Station.

This press release was prepared by Michael W. Webb, City Attorney