
PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

**MITIGATION MONITORING AND
REPORTING PROGRAM**

**SOUTHERN CALIFORNIA EDISON COMPANY'S APPLICATION
NO. 96-11-046 PROPOSAL FOR DIVESTITURE****INTRODUCTION**

The purpose of this program is to describe the mitigation monitoring process for the project and to describe the role and responsibilities of the California Public Utilities Commission (CPUC) in ensuring the effective implementation of the mitigation measures adopted by the CPUC.

California Public Utilities Commission (CPUC)

The Public Utilities Code confers authority upon the CPUC to regulate the terms of service and safety, practices and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC to require that mitigation measures stipulated as conditions of approval be implemented properly, monitored, and reported on. Section 21081.6 of the Public Resources Code requires a public agency to adopt a reporting and monitoring program when it adopts a mitigated negative declaration. The CPUC's adoption of the Mitigated Negative Declaration would not, in itself, adopt the mitigation measures. Only if the CPUC ultimately approves the project, and in so doing adopts the mitigation measures, would this Mitigation Monitoring and Reporting Program be implemented.

The purpose of a reporting and monitoring program is to ensure that measures adopted to mitigate or avoid significant environmental impacts are implemented. The CPUC views the reporting and monitoring program as a working guide to facilitate not only the implementation of mitigation measures by the project proponents, but also the monitoring, compliance and reporting activities of the CPUC and any monitors it may designate.

Project Description

As part of its effort to "restructure" the state's electric utility industry, the CPUC identified the exercise of generation market power as a potential barrier to bringing competition into the state's electric utility industry. In response to the CPUC's request, Southern California Edison

Company (Edison) voluntarily applied to sell or “divest” twelve power plants -- the Alamitos, Cool Water, Ellwood, El Segundo, Etiwanda, Highgrove, Huntington Beach, Long Beach, Mandalay, Ormond Beach, Redondo, and San Bernardino Generation Stations -- as a means of reducing its market power in the electric generation marketplace in California (A.96-11-046).

In accordance with the California Environmental Quality Act (CEQA), the CPUC conducted an Initial Study of potential environmental impacts related to Edison's divestiture application. The CPUC used the Initial Study as a “decision point” document to determine that issuing a Mitigated Negative Declaration is the appropriate action under CEQA. Through this document, the CPUC determined that the actions taken as a result of approving Edison's divestiture application would have potentially significant impacts in the areas of:

- Air Quality
- Biological Resources
- Cultural Resources

In the limited instances where the environment could be potentially and significantly affected by divestiture, appropriate mitigation measures were recommended for adoption. Each of the identified impacts can be mitigated to avoid the impact or reduce it to a less than significant level.

Roles and Responsibilities

As the lead agency under the California Environmental Quality Act (CEQA), the CPUC is required to monitor this project to ensure that the adopted mitigation measures are implemented effectively. The CPUC will be responsible for ensuring full compliance with the provisions of this monitoring program and has primary responsibility for implementation of the monitoring program. The purpose of this monitoring program is to document that the mitigation measures adopted by the CPUC are implemented.

The CPUC has the authority to halt any activity associated with the divestiture of the Edison plants if the activity is determined to be a deviation from the approved project or adopted mitigation measures. For details, refer to the Mitigation Monitoring and Reporting Program discussed below.

Mitigation Monitoring Table

The table attached to this program presents a compilation of the Mitigation Measures in the Mitigated Negative Declaration. The purpose of the table is to provide a single comprehensive list of mitigation measures, effectiveness criteria, and timing.

Dispute Resolution Process

The Mitigation Monitoring and Reporting Program is expected to reduce or eliminate many potential disputes. However, in the event that a dispute occurs, the following procedure will be observed:

Step 1: Disputes and complaints (including those of the public) shall be directed first to the CPUC's designated Project Manager for resolution. The Project Manager will attempt to resolve the dispute.

Step 2: Should this informal process fail, the CPUC Project Manager may initiate enforcement or compliance action to address the deviation from the proposed project or adopted Mitigation Monitoring and Reporting Program.

Step 3: If a dispute or complaint regarding the implementation or evaluation of the Mitigation Monitoring and Reporting Program or the Mitigation Measures cannot be resolved informally or through enforcement or compliance action by the CPUC, any affected participant in the dispute or complaint may file a written "notice of dispute" with the CPUC's Executive Director. This notice shall be filed in order to resolve the dispute in a timely manner, with copies concurrently served on other affected participants. Within 10 days of receipt, the Executive Director or designee(s) shall meet or confer with the filer and other affected participants for purposes of resolving the dispute. The Executive Director shall issue an Executive Resolution describing his decision, and serve it on the filer and the other participants.

Parties may also seek review by the CPUC through existing procedures specified in the CPUC's Rules of Practice and Procedure, although a good faith effort should first be made to use the foregoing procedure.

Mitigation Monitoring Table

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
AIR QUALITY				
<p>4.5.a The Mojave Desert Air Quality Management District (MDAQMD) has indicated that a mass based plant emission cap has been applied to the station as Rule 1158 that helps to achieve District future air quality goals. The MDAQMD has a proposed amendment for Rule 1158 that would make the rule applicable to any electric power generating facility, not just facilities operated by utilities. This proposed amendment could be adopted as early as September 1997. With implementation of the proposed amendment, this impact would be less than significant.</p>	<p>4.5.a.1 If the MDAQMD has not adopted the planned revisions to Rule 1158 prior to sale of the Cool Water power plant, then:</p> <p>To assure that the NO_x emission concentration limits and emission caps will apply to a new owner of the Cool Water Power Plant, regardless of the status of Rule 1158 modifications, Edison will request that the Air District complete modifications to the plant's permits to incorporate emission limits into the permits to operate in substantially the form and stringency described in Draft Rule 1158.</p> <p>Edison agrees that the transfer of title for Cool Water Power Plant will not occur until either Rule 1158 or the plant's permit to operate has been so modified.</p>	<p>Edison provides the CPUC mitigation monitor with a copy of either the revised Rule 1158 or the modified permit to operate.</p>	<p>Documentation of delivery to the CPUC of revised Rule 1158 or the modified permit to operate.</p>	<p>At least 3 business days prior to the transfer of title.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
BIOLOGICAL RESOURCES				
<p>4.7.a Edison currently has access to in-house biological and regulatory experts familiar with individual sites and the unique context of environmental protection at power stations. Important species and habitat at the plants could be threatened in the future if new owners were unaware of the presence and sensitivity of such biological resources. This could be a significant impact.</p>	<p>4.7.a.1 Edison shall provide each new owner, for the respective plant, with Edison's jurisdictional wetlands and special status species and habitats informational materials and training documents regarding resources associated with the respective plant, to assist new owners in knowing the location of jurisdictional wetlands, special status species and habitats, and in meeting their legal obligations regarding endangered, threatened, or rare species or their habitats.</p>	<p>Edison will provide the CPUC mitigation monitor with disclosure form signed by the new owner listing documents received to accomplish this condition.</p>	<p>Documentation of delivery to the CPUC of the disclosure form for each plant to be divested.</p>	<p>At least 3 business days prior to transfer of title of the plant(s).</p>
HAZARDS				
<p>4.9.a Under divestiture, any new owner would be required to comply with all worker and public safety laws and regulations. Because of these laws and circumstances, this potential impact of the project would be less than significant. Nonetheless, the above mitigation measure will assist new owners in complying with pertinent laws and regulations.</p>	<p>4.9.a.1 For the plants subject to this proceeding, Edison shall provide the new owner, for each respective plant, with all of Edison's material, non-privileged informational materials and training documents (not including records relating to Edison personnel) regarding worker health and safety, emergency plans and hazardous materials handling and storage. Although the new owners will be responsible for ensuring that their operations are in compliance with applicable laws, this informational material may assist new owners in understanding worker health and safety issues and procedures and in meeting all safety and legal obligations regarding hazardous materials handling, emergency plans and storage.</p>	<p>Edison will provide the CPUC mitigation monitor with a disclosure form signed by the new owner listing documents to accomplish this condition.</p>	<p>Documentation of delivery to the CPUC of the disclosure form for each plant to be divested.</p>	<p>At least 3 business days prior to transfer of title of the plant(s).</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
CULTURAL RESOURCES				
<p>4.14.a Remediation activities and/or minor construction activities, if they occur, could affect known paleontological resources that exist at the Cool Water power plant property. Therefore, the impact of the project could be potentially significant.</p>	<p>4.14.a.1 Edison shall prepare and certify its intent to comply with a program to address potential impacts to paleontological resources from Edison actions related to the divestiture of the Cool Water Power Plant, such as minor construction to separate the properties or soil remediation activities. The program shall include provisions in Edison construction documents and protocols for coordination with appropriate resource agencies. The program shall at a minimum include the following provisions:</p> <p>A qualified paleontologist shall be consulted prior to implementing construction or soil remediation activities that will involve earth moving or soil excavation, and the paleontologist shall be available for consultation or evaluation of any paleontological resources uncovered by such activities. For any previously undisturbed, known paleontological areas, a qualified paleontologist shall monitor earthmoving and soil excavation activities, consistent with relevant Federal, State, and local guidelines. If an unrecorded resource is discovered, construction or excavation activities shall be temporarily halted or directed to other areas pending the paleontologist's evaluation of its significance. If the resource is significant, data collection, excavation, or other standard</p>	<p>CPUC mitigation monitor's approval of Edison's proposed paleontological monitoring program, and review of any subsequent implementation reports.</p>	<p>Submittal of paleontological monitoring program and subsequent implementation reports to CPUC for Cool Water plant.</p>	<p>CPUC approval of program at least 10 business days prior to transfer of ownership of the Cool Water plant; review implementation reports upon submittal.</p>

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
Cultural Resources (cont.)	paleontological procedures shall be implemented to mitigate impacts pursuant to the paleontologist's direction. A report by the paleontologist evaluating the find and identifying mitigation actions taken shall be submitted to the CPUC.			
4.14.a (same as above)	4.14.a.2 Edison shall provide the new owner of the Cool Water plant with Edison's paleontological resource informational materials and any training documents concerning paleontological resources at Cool Water, in order to assist new owners in knowing the locations of paleontological resources, and in meeting their legal obligations regarding preservation of these resources.	Edison will provide CPUC mitigation monitor with a disclosure form signed by the new owner listing documents received to accomplish this condition.	Documentation of delivery to the CPUC of the disclosure form for Cool Water plant.	At least 3 business days prior to transfer of title of the Cool Water plant.

<p>4.14.b Remediation activities and/or minor construction activities, if they occur, could potentially uncover previously unknown archaeological resources at the Alamitos, Cool Water, Ellwood, Mandalay, Ormond, and Redondo plants. Therefore, the impact of the project could be potentially significant.</p>	<p>4.14.b.1 Edison shall prepare and certify its intent to comply with a program to address potential impacts to archaeological resources from Edison actions related to the divestiture at Alamitos, Cool Water, Ellwood, Mandalay, Ormond, and Redondo power plants, such as minor construction to separate the properties or soil remediation activities. The program shall include provisions in Edison construction documents and protocols for coordination with appropriate resource agencies. The program shall at a minimum include the following provisions:</p>	<p>CPUC mitigation monitor's approval of Edison's proposed archaeological mitigation program, and any subsequent implementation reports.</p>	<p>Submittal of archaeological mitigation program and subsequent implementation reports to CPUC for each plant.</p>	<p>Approval by CPUC monitor of archaeological mitigation program at least 10 business days prior to transfer of ownership of the Alamitos, Cool Water, Ellwood, Mandalay, Ormond, and Redondo plants; review implementation reports upon submittal.</p>
--	--	--	---	---

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
Cultural Resources (cont.)	<p>A qualified archaeologist shall be consulted prior to implementing construction or soil remediation activities that will involve earthmoving or soil excavation, and the archaeologist shall be available for consultation or evaluation of any cultural resources uncovered by such activities. For any previously undisturbed, known archaeological areas, a qualified archaeologist shall monitor earthmoving and soil excavation activities, consistent with relevant Federal, State, and local guidelines. If an unrecorded resource is discovered, construction or excavation activities shall be temporarily halted or directed to other areas pending the archaeologist's evaluation of its significance. If the resource is significant, data collection, excavation, or other standard archaeological or historical procedures shall be implemented to mitigate impacts pursuant to the archaeologist's direction. If any human remains are encountered, the archaeologist shall contact the appropriate County Coroner immediately and security measures shall be implemented to ensure that burials are not vandalized until the decision of burial deposition has been made pursuant to California law. If human remains are determined to be Native American interments, the Coroner shall contact the Native American Heritage Commission pursuant to Public Resources Code Section 5097.98 and follow the</p>			

Impact	Mitigation Measure	Monitoring/ Reporting Action	Effectiveness Criteria	Timing
Cultural Resources (cont.)	procedures stated herein and other applicable laws. A report by the archaeologist evaluating the find and identifying mitigation actions taken shall be submitted to the CPUC. Where appropriate to protect the location and sensitivity of the cultural resources, the report may be submitted under Public Utilities Code Section 583 or other appropriate confidentiality provisions.			
4.14.b (same as above)	4.14.b.2 Edison shall provide the new owner of the Alamitos, Cool Water, Ellwood, Mandalay, Ormond Beach and Redondo plants with Edison's archaeological resource informational materials and any training documents concerning the new owner's respective plant. This will assist the new owner in knowing the locations of such resources, and in meeting their legal obligations regarding preservation of these resources.	Edison will provide the CPUC mitigation monitor with a disclosure form for each plant specified, signed by the new owner listing documents received to accomplish this action.	Documentation of delivery to the CPUC of the disclosure form for each plant to be divested.	At least 3 business days prior to the transfer of title for each plant.