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FEDERAL ENERGY
REGULATORY COMMISSION

SAN ONOFRE
ELECTRICITY FARM
PROJECT
P-13679

SCOPING MEETING
JANUARY 24, 2012
7:00 p.m.

1 CAROLYN TEMPLETON: Welcome, everybody, to the
2 evening scoping meeting for the San Onofre Electricity
3 Farm Project. My name is Carolyn Templeton. I'm with
4 the Federal Energy Regulatory Commission out of
5 Washington, DC, and I will be running the meeting for
6 us tonight. Just a few housekeeping items before we
7 get into the actual project and the process. If you
8 need to use the restroom -- I don't know if you saw
9 them on your way in but outside and make a right.
10 You'll go past a bank of elevators, and just past those
11 elevators are both the men's and women's facilities.
12 So they are there. If you need to get up at any point
13 and go use them, please feel free to.

14 We have some water in the back of the room,
15 and our applicant also provided some refreshments. So,
16 if you want some fruit or cookies, they are back there
17 as well.

18 At one point in this evening, we will, sort
19 of, have an open-forum discussion where you will be
20 able to provide any comments or input that you have
21 regarding the project, regarding any resource issues
22 that you might be thinking of, and when you do that,
23 I'd like you to please state your name and your
24 affiliation before each time you speak, and that's
25 because we have a court reporter here with us tonight.

1 She is dictating everything that is being said so that
2 we have a complete and accurate record for this
3 project. She'll prepare transcripts, and those
4 transcripts will appear on FERC's Web site in about two
5 weeks. So, again, please, each time before you
6 speak -- I know it might seem a little bit repetitive,
7 but it's good for the record, and it's good for her to
8 make sure that she's captured the proper person with
9 the proper comments.

10 As I said, my name is Carolyn Templeton, and
11 I'm working on this project as a team member. I will
12 be looking at terrestrial resources and threatened and
13 endangered species. If you've been following this
14 project in the past, you probably are more familiar
15 with the name Ken Hogan. He is also with FERC in our
16 Washington, DC, offices, our office, but because of
17 some schedule conflicts and workload that he's
18 currently under, he was not able to physically be here.
19 He was participating via telephone on the earlier
20 meeting that we had today, but, on East Coast time,
21 it's about 10:00 right now. So I don't think Ken is
22 going to be participating in this meeting.

23 But with me also from FERC, I have two other
24 team members. I have Joe Hassell here towards the
25 back. For this project, he will be looking at

1 developmental resources, socioeconomics, engineering,
2 and some water-quality issues. We also have Mary
3 Greene up here in the front, and she will be analyzing
4 recreation, land use, aesthetics, as well as cultural
5 resources.

6 So I did some introductions. The agenda that
7 the meeting is going to follow tonight will include a
8 brief overview of the ILP process, Integrated Licensing
9 Process. That is the licensing process that the
10 applicant has chosen to pursue for this project. We
11 will discuss the proposed action that is before us.
12 We'll take some time to, as I said, have an open
13 discussion or open forum of the scoping of issues.
14 There will be some time, if you'd like, to provide
15 formal verbal comments that you may do so at that time,
16 and then we'll finish up the meeting with just some
17 administrative items that we'll be talking about.

18 As I said, I'm with the Federal Energy
19 Regulatory Commission as is Joe and Mary. We are
20 located in Washington, DC. We also have five regional
21 offices. They are located in Portland, Oregon;
22 San Francisco; Chicago; New York City; and Atlanta.
23 And once I get to the next slide, I will explain a
24 little bit more about which staff of FERC are housed in
25 those regional offices.

1 The Commission is run by a five-member
2 commission. They are all appointed by the President of
3 the United States, and then one person is appointed by
4 the President to serve as the chairperson, chairman or
5 chairwoman, of the Commission. Our major duties that
6 we've been tasked with include regulating various
7 energy infrastructure. These include natural gas, oil
8 pipelines, the electric power, electric rates, as well
9 as hydropower, which is why we are here this evening.

10 So what does the Hydropower Program look like
11 at FERC? Joe, Mary, myself, and Ken are all in the
12 division of licensing, which you see on the left-hand
13 side here of the triangle. And all of us are members
14 of what's called the "West Branch" where our focus is
15 mainly on the states of California, Nevada, Arizona,
16 Colorado, Hawaii. We don't get too many projects in
17 Hawaii, unfortunately.

18 We also have two other divisions in the
19 Hydropower Program at FERC. The one is called "Dam
20 Safety & Inspections," and these are the staff that are
21 tasked with making sure that the nonfederal dams that
22 we regulate are up to snuff in terms of their safety
23 requirements as well as that they are meeting the needs
24 for public safety. And when I mentioned before that we
25 have five regional offices, most of those regional

1 offices are staffed with members of this division,
2 "Dam Safety & Inspections," because those are mainly
3 engineers. They have to go out at various times during
4 the year to inspect these projects. So it makes sense
5 to have some offices that are central and
6 geographically located closer to those projects to make
7 it easier to get to.

8 At the bottom of the triangle, you see another
9 division, "Administration & Compliance." This is the
10 division at FERC that, after we in licensing issue a
11 license for any project, these staff members ensure
12 that all of the conditions and requirements that we put
13 forth in a license are met with and complied with
14 appropriately.

15 And then you see in the middle of the triangle
16 "licensees," "resource agencies," "tribes," "NGOs," and
17 "local stakeholders." And that just means that pretty
18 much in any process that any of these three divisions
19 go through, we like to have the input from all of our
20 licensees, the resource agencies that may be affected,
21 any tribes that may be in the area, local
22 nongovernmental organizations as well as the local
23 stakeholders and the members of the public. We value
24 your input. We value your knowledge of the area that
25 you bring to the project because, as I said, we are out

1 of D.C. So we don't have a very local knowledge of
2 certain areas or what's important economically to make
3 a community thrive. So we value the input from all of
4 these people to make our processes more successful.

5 Any questions about who FERC is? What we do?

6 Okay. I'm going to move on to the next part
7 of the meeting and describe to you the ILP process.
8 "ILP" stands for "Integrated Licensing Process." It's
9 one of the three licensing processes that the division
10 of licensing offers to potential applicants to go
11 through. And Dr. Kim, who is a representative of
12 JD Products, the applicant, has chosen to use the ILP
13 process for his San Onofre Electricity Farm Project.

14 Whenever you came in, in the back, hopefully,
15 you were able to pick up some of the various pieces of
16 information that we have. There's copies of the
17 scoping document, which I'll be referring to many times
18 throughout this evening. There's also a single page
19 that looks like this. It has a flow chart on it, and
20 this describes the ILP process that I'm going to be
21 talking about. And sometimes it's just helpful to
22 refer to this so that you know at what point in the
23 process we are currently at and at what point in the
24 process I am referring to as I go through my talk.

25 The initial steps of the ILP involve what's

1 called the applicant, JD Products, filing an NOI, which
2 stands for "Notice of Intent," and a PAD, which stands
3 for "Pre-Application Document." This is when the
4 applicant has identified and contacted any potential
5 stakeholder that might have an interest in the project
6 or that may have pertinent information that could be
7 useful to Dr. Kim to use as he goes through this
8 process. He contacts them -- he contacted them, I
9 should say, and was able to get some information as
10 well as do a literature search and find other pieces of
11 information that he put together into a package. And
12 this package, which is called the "PAD," essentially
13 has the best information that Dr. Kim could find
14 concerning various resource areas. So he put that
15 together. He provided that to FERC as well as to the
16 stakeholders that have shown interest in his project,
17 and that occurred last October 2011.

18 We are currently in the stage of the ILP known
19 as "scoping." In December of last year, the Commission
20 issued what's called Coping Document 1, which is the
21 document that I referred to in the back of the room.
22 And in this document, we tried to identify,
23 preliminarily, the issues of concern that we found
24 based on the information that Dr. Kim provided in his
25 PAD as well as letters that were provided to Dr. Kim

1 that sort of showed -- from various resource agencies,
2 NGOs, et cetera, that showed what their initial
3 concerns were, what their initial comments were, any
4 additional information that they could provide. So we
5 incorporated that all into a scoping document to
6 outline an initial list of issues of concern.

7 In that scoping document, towards the back,
8 there's also a process plan and schedule, which sets
9 out specific dates and milestones that you'll be seeing
10 as we go through this process that will be coming down
11 the line. So it just helps you understand how long
12 this process takes and the various steps that are
13 included within that.

14 What will happen is we are having this public
15 meeting right now. As I said, everything is being
16 recorded by a stenographer so that it will become part
17 of the public record. After this meeting is over, all
18 of you and people that were here earlier during the
19 meeting as well as people that weren't able to attend
20 will have an opportunity to submit comments and study
21 requests, and they will need to do that by
22 February 21st of this year.

23 Now, depending upon the scope of comments that
24 we get and how far different they are from what we
25 listed in Scoping Document 1, we may be issuing

1 Scoping Document 2, which will be structured very
2 similarly to Scoping Document 1 but will just be a
3 little bit more detailed and tailored for this project.

4 So, as I said, after we provide comments to
5 Dr. Kim, some of those comments may be in the form of a
6 study request, and per the Integrated Licensing
7 Process, the commission has put forth seven
8 study-request criteria that people need to make sure
9 their study meets in order to have it be fully
10 considered by the commission, and these are listed up
11 here on the slide. They are also included as part of
12 the scoping document that you got tonight.

13 One of the ones that I want to bring your
14 attention to that is of extreme importance is No. 5,
15 "Nexus to project operations and effects and how study
16 results would inform development of license
17 requirements." Oftentimes we'll have study requests
18 that will meet all of these other bullets, but there
19 really won't be a nexus to the particular project or
20 that particular geographic location. So if you are
21 going to be putting forth study requests, I encourage
22 you, of course, to meet all seven of them, but really
23 describe No. 5, and show how your request has a
24 specific nexus to this project.

25 After Dr. Kim receives all of our comments and

1 our study requests, he'll be required to prepare what's
2 called a "Proposed Study Plan," and that will be a
3 document that outlines, based on information that he
4 does already have, regarding the environmental area as
5 well as it will focus on information that we don't yet
6 have. And based on comments that are received, he
7 might need to tailor certain Study Plans in order to
8 accomplish the goal of getting that information.

9 Once he submits that to the Commission as well
10 as to the other stakeholders that are involved in this
11 process, everybody will get together to discuss those
12 Proposed Study Plans and resolve any issues or discuss
13 any disconnects that might be between Dr. Kim and the
14 stakeholders.

15 At that point, Dr. Kim will be able to provide
16 what's called a "Revised Study Plan," which is very
17 similar to the Proposed Study Plans, but as the name
18 implies, it's revised based on these meetings that he
19 will have with the various stakeholders.

20 At that point, FERC staff will issue a
21 "Study Plan Determination," which is a document that
22 very succinctly outlines what studies Dr. Kim, as part
23 of JD Products, will be responsible for conducting in
24 order to obtain the necessary information to move forth
25 with his project.

1 There might be some agencies that have what's
2 called "mandatory conditioning authority." That means
3 that because of their role in this process as well as
4 their role in NEPA, the National Environmental Policy
5 Act, they are able to impose conditions in any FERC
6 license issued, and we are obligated to include those
7 conditions even if we don't necessarily agree with
8 them.

9 But those agencies that have that authority
10 can go through a process called "dispute resolution."
11 So if they don't agree with what our director in the
12 office of energy projects at FERC determines are
13 appropriate plans for JD Products to pursue, they can
14 file a dispute with whatever plan they don't have an
15 agreement with. They go through a dispute process, and
16 we have a method of having panel members and technical
17 meetings to try to work out those disputes.

18 After that, we'll have what's called
19 "studies." This is when Dr. Kim will spend about two
20 years -- in our case, it's around 2013 to 2014 --
21 conducting all of these studies that were put forth in
22 the Revised Study Plans and that were determined to be
23 appropriate by the Commission.

24 After each year, the applicant will file
25 Study Reports with the Commission as well as all of the

1 stakeholders, and they will have an opportunity to
2 review those studies, see if they are getting the
3 results that they thought they would. If not, there's
4 an opportunity to submit requests for modifications to
5 a current study, to try to get some different
6 information, or if you find that that particular study
7 is not meeting your needs at all, stakeholders could
8 actually submit a request for a brand-new study, again,
9 going back to those seven study criteria that we
10 listed, making sure that you address all of those and
11 also indicate why this new study is important and why
12 any of the past studies that have been completed didn't
13 meet those needs.

14 At that point, the applicant will prepare
15 what's called a "Preliminary Licensing Proposal."
16 These are documents that pretty much -- whenever we get
17 to the post-filing activity of the Integrated Licensing
18 Process. So, on this flow chart, it's the bottom
19 portion. This is post-filing activity. This is
20 prefiling activity up above. When we talk about
21 filing, we are talking about the filing of a license
22 application. So, in a FERC license application, there
23 are certain exhibits that are related to an initial
24 statement, costs, an environmental report, et cetera,
25 that must be included per the Commission's regulations.

1 So a Preliminary Licensing Proposal is sort of just the
2 nuts and bolts of that environmental license
3 application. It just has Exhibit E, which is just the
4 environmental report.

5 The applicant may also choose to file what's
6 called a "Draft License Application," and just as the
7 name implies, it's a draft of this very document down
8 here that we are talking about, a license application.
9 This type of document is more robust. It includes all
10 of the exhibits that are required. It can include a
11 draft biological assessment, BA, if necessary. It can
12 include an Historic Properties Management Plan, any
13 other type of management plans that might be necessary
14 for this project. So it's just a little bit more
15 involved. But both of these are options for the
16 licensee to pursue, a Preliminary Licensing Proposal or
17 a Draft License Application.

18 Both of those documents are provided a 90-day
19 comment period where FERC staff, agencies, other
20 stakeholders can take the time, review those documents,
21 and provide valid comments back to Dr. Kim that he can
22 then incorporate into a license application, which is
23 what we would want here in the initial part of the
24 post-filing activity.

25 And then these next couple of slides apply to

1 what I've been referring to as the "post-filing
2 activity." And I'm just going to go through these
3 briefly because they were forecasted pretty far down
4 the road. So I'll just touch on them in a brief
5 overview. So a license application will be filed.
6 Once we feel, the Commission, that we have all of the
7 information that we need to move forward, we'll issue
8 what's called an "REA Notice," "ready for environmental
9 analysis." It's at that time that we'll spend several
10 months preparing an environmental document. This could
11 be in the form of either an environmental assessment or
12 an Environmental Impact Statement. It will probably
13 have a draft and final version of that document where
14 the draft will be open for comments, and we'll address
15 all of those comments in a final environmental
16 document.

17 And then the final step in this process would
18 be issuing an order to the applicant. I want you to
19 keep in mind that, from the very beginning of this flow
20 chart down to the very bottom, this is about a span of
21 about five and a half years. So it's a very lengthy
22 process. There's a lot of steps involved, but
23 throughout it, commission staff tries to keep updated
24 schedules and process plans before all of you so that
25 you know what's coming down the pike.

1 Are there any questions about the
2 Integrated Licensing Process and what milestones have
3 already been completed, what milestones we are doing
4 now, and, in general, what lies in the future?

5 Okay.

6 LARRY RANNALS: One question. The initial
7 environmental --

8 CAROLYN TEMPLETON: Would you state your name,
9 please.

10 LARRY RANNALS: I'm sorry. Larry Rannals.
11 The initial environmental study is intended to be an EA
12 for this project or --

13 CAROLYN TEMPLETON: Not necessarily.

14 LARRY RANNALS: -- too early to tell?

15 CAROLYN TEMPLETON: Yes. It depends on the
16 types of comments and the studies that we get. And
17 you'll see, once we start talking about the resource
18 issues and the scope, we are looking to have input from
19 everybody as to what the geographic scope might be for
20 cumulative impact. So it could be fairly large. We
21 don't know at this point because we are not too
22 familiar, but that can --

23 I mean, we typically start out by saying that
24 things would be an environmental assessment, but that's
25 not set in stone. It very well could be an

1 Environmental Impact Statement. It's a little bit too
2 early to determine which route we might take on that.

3 LARRY RANNALS: Okay. Thank you.

4 CAROLYN TEMPLETON: Any other questions about
5 the ILP process? Okay. So I'm going to describe to
6 you now JD Products represented here tonight by
7 Dr. Kim.

8 I didn't really introduce, Dr. Kim. So maybe
9 just wave your hands around.

10 DR. CHONG KIM: It's me.

11 CAROLYN TEMPLETON: This is our applicant
12 here, Dr. Kim. He provided, in the back of the room
13 also next to the scoping documents, his proposal. It
14 has several pictures in there of the devices that he's
15 thinking of testing and deploying, and it has some
16 background information in there for you to look at.
17 I'm going to just briefly describe his proposal so that
18 you all have an understanding of what we are talking
19 about here tonight.

20 Dr. Kim is proposing a three-phase project,
21 and for reasons that I'll explain, really, the intent
22 of tonight's scoping meeting is to focus on Phase 3 --
23 I'm sorry -- Phase 2. Phase 1 of Dr. Kim's proposal is
24 a prototype fabrication and testing. So this phase
25 essentially is going to involve taking two types of

1 devices: one of them is called an RFEG, which stands
2 for "River Flow Electricity Generator," as well as an
3 "Ocean Wave Electricity Generator," OWEG, which you may
4 also hear us refer to here as "OWEG." Those will be
5 placed in the ocean to test and see how they work with
6 the waters, what types of impacts they may have. So
7 it's more just a study phase for these two particular
8 types of devices.

9 Phase 2, which is what we are focusing on for
10 the purposes of tonight's meeting, is the production,
11 installation, and operation of 766 of the OWEG
12 generators. So that's more of a larger build-out of
13 these devices. He is proposing to install these about
14 2,000 feet off of the coastline in the Pacific Ocean
15 just down near San Onofre State Park. I think it's
16 also called "State Beach." So that will be the
17 approximate location of that.

18 He is also proposing, in order to deploy these
19 OWEGs, putting in an access road.

20 And, Dr. Kim, the access road you are
21 proposing will be down near SONGS? Is that correct?

22 DR. CHONG KIM: Just south of SONGS.

23 CAROLYN TEMPLETON: South of SONGS. SONGS is
24 the San Onofre Nuclear Generating Station. I'm sure
25 you are all familiar with that. So that's the

1 location, approximately, of where an access road would
2 be. And down near the beach area, there also has to be
3 sort of an assembly line, manufacturing setup in order
4 to have these devices deployed and put into the waters.

5 Phase 3 of Dr. Kim's proposal is dependent
6 upon the decommissioning of SONGS, and so because we
7 are not necessarily sure if the decommissioning is
8 going to occur and that action is more speculative in
9 nature, we are not focusing the scoping tonight on that
10 phase of his proposal. But that phase would
11 essentially include even a further build-out to bring
12 the total number of OWEGs to 2,677. And, again, I said
13 that -- as I said, that's based on the decommissioning
14 of SONGS.

15 But, as I said, in Dr. Kim's proposal that he
16 provided as well as in our scoping document -- if you
17 want to take a look at -- it starts on page 7 under
18 "Applicant's Proposal." It talks about the three
19 phases that I mentioned, and later on, for your future
20 reference, it has project-location figures. It has
21 figures that show you what an OWEG looks like, what
22 Dr. Kim is proposing, that each of these OWEGs would be
23 anchored to the bottom of the ocean floor by --

24 What will the anchors be made out of? Are
25 they wires, or are they more like poles?

1 DR. CHONG KIM: Not wires. It's basically a
2 pole, yeah.

3 CAROLYN TEMPLETON: A pole?

4 DR. CHONG KIM: Yeah.

5 CAROLYN TEMPLETON: There will be
6 approximately eight poles on each device.

7 DR. CHONG KIM: Not -- the eight poles, at the
8 bottom of the eight poles, there's some spikes.

9 CAROLYN TEMPLETON: A spike?

10 DR. CHONG KIM: Yes, a spike.

11 CAROLYN TEMPLETON: That will hold it to the
12 bottom of the ocean floor?

13 DR. CHONG KIM: Yeah, yeah. The baseline is
14 very heavy, and the center of gravity is way down.

15 CAROLYN TEMPLETON: So there are figures in
16 here that show you what these devices look like. It
17 shows you a figure of what the entire array -- how it
18 would be arranged, all of these OWEGs together.
19 Dr. Kim estimates that the 766 units would produce
20 about 450 megawatts of electricity.

21 So I know that was a very short overview of
22 the project. Are there any particular design questions
23 at this point or configuration questions that you all
24 have that Dr. Kim could go into more specifically about
25 how something would be arranged or how it would be

1 built?

2 BILL WHITTENBERG: Bill Whittenberg. Is FERC
3 going to license the transmission as well as the
4 generation?

5 CAROLYN TEMPLETON: Yes. The transmission --
6 once these OWEGs are installed, there would have to be
7 a way for that electricity to come on shore and connect
8 to the grid. So, as part of the project, the
9 transmission of that would also be included.

10 BILL WHITTENBERG: And that would be part of
11 the studies?

12 CAROLYN TEMPLETON: Yes. Not necessarily the
13 study of the transmission line, but any resources that
14 could be affected by a transmission line coming onto
15 the shore, coming on ground, so, yes, any --

16 If there's not pertinent information out there
17 that could address the impacts of the transmission
18 line, any studies that you might think of could be
19 developed to address the transmission as well.

20 BILL WHITTENBERG: Thank you.

21 CAROLYN TEMPLETON: Bill?

22 BILL TOMAN: Hi. Bill Toman, SAIC. Has
23 Southern California Edison filed any comments in this
24 docket on their plans for the SONGS unit vis-a-vis
25 relicensing?

1 CAROLYN TEMPLETON: You know, I can't honestly
2 answer that question. I don't think so. From what I
3 can recall seeing in the record, I don't remember
4 seeing anything that showed specific proposals as to
5 what might happen with that.

6 JOSEPH HASSELL: They did --

7 CAROLYN TEMPLETON: But I can't answer you
8 with 100 percent confidence.

9 BILL TOMAN: I wonder if they -- this is an
10 NRC question. I wonder if they actually filed with the
11 NRC for relicensing.

12 CAROLYN TEMPLETON: That, I don't know. I'm
13 not sure. I thought maybe we'd have somebody here from
14 that --

15 JOSEPH HASSELL: She was here earlier.

16 CAROLYN TEMPLETON: Oh, she was here in the
17 daytime meeting?

18 JOSEPH HASSELL: Somebody from Southern
19 California Edison was here.

20 CAROLYN TEMPLETON: Okay.

21 JOSEPH HASSELL: They did file a letter, a
22 comment letter, you know, expressing, of course, their
23 interest in the project because of this potential
24 effect on SONGS, but --

25 CAROLYN TEMPLETON: But I don't think we had

1 information as to whether or not SONGS is or is not
2 going to re-up their application or be decommissioned.

3 LARRY RANNALS: I don't think they have filed
4 their relicensing application yet.

5 CAROLYN TEMPLETON: Okay. And your name
6 again?

7 LARRY RANNALS: Larry Rannals, Camp Pendleton.

8 CAROLYN TEMPLETON: Okay.

9 JOSEPH HASSELL: When you speak of
10 relicensing, are you speaking of the NRC?

11 LARRY RANNALS: Yes. Yes, sir, relicensing
12 with the NRC.

13 CAROLYN TEMPLETON: NRC is the Nuclear
14 Regulatory Commission. Are there any other questions
15 specific to the prototype, the way the array will be
16 set up? Yes, you in the back.

17 ANDREA SWAYNE: Andrea Swayne, the
18 Dana Point Times. I previously wrote a story about
19 this, and one of the things that came up in comments
20 following the story were environmentalists concerned
21 about turbines. They've seen some prototypes online
22 that include OWEGs that include turbines and the
23 concern being that turbines would essentially create a
24 bunch of chopped-up fish.

25 Dr. Kim's design last time I spoke with him

1 did not include a turbine. Is this still correct?

2 CAROLYN TEMPLETON: Yes.

3 DR. CHONG KIM: Yes.

4 ANDREA SWAYNE: Dr. Kim will not be testing
5 any turbines?

6 DR. CHONG KIM: No turbine, no prop- --

7 CAROLYN TEMPLETON: No turbine, no propeller.
8 It's more of a --

9 JOSEPH HASSELL: Conveyor belt.

10 CAROLYN TEMPLETON: -- conveyor belt of sorts
11 that uses the movement of the waves to generate.
12 There's no internal mechanisms going around. Yes.
13 Your name?

14 RICK WILLIAMS: Rick Williams, SAIC. Are
15 there any videos of the prototype working in a
16 simulated water wave so we could understand more about
17 the device?

18 CAROLYN TEMPLETON: I'll have to refer to
19 Dr. Kim.

20 DR. CHONG KIM: Yeah, we tried to fabricate
21 it. We are in the process of writing it. We are
22 writing the application to get some funds from the DOE.
23 If we get a grant, then we have to fabricate and test
24 it. So we don't have any video thing to explain how it
25 works for that, and we haven't disclosed what's going

1 on inside because, honestly, the patent is very simple,
2 and exposing this idea could cause -- could -- I mean,
3 of course, you know, many people are interested,
4 including Japan, Korea, and China. So if they find how
5 it works, they are going to try it, they are going to
6 test it, and they are going to find if it works or not.
7 Then they might get ahead of us because it will take
8 five and a half years for us to get it licensed as long
9 as it's for. But the decision is -- within a year, I
10 believe, they can get something going. So I tried to
11 hide it to kind of -- yeah, that's why.

12 RICK WILLIAMS: Protect it?

13 DR. CHONG KIM: Yeah, yeah.

14 CAROLYN TEMPLETON: Dr. Kim expressed this
15 concern in the earlier meeting that we had. As he
16 said, they have a patent filed for their device, and
17 they want to try to ensure that they alone are the ones
18 that can develop this device. But we did have some
19 comments from agency folks that said, "Well, in order
20 for us to fully be able to understand what
21 environmental, what developmental impacts this device
22 could have, we need to have a little bit of an
23 understanding as to how the device is going to be
24 built, shaped, et cetera."

25 So I think, in the future, we are going to try

1 to work with Dr. Kim to try to get a little bit more
2 detail in terms of the design without disclosing
3 everything so that -- you know, the design of his
4 project, of this in jeopardy with other countries, but
5 just to get a little bit more information on the
6 dimensions of some of the specs so that the people
7 reviewing this project can get a better understanding
8 of what the impacts might be -- does that sound right,
9 what we talked about? -- to try to just see what
10 information we could release.

11 DR. CHONG KIM: Yeah. Of course, as I said, I
12 try not to say anything at all. I'm not going to say
13 anything because, first of all, we have to test that
14 thing to see whether it works or not. After the
15 testing is done, it's going to take about maybe a year
16 or so to be able to test actually how it works. After
17 that, the idea is to get an investor, show it works.
18 Then the investor is interested. That's the prime
19 objective of the testing is getting an investor. So
20 we've got to have the money to build the thing. Of
21 course, if we fail, then that's it.

22 But, until then, I'm not going to say anything
23 because the company decided it's kind of a confidential
24 document. So we are not going to say anything. But a
25 few people like Mr. Kenneth Hogan, he knows about it

1 because I sent everything, the basic concept of it.

2 CAROLYN TEMPLETON: Just a reminder, Ken Hogan
3 is also with the FERC team.

4 DR. CHONG KIM: Yeah. He's kind of heading
5 the whole project. Anything, he should know because
6 there is one person who should know what's going on.
7 So I sent him a document, and I explained this whole
8 concept, so he and Mr. Christman.

9 CAROLYN TEMPLETON: Okay.

10 DR. CHONG KIM: Yeah, he knows. Those are two
11 persons who know. He's -- they are the only two
12 persons I have to tell, but the other people -- as you
13 said, I like to talk about it. Really, I talk about
14 it, but the particular newspaper comment, they will
15 find it. They are going to publish most likely.
16 That's my concern. So I kind of -- that's my position.
17 I will answer the question. I hate to say I'm hiding
18 anything, but this is my position to this day.

19 BILL WHITTENBERG. Again, Bill Whittenberg.
20 This looks like unique technology. Has it been piloted
21 or a demonstration project conducted?

22 CAROLYN TEMPLETON: Not this particular device
23 from what I understand. We have had, at FERC, other
24 applications for what we call "hydrokinetic projects,"
25 but those have typically used some sort of turbine or

1 paddle wheel or propeller. I don't believe we have
2 ever seen this type of device before.

3 BILL WHITTENBERG: So is Phase 2 going to be a
4 demonstration project?

5 DR. CHONG KIM: Phase what?

6 BILL WHITTENBERG: Phase 2, as it is
7 presented.

8 DR. CHONG KIM: Oh, Phase 2, yeah.

9 BILL WHITTENBERG: Is there a demonstration
10 project?

11 DR. CHONG KIM: Phase 2, we have actually
12 hardware. Phase 2 means that we already have hardware
13 and are building it and putting it in the water. So
14 then people know about it, I guess.

15 CAROLYN TEMPLETON: I think Phase 1 would be
16 more of the demonstration.

17 DR. CHONG KIM: After Phase 1, we know it
18 works. We know now it theoretically works, right now.
19 But, actually, hardware will be -- we will verify
20 hardwarewise in the first phase, Phase 1.

21 BILL WHITTENBERG: Bill Whittenberg again.
22 Another question is why is this particular site -- does
23 it have any advantages over other sites along the
24 coastline.

25 DR. CHONG KIM: Yeah. The transmitter line,

1 that's basically it. That's a key element.

2 BILL WHITTENBERG: Well, I'm aware of other
3 generating sites along the coastline, Huntington Beach,
4 Long Beach, other locations. Why is this one so
5 preferred over those others?

6 DR. CHONG KIM: Yeah. The one thing is, as we
7 talked about here, SONGS is going to be decommissioned
8 in 2022. So, after that, after they are gone, then the
9 transmission line is sitting there doing nothing. So
10 we cannot do that. We have to use this transmission
11 line. That's basically the idea that I came up with.
12 So we started looking at this thing.

13 But the other thing is this area is actually
14 inside Camp Pendleton -- I mean the Marine camp. Do
15 you know what? I thought that case -- we cannot go in
16 there, I thought. So fishermen cannot go in there, and
17 it's just an excluded area, I thought. So this must be
18 the right area we can do something because it's not
19 going to bother -- I mean, interfere with other
20 human -- I mean civilian life because they are not
21 going to go in there. That's what I thought.

22 But I understand -- later on, I found out that
23 people still go in there. But, earlier, I thought that
24 this was excluded area. So that was going to be an
25 advantage to us because people are not going to

1 complain, but that is not the case. But, anyway, the
2 transmission line is basically why I have it there.
3 The other area, I haven't investigated for.

4 CAROLYN TEMPLETON: Yes.

5 ANDREA SWAYNE: Andrea Swayne,
6 The Dana Point Times. Has FERC received any comments
7 from Camp Pendleton regarding -- anything new regarding
8 whether or not they are opposed or okay with allowing
9 this?

10 CAROLYN TEMPLETON: We have received
11 correspondence from folks at Camp Pendleton. I don't
12 think their comments necessarily said they are for or
13 against this project, but I think they clarified that
14 more information is going to be needed in terms of how
15 the project would interact with actions going on at the
16 base, if any potential security threats might happen
17 because of any sort of noise or impacts that these
18 devices might have by being in the water. So I
19 wouldn't say any opposition or support specifically,
20 but we are definitely in contact with them.

21 We have people here tonight from the base. We
22 had people here earlier this afternoon representing
23 Camp Pendleton, and I think the consensus was that they
24 are going to be involved, more information is needed,
25 and, you know, if this project moves forward, we will

1 definitely need to be in close consultation with them
2 because this is a unique situation. We don't often
3 have FERC projects that involve Department of Defense
4 lands or waters.

5 ANDREA SWAYNE: I know of one ocean-water,
6 generating test going on at a military base in Hawaii.
7 Have -- are there any -- has there been any talk about
8 that being a model for it?

9 So I know it's happened. So I know that the
10 military is open to letting this happen, but has that
11 been talked about yet?

12 CAROLYN TEMPLETON: I don't think -- I'm not
13 familiar with the one that you are referring to. So
14 I'm guessing that using that as an example has not been
15 brought up. But, as I said, we at FERC are -- we are
16 not necessarily for or against a particular project,
17 but we are definitely open to making projects --
18 helping them to work within our processes, and our
19 processes include the involvement of other agencies.
20 So we are definitely open to creative ways of making
21 projects work or interacting with other agencies that
22 may be involved when unique situations arise like this.

23 JOSEPH HASSELL: The Marines pointed out to us
24 this afternoon that the location of the proposed
25 project is in front of San Onofre State Beach, but that

1 is under a lease to the state --

2 ANDREA SWAYNE: The state parks.

3 JOSEPH HASSELL: -- department and parks,
4 which expires in -- I forget what they said.

5 LARRY RANNALS: 2021.

6 JOSEPH HASSELL: They also pointed out that
7 they are -- in their letter, this was -- they are
8 responsible for training Marines in amphibious
9 operations. And you can obviously make the connection
10 there between those types of operations and having the
11 wave farm in front of their facility, in front of their
12 land.

13 CAROLYN TEMPLETON: Just lots of different
14 intricacies to consider as we move forward with this
15 project to see how it will interact with not only
16 environmental resources, but other operations that are
17 going on: SONGS, Camp Pendleton, et cetera.

18 ANDREA SWAYNE: With the lease expiring in --
19 was it 2021? --

20 JOSEPH HASSELL: I think that's right.

21 CAROLYN TEMPLETON: I think that's what they
22 said.

23 ANDREA SWAYNE: -- 2021, has there been any
24 talk of taking it back from the state park? Nobody has
25 said anything definitively?

1 LARRY RANNALS: It's too early to determine
2 that.

3 CAROLYN TEMPLETON: I think it was raised
4 earlier this afternoon that that could be a
5 possibility.

6 LARRY RANNALS: That's a possibility.

7 CAROLYN TEMPLETON: But it has not yet been
8 determined.

9 LARRY RANNALS: It has not been determined.

10 CAROLYN TEMPLETON: Bill?

11 BILL TOMAN: Bill Toman. Just a point of
12 information. The test facility in Hawaii -- Oahu,
13 Kaneohe Bay -- is offshore of a Marine base there.
14 It's a Marine/Navy facility. So it's a federal
15 facility that's testing a single-buoy --

16 CAROLYN TEMPLETON: Okay.

17 BILL TOMAN: -- generator there for the
18 New Jersey ocean power technology, and, therefore, it's
19 not a FERC jurisdiction as of yet.

20 CAROLYN TEMPLETON: As of yet, yeah. Great.
21 Thank you for that clarification.

22 RICK WILLIAMS: Rick Williams, SAIC. For
23 Dr. Kim's information, the Kaneohe Marine Base is part
24 of an initiative by the University of Hawaii with the
25 Department of Energy on National Marine -- Hawaiian

1 National Marine Renewable Energy Center, and its
2 mission is to test devices such as your concept in the
3 early phase. So it is intended to be a place to test
4 and answer many of the questions that you are being
5 asked.

6 DR. CHONG KIM: Okay. We are trying to test,
7 actually, our prototype. Then we will get more -- I
8 think the data coming from the prototype will be more
9 valuable than the other area. That's what I tried to
10 do. And, of course, you know, the test procedure, the
11 commission for testing is not that complicated to
12 undergo right now. So we might be able to get that one
13 easy. This one has been a tough one.

14 CAROLYN TEMPLETON: Are there any other
15 questions regarding JD Products' proposed project in
16 terms of where it's going to be sited and what
17 facilities would be associated with that? Okay.

18 ANDREW SWAYNE: I have one thing I'd like to
19 clarify. Andrea Swayne. Many people are under the
20 impression -- now, certainly, in my story, I was
21 careful not to give the impression that the initial --
22 your initial -- now I'm losing the word in my head.

23 CAROLYN TEMPLETON: Proposal?

24 ANDREA SWAYNE: I'm sorry.

25 RICK WILLIAMS: PAD?

1 ANDREA SWAYNE: Yeah, that the PAD doesn't
2 mean that this thing is going to be tested tomorrow or
3 next month, you know. It had been reported -- I think
4 the thing that got a lot of people around here a little
5 up in arms was a report that said that Dr. Kim had been
6 granted -- I'm sorry.

7 JOSEPH HASSELL: A preliminary permit?

8 ANDREA SWAYNE: No. I'm sorry. I've been out
9 all day. Permission to -- what is the first process,
10 an initial --

11 CAROLYN TEMPLETON: Integrated Licensing
12 Process?

13 ANDREA SWAYNE: No.

14 JOSEPH HASSELL: I think it's the preliminary
15 permit.

16 DR. CHONG KIM: Preliminary permit.

17 CAROLYN TEMPLETON: Are you talking --

18 JOSEPH HASSELL: He's received a preliminary
19 permit.

20 ANDREA SWAYNE: Yeah, the permit, that's the
21 thing that got -- that's the thing that got everybody
22 up in arms was the word "permit," that he had been
23 issued a permit. And I think people had more of a
24 misconception that "permit" meant that he was approved
25 to start testing this thing.

1 Exactly what does, in layman's terms, the
2 permit allow? It just allows him, in layman's terms,
3 like, dibs on the area, basically?

4 CAROLYN TEMPLETON: Yes. You are exactly
5 right.

6 ANDREA SWAYNE: Okay.

7 CAROLYN TEMPLETON: A permit does not
8 authorize any construction, any operation, et cetera.
9 It solely gives JD Products first rights to study the
10 feasibility of a project being developed at a specific
11 site. It does not authorize any action other than a
12 study.

13 ANDREA SWAYNE: So it gives JD Products
14 authorization to -- I'm sorry -- what? -- to initiate
15 a --

16 CAROLYN TEMPLETON: It gives JD Products the
17 authorization to study the feasibility of a project at
18 a specific location.

19 JOSEPH HASSELL: For three years.

20 CAROLYN TEMPLETON: And it lasts for three
21 years.

22 ANDREA SWAYNE: Okay. That's what I was
23 trying to get at. Sorry, I couldn't pull that word out
24 of my head.

25 CAROLYN TEMPLETON: That's okay.

1 ANDREA SWAYNE: That happens sometimes.

2 CAROLYN TEMPLETON: Any other questions about
3 the project or the process? Yes.

4 LARRY RANNALS: Larry Rannals again. Did I
5 understand that our next opportunity to comment on this
6 is up until the 21st of February?

7 CAROLYN TEMPLETON: Correct. We are currently
8 in a scoping phase --

9 LARRY RANNALS: Right.

10 CAROLYN TEMPLETON: -- which includes --

11 LARRY RANNALS: To submit comments related to
12 the scoping?

13 CAROLYN TEMPLETON: -- comments on
14 Scoping Document 1 as well as comments in general on
15 the project, particular study requests that -- because
16 existing information is not already out there, specific
17 needs that will need to be addressed pertaining to the
18 project. So that will be up until the 21st.

19 LARRY RANNALS: Okay.

20 CAROLYN TEMPLETON: But that's not to say that
21 that is the only time --

22 LARRY RANNALS: I understand.

23 CAROLYN TEMPLETON: -- it would be open for
24 comments, but it's the time that we are in right now.
25 Okay. I think we are about ready to move on to the

1 next part of the meeting, which is the identification
2 of issues as well as alternatives, what available
3 information is out there already, what study needs
4 might need to be developed and looked at, and then
5 identifying cumulative issues and the scope of this
6 project.

7 If you all have the scoping document, I
8 encourage you to turn to page -- so it starts on
9 page -- the bottom of page 15, and it goes to the next
10 couple of pages, but is where commission staff
11 initially --

12 Based on information included in JD Products'
13 PAD as well as comments that were included in the PAD
14 from various entities, we tried to identify a list of
15 issues per resource section that we felt needed to be
16 evaluated further for this project.

17 One thing that we take a look at is cumulative
18 effects. So that could mean based on all kinds of
19 operations that might be going on in the area, other
20 facilities, other plants. All of these things working
21 together might have cumulative impacts on various
22 environmental resources. So, in our document, when you
23 get to the section on "Resource Areas," we have
24 asterisks next to certain bulleted points that
25 identifies that we think there would be a cumulative

1 impact associated with that particular area under a
2 resource.

3 So, right now, initially, we identified
4 cumulative effects to geology and soils, threatened and
5 endangered species, aquatic resources and marine
6 mammals, reptiles, birds, and we also look at the
7 geographic scope, as I mentioned earlier. And because
8 we are a staff at FERC or from Washington, DC, we are
9 not exactly real familiar with the local region, we are
10 looking for input from all of you as to what geographic
11 scope we should be looking at whenever we are looking
12 at this project's impact. So if you do decide to
13 provide comments, whether verbally tonight or in
14 written format and you have some input as to what the
15 geographic scope should be, we would value that input
16 from you.

17 Now, getting into individual resource issues,
18 these are the ones that we identified in the scoping
19 document. These are a fairly standard list that, per
20 National Environmental Policy Act requirements, this is
21 what we typically look at in our environmental
22 documents that we prepare. So I did not put a slide
23 down that listed each bullet under each resource. I'm
24 going to, kind of, go over those with you verbally from
25 the scoping document.

1 But we did identify resource issues related to
2 geology soils, aquatic resources, terrestrial T and E,
3 recreation, land use, aesthetics, cultural resources,
4 as well as developmental resources.

5 So I'll go through these individually. As I
6 said, this is just an initial list that we identified
7 based on information that we got from JD Products' PAD
8 as well as input that all of the stakeholders initially
9 provided on the PAD. But this is a time where I'd like
10 to have an open discussion, an open forum. If you
11 think that there's items under here that we forgot to
12 mention or if you think some of the bulleted items that
13 we did include aren't necessarily applicable to this
14 project or this particular area, we would like to hear
15 your feedback.

16 So, for geology and soil resources, we
17 identified the effects of changes in wave energy on
18 sediment transport processes. We also identified the
19 effects of geologic hazards. This could include
20 seismic activity, ground-shaking, tsunamis, et cetera,
21 on the proposed project's stability and structural
22 integrity.

23 So I just want to open the floor. If you have
24 any particular comments or input that you'd like to
25 provide on geology and soil resources, we welcome your

1 comments. And, again, I want to emphasize, this is
2 kind of a -- not meaning to put you on the spot type of
3 meeting, but after you go back, when you have more time
4 to digest the various materials that you may have
5 received tonight, if there's something that comes to
6 mind that you didn't verbally say tonight, towards the
7 end of the meeting, I will describe in detail how you
8 can file written comments, either on paper or
9 electronically, with the Commission. And you'll, as I
10 said, have up until February 21st to do that. So don't
11 feel like, if you don't speak tonight, this is your
12 last opportunity to comment because there is still
13 about another month left for you to provide written
14 comments.

15 If there's no comments on geology and soils, I
16 will move on to the next resource which, in here, I
17 sort of umbrellaed it under "Aquatic Resources," but
18 it's going to include both water resources and
19 aquatics. So I'll read through this list and let you
20 think about that for a few moments. Under "Water
21 Resources": "Effects of installation on water quality
22 including sediment re-suspension; effects of
23 antifouling paint or coatings on water quality"; and
24 the "potential effects of spills of hydraulic/fuel oil
25 on water quality."

1 Under "Aquatic Resources," we identified
2 "electromagnetic effects on aquatic resources;
3 attraction of predators and increased predation on
4 fishes; effects on species composition/interactions as
5 a result of attraction to project structures;
6 alteration of seabed habitat and effects of
7 installation; effects on invertebrate populations
8 resulting from alteration of seabed habitat and project
9 installation; effects of underwater noise or vibration
10 on fish; potential entrainment of fish resulting in
11 injury or mortality"; and, finally, "effects of changes
12 in wave energy on littoral and shoreline aquatic
13 habitat."

14 So I know that's a pretty lengthy list, lots
15 to take in; but, again, I open up the floor for some
16 open discussion if you have any added bullets that you
17 want to provide or any added considerations that you'd
18 like us to take into effect.

19 BILL WHITTENBERG: Bill Whittenberg. I'm just
20 looking at the next item, 2, and it identifies cetacean
21 impacts and entanglement, but wouldn't the noise and
22 vibration issues apply there as well?

23 CAROLYN TEMPLETON: I'm sorry. Which bullet
24 are you looking at?

25 BILL WHITTENBERG: Well, you have -- under

1 4.2.3, "Aquatic Resources," you identify "Effects of
2 underwater noise/vibration on fish." Okay. Then,
3 under 4.2.4, you identify effects on cetaceans.
4 Wouldn't the noise impacts affect cetaceans as well?

5 CAROLYN TEMPLETON: Yes. I mean, as I said,
6 this list is not all-encompassing. So a lot of times
7 the impacts will apply across resources. And even
8 though we didn't list it specifically, I'm glad that
9 you brought it up because that makes sure that we
10 identify that particular impact as something that could
11 happen across multi-resources.

12 BILL WHITTENBERG: Right.

13 CAROLYN TEMPLETON: So thank you for pointing
14 that out. Yes. Any other comments on water or aquatic
15 resources?

16 Okay. The next section is sort of specific
17 under "Terrestrial Resources," and this is marine
18 mammals, reptiles, and birds. We initially identified
19 these following impacts: Potential for whale and sea
20 turtle injury or entanglement and migration effects;
21 potential use of OWEG as haul-outs by sea lions and
22 seals; potential for collisions with ocean/water
23 vessels by marine mammals; acclimation, avoidance,
24 disruption of foraging by marine mammals due to noise
25 from vessels, construction, and devices; impacts on

1 behavior, orientation and navigation of marine mammals
2 due to electric and magnetic fields from devices;
3 attraction of marine mammals to artificial lighting on
4 devices, making them more susceptible to prey;
5 potential for offshore avian species to collide with
6 OWEG; potential for use of above-surface structures for
7 roosting and nesting sites by marine birds; effects of
8 oils and other chemicals released on land or offshore
9 to marine birds; potential for localized changes to
10 food webs, potentially affecting prey availability for
11 marine birds; potential for wave action changes along
12 the shoreline, thus affecting both sandy beach habitat
13 and the behavior of shorebirds using that habitat for
14 foraging"; and, finally, "effects of siting the project
15 near breeding colonies of marine birds."

16 Any thoughts or comments on that section?

17 Again, I want to emphasize that a lot of the
18 information that we identify here initially as
19 potential impacts we did glean from comments that were
20 included as part of JD Products' PAD that were letters
21 received from various stakeholders, agencies, NGOs, the
22 public, et cetera. So we did look at all of those
23 letters that were provided to Dr. Kim as comments on
24 his PAD and used those to come up with some of these
25 bullets that we have been discussing here tonight.

1 The next two sections I'm going to combine
2 together. They are "Terrestrial Resources" and "T and
3 E Species," "Threatened and Endangered Species." Under
4 "Terrestrial Resources," we identified "Impacts to
5 terrestrial vegetation, terrestrial wildlife, and
6 ecological communities on the shore due to the
7 installation of a transmission cable enclosed in an
8 underground tunnel; impacts to terrestrial vegetation,
9 terrestrial wildlife, and ecological communities on the
10 shore due to the construction of an assembly line for
11 fabricating the OWEG devices, a warehouse, a loading
12 dock, and a parking lot."

13 And one thing I do want to point out on this
14 particular bullet is, based on discussions we had at
15 the earlier afternoon meeting, we remembered that
16 JD Products is proposing to put in that access road
17 that I mentioned that's going to be near SONGS. So we
18 want to add after "parking lot" as well as the
19 access-road impacts of putting that in.

20 Under "T and E Species," we said "Impacts to
21 Endangered Species Act listed species due to noise,
22 contaminants, artificial lighting, presence of the OWEG
23 structures, entrainment, and exposure to electric and
24 magnetic fields."

25 At the bottom of that page, we have a footnote

1 draught that identifies, based on Fish and Wildlife
2 Service lists and NOAA Fisheries' lists the threatened
3 and endangered species that might be present in the
4 area of this project. There were a couple others
5 mentioned earlier this afternoon that we need to
6 consider.

7 And I also want to point out that we are aware
8 that there are California species that are listed as
9 state species of concern that are considered
10 state-listed, and we are not excluding those. We
11 typically analyze them under "Terrestrial Resources"
12 and save the species that are federally listed to be
13 discussed under a specific section that we call
14 "Threatened and Endangered Species."

15 So this doesn't mean that we are excluding the
16 California special-status species and species of
17 concern, but we will refer to those under the
18 "Terrestrial Resources" section if and when we would
19 get to an environmental document.

20 So were there any comments that you all would
21 like to provide? Any particular study requests that
22 you can think of that might be relevant for
23 "Terrestrial Resources" and "T and E Species"?

24 BILL WHITTENBERG: Bill Whittenberg again. I
25 haven't had the opportunity to look at this in detail,

1 but do the devices -- or will there be anything
2 projecting above sea level?

3 CAROLYN TEMPLETON: Yes.

4 DR. CHONG KIM: Yes, a little bit, about eight
5 feet.

6 BILL WHITTENBERG: Do they become a potential
7 habitat for sea creatures?

8 CAROLYN TEMPLETON: That is something that
9 should be looked at for this project. In our
10 experience with other hydrokinetic projects that have
11 some sort of buoy or any projection sticking out of the
12 water, they can become landing areas, roosting sites
13 for many birds. Several marine mammals like to crawl
14 out and sunbathe on them sometimes. So there is that
15 potential, and that would definitely be something that
16 should be looked at.

17 BILL WHITTENBERG: Okay.

18 CAROLYN TEMPLETON: Okay.

19 BILL WHITTENBERG: I'm not sure if it's in the
20 next item, but would those protrusions become
21 navigation hazards?

22 CAROLYN TEMPLETON: I know we -- this is kind
23 of just me talking to myself. I know we have something
24 in here about that.

25 LARRY RANNALS: That's what it is, science.

1 It would be --

2 DR. CHONG KIM: You and I have some sort of a
3 beam. So you mean the navigation of fish or human --
4 fish or --

5 BILL WHITTENBERG: -- vessel navigation.

6 DR. CHONG KIM: We have plans to have a beam.
7 So there's a warning. If you hit the beam, there's a
8 warning there. So it will let the pilot know that you
9 are coming into an area, there is something in there.
10 So it will try to exclude the area that way.

11 BILL WHITTENBERG: I think it ought to be
12 covered as part of the resources.

13 CAROLYN TEMPLETON: I don't see it listed
14 under any specific resource here, but that's definitely
15 an item of concern that should be looked at. So I
16 don't know exactly what overarching category we would
17 throw that under, maybe land use.

18 LARRY RANNALS: Ocean use, the next one.

19 JOSEPH HASSELL: Yeah.

20 CAROLYN TEMPLETON: And I don't see that, but
21 thank you for that comment, and we'll make sure that
22 that's an item that's analyzed.

23 BILL WHITTENBERG: Because it seems to me that
24 I've seen quite a few fishing vessels and, I'm sure,
25 naval vessels go in that area as well.

1 CAROLYN TEMPLETON: Sure. Well, with that
2 beautiful lead-in that he provided us, we will go to
3 "Recreation, Ocean Use, and Land Use," and then I'll
4 throw in "Aesthetics" on the next page as well. So
5 we've identified "effects on recreational and
6 commercial fishing, beach use, surfing and other
7 recreational activities; effects on the U.S. Marine
8 Corps training area and Camp Pendleton Marine Corps
9 Base; effects of surf swells and breaks utilized by the
10 public for recreational activities; effects on public
11 access to the state park and beaches." And under
12 "Aesthetics": "Effects of sand movement including the
13 potential displacement of sand on beaches affecting the
14 natural scenery" and the "effect of the visibility of
15 exposed OWEGs on the natural scenery of the ocean."
16 Besides for the -- it's Bill, right?

17 BILL WHITTENBERG: Right.

18 CAROLYN TEMPLETON: Besides for the one that
19 Bill mentioned in terms of adding potential
20 navigational hazards imposed by the project, are there
21 any other recreation, ocean use, land use, or aesthetic
22 impacts that anyone wants to raise or discuss?

23 Okay. Next, "Cultural Resources." The
24 "effects of the construction of an assembly line for
25 fabricating the OWEG devices, a warehouse, a loading

1 dock, and a parking lot" -- I'm going to add in there
2 "access road" -- "on previously undiscovered
3 archeological remains that may be present."

4 While you are contemplating that one, I do
5 want to point out that, in the earlier meeting, someone
6 mentioned a good point where a lot of times it just
7 says "effects of the construction of." And one thing
8 that we are going to add in there for our consideration
9 is "effects of the construction and operation of." So
10 if this project would become operational, the
11 operations are something that we would like to see how
12 that would impact all of these resources.

13 Okay. And then the final point here, I'll
14 combine these into two. We are going to look at
15 "Socioeconomics" and "Developmental Resources." We've
16 identified as an issue or potential issue "Effects of
17 the project on the local economy of San Diego County
18 and the nearby city of San Clemente."

19 I believe I mentioned earlier we should
20 probably throw in Dana Point as well as some of the
21 smaller communities. Bill?

22 BILL WHITTENBERG: You might just simply
23 identify Orange County --

24 CAROLYN TEMPLETON: Okay.

25 BILL WHITTENBERG: -- as the affected area

1 because you identify San Diego County. If you just say
2 "San Diego," Orange County is not going to be covered.

3 CAROLYN TEMPLETON: Okay. Great. Thank you
4 for that. And then, under "Developmental Resources,"
5 "Effects of potential operational changes on the energy
6 and capacity benefits of the project and effects of
7 funding various protection, mitigation, and enhancement
8 measures on the cost of project power."

9 Okay. On any of the resources that we talked
10 about, is there anything that anybody wants to mention?
11 And in particular, if you, off the top of your head,
12 want to mention any study requests that you think would
13 be needed to accomplish any of these identified issues,
14 please feel free to share with us.

15 Okay. The next section is sort of a repeat of
16 what we just did, but I do want to -- that last part
17 was more of an open-discussion forum for us to have
18 pertaining to the issues. But if anybody would like to
19 make a more formal comment verbally, please feel free
20 to come up, center, in the middle, for everyone to see
21 and provide those comments. But, as I said, there's
22 always that opportunity to do so in a written format as
23 well, but we did want to give that public option
24 tonight.

25 One thing that I wanted to mention to you

1 is -- one of the things that the Commission looks at
2 and we've actually identified here in our scoping
3 document are comprehensive plans that may be in
4 existence for a particular area, a particular
5 watershed, a particular river, any particular species,
6 et cetera. So there are many different types of
7 comprehensive plans out there. And if there's anything
8 that you know of that pertains to your particular
9 agency or a particular NGO group that you work with,
10 any sort of state plan that may be of interest to this
11 project, I'd ask you to submit that to FERC for
12 consideration as a comprehensive plan.

13 We do have people at the Commission who review
14 these plans to make sure they meet the requirements of
15 what's considered a comprehensive plan, but if you have
16 that, we want to make sure that any document that we
17 prepare on environment issues would not conflict with
18 any of the proposed managements of certain areas or
19 certain species. So if you do have comprehensive plans
20 that you would like to make official with FERC, please
21 file those.

22 There are directions on our Web site,
23 www.ferc.gov, that explains how to do this
24 electronically if you so desire.

25 Also, I'd like to extend the invitation to be

1 part of the mailing list. I know many of you already
2 are. A couple weeks ago, I tried to send out an email
3 to as many people that we could identify as possible,
4 people that we got through Dr. Kim, comment letters
5 that we received where it was contact information. I
6 tried to send out an email just clarifying with
7 everybody who would like to be part of the mailing list
8 for the project, and a good number of you responded
9 back. So that's great. You should see, if you
10 responded back affirmatively, that your name is at the
11 back of this document.

12 If you know of other people that may have an
13 interest in the project and aren't on the mailing list,
14 Section 10.0 of the scoping document tells you how to
15 submit a request to be part of the mailing list. And,
16 also, you could send myself or Ken Hogan an email
17 requesting to be added to the mailing list for this
18 particular project, and we can make sure that you are
19 included. And that way, anytime a document is issued
20 by FERC or is filed by JD Products or any other entity,
21 you are included as part of that mailing.

22 Again, I want to reiterate that, by
23 February 21st of this year, any comments that you have
24 on the PAD -- further comments on the PAD, comments on
25 Scoping Document 1, any study requests that you have

1 identified, as well as if you have an interest in being
2 a cooperating agency -- this is extended to our state
3 agencies or our federal agencies that might be present
4 tonight that would like to participate as a cooperating
5 agency -- those requests and comments need to be filed
6 with us by, as I said, February 21st, and you can do
7 this a number of ways.

8 First of all, any correspondence that you
9 prepare should clearly show at the top of each -- of
10 the first page "San Onofre Electricity Farm Project" as
11 well as the FERC project number, which, in this case,
12 is P-13679-002. You can either file your comments
13 electronically -- again, if you go to www.ferc.gov,
14 there is a link you can click on that will take you to
15 how to do things electronically, and eFiling is one of
16 those. Or if you like to do it the postal way, you can
17 file an original and seven copies with the secretary of
18 our commission, and the address is provided here in
19 this slide, 888 First Street Northeast, Washington, DC
20 20426.

21 Our online Web site has a plethora of
22 information that you can use for this project and any
23 other project. There are directions and methods of
24 eFiling, eComments, eSubscription, which is a nice way
25 to, sort of, sign up to be notified when certain things

1 happen on a project. So, as I said, if FERC issues a
2 document, if JD Products files something, or if any
3 other entity files something, you'll receive an email
4 notification that a new record has been added to the
5 file for this project so that you were kept up to date
6 as to what's going on.

7 And the eLibrary site on FERC's Web site is
8 sort of the whole library of every single
9 record/document that's been provided for this project
10 as well as others. So you can go in there and sort of
11 see the history of what's been taking place. Again,
12 our Web site is www.ferc.gov.

13 And at this time, I'd like to ask for any
14 concluding comments, any other thoughts that you'd like
15 to provide. Myself as well as Mary and Joe will be
16 around. And I'm assuming Dr. Kim will hang out for a
17 little bit as well. If there is anything you'd like to
18 ask specifically about eFiling, about the Web site,
19 comprehensive plans, we'll be here to answer your
20 questions.

21 Again, any other comments or thoughts that
22 you'd like to provide? Okay. I'd like to remind you,
23 in the document, this information -- I'm sorry. In
24 Scoping Document 1, this information is included.
25 Tomorrow, at 9 a.m., Dr. Kim and FERC staff will be

1 hosting an environmental site review out at the
2 proposed location or as close as we can get as
3 possible. From what I understand -- I haven't been
4 there yet, but there's some fairly high bluffs that we
5 might not be able to navigate down. But if you are
6 interested in participating in that site visit, we are
7 asking everybody to meet at 9 a.m. at the parking area
8 just inside San Onofre State Park -- State Beach. They
9 described it as -- once you get in there, there's a \$15
10 fee, but, for tomorrow's purposes, that will be waived
11 for everybody that mentions that they are there for the
12 site visit. And there's a Trail No. 1 that's sort of a
13 central parking area or meeting location.

14 So that's where we will be tomorrow at 9 a.m.
15 If you would like to come out and have some more fun
16 with us, we'll be there. Yes.

17 ANDREA SWAYNE: Is that inside the campground
18 gates or inside the San Onofre Surf Beach gate?

19 JOSEPH HASSELL: It's not the surf beach.
20 It's the campground.

21 CAROLYN TEMPLETON: It's the campground.

22 ANDREA SWAYNE: The campground?

23 CAROLYN TEMPLETON: Yes. So, again, that's --

24 BILL WHITTENBERG: Is that the one off of
25 Cristianitos?

1 CAROLYN TEMPLETON: It's off of -- it's at the
2 end of Basilone Road.

3 JOSEPH HASSELL: Go past SONGS.

4 CAROLYN TEMPLETON: I think the road
5 dead-ends.

6 BILL WHITTENBERG: It's the off-ramp for
7 SONGS:

8 LARRY RANNALS: It's the off-ramp for SONGS.
9 You go past SONGS.

10 BILL WHITTENBERG: Yeah. You turn left and go
11 through the national guard --

12 CAROLYN TEMPLETON: If you picked up the
13 document, the information is there. Take Exit 71 off
14 of Interstate 5 for Basilone Road. Travel south. Go
15 past SONGS, and the road will pretty much end at the
16 entrance station to the state beach camping --
17 campground and parking.

18 BILL WHITTENBERG: Okay.

19 LARRY RANNALS: The general intention for the
20 site visit? Just to look the area over?

21 CAROLYN TEMPLETON: Pretty much. I'm hoping
22 that Dr. Kim will be able to point out "That's where
23 I'm -- down there is where I'm proposing the access
24 road. Here is where I'm thinking the assembly line for
25 the manufacturing will go."

1 DR. CHONG KIM: Not that much. That's a
2 really wide area. I mean, if you walk it, it's about a
3 hundred feet down, and that's -- so all we could do is
4 go there and look. Basically, I will say, "This area,
5 we are interested in." That's all I can say.

6 CAROLYN TEMPLETON: I mean, usually, for --

7 DR. CHONG KIM: Where the road is going to be.

8 CAROLYN TEMPLETON: We always do site visits
9 for projects, and for conventional hydropower, we can
10 walk and say, "Here is the power house, and here is the
11 pen stock." But this is a little bit unique in its
12 location. So it's pretty much, "There's the ocean."

13 DR. CHONG KIM: That's it, basically.

14 CAROLYN TEMPLETON: "This is where, generally,
15 these facilities will be located." So it's sort of
16 just to kind of get -- I mean, we've never been there.
17 So it's important for FERC staff to, kind of, see what
18 area we are dealing with.

19 JOSEPH HASSELL: I went this morning, and I
20 think the first impression you will get is, I guess,
21 the impressions of some challenges that are --

22 CAROLYN TEMPLETON: Terrain challenges.

23 JOSEPH HASSELL: -- terrain challenges, and
24 you also -- there will probably be people -- well,
25 9:00, they might not be out yet, but maybe so. There

1 will probably be some surfers out. The waves were very
2 nice this morning. I guess you will see where the
3 breaks are. Of course, the breaks are nowhere near --
4 I mean, the breaks are close to shore. And 2,000 feet,
5 I guess people can see what 2,000 feet offshore is
6 going to look like. It's going to look like -- there's
7 not going to be anything breaking out there.

8 LARRY RANNALS: It's out there.

9 CAROLYN TEMPLETON: I mean, to be honest, Mary
10 and I just want to go to the beach. So --

11 BILL WHITTENBERG: That wasn't on the record.

12 CAROLYN TEMPLETON: I think it was. But,
13 again, any concluding comments or questions about the
14 resource areas that we talked about tonight or the
15 agenda for tomorrow?

16 ANDREA SWAYNE: Will the transcripts be
17 available for us to look over from the earlier meeting
18 today?

19 CAROLYN TEMPLETON: Yes. They will take about
20 two weeks for our court reporter to go back to her
21 location that she's headquartered out of, review the
22 tapes that -- she's also been taping the meetings just
23 to make sure she's got everything -- and prepare the
24 transcripts, and then they will be available on the
25 FERC Web site. Again, if you go to that eLibrary, type

1 in "P-13679," they will be submitted as part of the
2 record. So you will be able to refer to --

3 ANDREA SWAYNE: What was that again? P-1- --

4 CAROLYN TEMPLETON: P-13679. So if you enter
5 in that criteria into the various search boxes, you'll
6 be able to pull up the entire record for this project.
7 And like I said, in about two weeks, the transcripts
8 will be available.

9 BILL WHITTENBERG: The project number is on
10 the document.

11 CAROLYN TEMPLETON: Yes. And the project
12 number is on SD1 in the back here.

13 Okay. Well, I'd like to thank each and every
14 one of you for coming out tonight and participating in
15 the meeting. Again, we'll be hanging around afterwards
16 if you have any other questions. I do have some
17 business cards for myself and for Ken Hogan, which I'm
18 graciously giving out. So, if you would like those,
19 grab me, and I will get them to you. But, again, thank
20 you for your participation, and we look forward to
21 seeing you in the future. Have a good night.

22 (End of proceedings.)

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