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INFORMATION WORKSHOP
 BEFORE THE
 CALIFORNIA ENERGY RESOURCES CONSERVATION
 AND DEVELOPMENT COMMISSION

In the Matter of:)
)
 Carrizo Energy Solar Farm) Docket No.
) 07-AFC-8
 _____)

SANTA MARGARITA ELEMENTARY SCHOOL
 MULTI-PURPOSE ROOM
 22070 H STREET
 SANTA MARGARITA, CALIFORNIA 93453

SATURDAY, APRIL 12, 2008

1:20 p.m.

Reported by:
 Troy Ray

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

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STAFF AND CONSULTANTS PRESENT

Mary Dyas, Project Manager

Terry O'Brien, Deputy Director

Caryn Holmes, Staff Counsel

PUBLIC ADVISER

Nicholas Bartsch

APPLICANT

Jane Luckhardt, Attorney
Downey, Brand Attorneys, LLC
Carrizo Energy, LLC
Ausra CA II, LLC

Perry Fontana
Carrizo Energy, LLC
Ausra CA II, LLC

ALSO PRESENT

Jim Patterson, Supervisor
Amy Gillman, Legislative Assistant
San Luis Obispo County

Ellen Carroll
John McKenzie
San Luis Obispo County

Eric Christen, Executive Director
Coalition for Fair Employment in Construction

Bob Nolen

Pati Nolen

Tim Strobridge

Mike Strobridge

Mary Strobridge

ALSO PRESENT

Robin Bell

John Ruskovich

Susan Harvey
North County Watch

George Galvin, Trustee
Atascadero Unified School District

Kevin Dayton, General Affairs Director
Associated Builders and Contractors of California

Megan Birney
Community Environmental Council

Michael Chicacos
Community Environmental Council

Walter Reil
Central Coast Astronomical Society

Fred Collins, Tribal Administrator
Northern Chumash Tribal Council

Kevin O'Neill
TIC

Anne McMahon

Curtis Neil, Director of Marketing
Sharp Salute Energy System

Tom Foss

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1:20 p.m.

MR. PATTERSON: Thank you. I'm your Fifth District Supervisor, Jim Patterson. And I appreciate you taking time out of your day today to come and learn more about a proposed project out on the Carrisa Plain, a solar electric energy plant.

We have a three-hour workshop scheduled today, and I just want to briefly outline the process that we'll be going through this afternoon; as well as introduce a few key players that are involved in this project.

It's a little bit different than what you may be familiar with, with projects that typically move through the County because of the technology and the size of the proposed plant, it's actually being handled by the California Energy Commission.

And our role here in the County, and my role, as your County Supervisor, as I see it, is to really work with the applicant and with the state to insure that there's adequate opportunity for the public to weigh in on the process and express their feelings, their concerns, and if you

1 will, their excitement about the possibility of
2 having this project sited in San Luis Obispo
3 County.

4 Here today from the County is our
5 Environmental Coordinator, Ellen Carroll, Ellen;
6 and with her an Environmental -- you can hold your
7 applause, there's several introductions -- with
8 her, Environmental Specialist, John McKenzie.
9 Also from my staff, my Legislative Assistant, Amy
10 Gillman. And she was instrumental in coordinating
11 this facility and the workshop this afternoon.

12 From the California Energy Commission --
13 and there are more, these are the principal
14 players who will be speaking later -- we have Mr.
15 Terry O'Brien, who is the Deputy Director from the
16 California Energy Commission and Mary Dyas, who is
17 actually the Project Manager from the California
18 Energy Commission for this project.

19 The applicant, Ausra, is here;
20 representing Ausra is Perry Fontana and several
21 folks from that company, as well as the company
22 that is working with them to do the environmental
23 assessment. They're here today to answer
24 questions.

25 And so the format. We'll begin with the

1 project description. And Mr. Fontana and his
2 staff will go through a description of the
3 project, and actually will address some of the
4 issues that have been raised in previous public
5 hearings.

6 This is the fourth public meeting that
7 has been held in San Luis Obispo County. We
8 thought it was important to have this meeting
9 because it's a weekend and it's during the day,
10 whereas the three previous meetings have all been
11 out in the Carrisa in the late afternoon and
12 evening, and it makes it difficult for working
13 folks and people that don't live out in the
14 Carrisa to really have the opportunity to
15 understand the project and the process and weigh
16 in on it.

17 So I appreciate the fact that the Energy
18 Commission and the applicant and their staff were
19 all willing to come down here today to further
20 educate the community about this project, and so
21 I'm very appreciative of that.

22 The format of today's meeting. First
23 we'll have a presentation on the project, itself.
24 And then representatives from the California
25 Energy Commission will talk about the process.

1 Again, it's a state-driven process, not a county
2 process, so it's a little bit different than what
3 you might be used to.

4 After the presentations we'll take a
5 short ten-minute break, and then we'll reconvene
6 so you'll have an opportunity to ask questions
7 about the project.

8 Before we begin with the project
9 presentation I'd like to introduce Nick Bartsch.
10 Nick, if you want to come up. He's from the
11 Public Adviser's Office, which is a state office
12 that facilitates communication between the CEC and
13 the public. And he's going to talk a little bit
14 about his role, both today and in the future.
15 Should you have questions about this project, he's
16 going to tell you how you can get those questions
17 best answered working through his office.

18 And, of course, you can always contact
19 my office, either Amy or myself, and we can
20 channel those questions, as well.

21 So, I'll let Nick speak with you briefly
22 about his role here today. Nick.

23 MR. BARTSCH: Thank you, Supervisor
24 Patterson. My name is Nick Bartsch. I am the
25 Manager of the Public Adviser's Office, which is

1 kind of an independent office within the Energy
2 Commission, whose head is appointed directly by
3 the Governor.

4 Our sole purpose and goal is to provide
5 ongoing and meaningful public participation in the
6 process; provide you with information about the
7 siting process, the entire process.

8 And I might want to point out that this
9 workshop is one of the many public events which
10 take place during this, what we call, siting or an
11 application process which typically takes at least
12 a year. So you don't have to worry about
13 decisions being made immediately or at this
14 meeting. They will not.

15 But all the information that you provide
16 now, or later on, or provided up to this point, in
17 writing, as long as you submit it to us with a
18 docket number, it's going to become part of the
19 record on which the decision is made.

20 So your participation and your comments
21 are not only welcome, but they are going to become
22 an integral part of the decisionmaking process.
23 It's very important.

24 We are here to help you. There are two
25 ways to participate in this process. You can do

1 it participating as an interested party, providing
2 verbal comments, written comments all along the
3 way in this at least one-year process.

4 You can also, if you do decide that you
5 want to be more active or a more integral part of
6 this process, you can consider to become an
7 intervenor.

8 Now, the difference between the two is
9 kind of -- as an intervenor you will be able to
10 not only participate as an interested party, but
11 more, you can provide testimony and you can also
12 provide witnesses during the public processes,
13 especially during a very important hearing, which
14 is called an evidentiary hearing, which is down
15 the road a little bit.

16 And during that evidentiary hearing you
17 can provide your own witnesses; you can cross-
18 examine other parties' witnesses; and your
19 testimony and the testimony of your witnesses
20 would become a basis for a decision that the
21 Commission is going to make at the end of the
22 process.

23 Now, when is a good time to intervene or
24 participate? You should be participating, if
25 you're interested, from the beginning. Or as soon

1 as you become engaged.

2 You can intervene in the process by
3 submitting a petition to a Committee of the Energy
4 Commission that is hearing this process. You
5 should intervene as early as possible to get the
6 benefit of the whole process so you can
7 participate in the whole process.

8 You must intervene at least 30 days
9 prior to the evidentiary hearing. You can
10 intervene later on, but you'll have to -- when you
11 petition you have to state, give a good reason to
12 the Commission why you're intervening late.

13 So we are here to help you with
14 providing information or with the intervention
15 process. You do not have to be an attorney to
16 intervene. We can help you with the process,
17 however we cannot represent you.

18 So, I will be available in the back of
19 the room to answer questions. We also have
20 written material for you.

21 Now, another very important point here.
22 We're going to have a public comment period at the
23 end of discussing the items in this workshop. Now
24 the public comment period is set aside for general
25 comments. You will also have opportunities to ask

1 questions as the issues are being discussed.

2 However, if you decide that you want to
3 make comments during the public comment period,
4 I'd like to ask you to fill out one of these blue
5 cards and give it back to me prior to the public
6 comment period. And we'll be calling folks using
7 these blue cards. So it's important that you fill
8 one of these out and give it back to me.

9 If there are any questions please come
10 back and see me anytime during the process. I'll
11 be happy to answer your questions.

12 Thank you.

13 MR. PATTERSON: Thank you, Mr. Bartsch.
14 We'll move forward then with the presentation
15 here. Mr. Perry Fontana with Ausra will lead us
16 through the project description.

17 MR. FONTANA: Assuming, of course, I can
18 figure out how to work the computer, which is
19 entirely another question.

20 As we get the presentation teed up, I'd
21 just like to thank you all for coming out on a
22 Saturday. It's a beautiful day.

23 For those of you who have seen this
24 presentation before, I'll apologize in advance, as
25 you are sitting through it again. But for those

1 of you that this is the first opportunity to learn
2 about our project, hopefully it'll provide some
3 information.

4 It will also provide you with kind of an
5 update of where we've gone since the last time we
6 were all together out near the project site.

7 (Pause.)

8 MR. FONTANA: So I'd just like to cover
9 a few things during the presentation today.
10 Primarily introducing Carrizo Energy. That is the
11 project company for Ausra that will be doing this
12 project. Talk about our basic technology, because
13 there are a number of renewable energy
14 technologies out there. And I think you've
15 probably heard about a lot of them. I want to
16 introduce our technology and explain a little bit
17 about it.

18 Talk about the project, the site
19 location; provide some visual simulations of the
20 project; talk about the schedule, kind of how our
21 process works; and talk about some of the benefits
22 we see from the project.

23 What Carrizo Energy is really all about
24 is what we call utility-scale solar power. Our
25 technology is not a technology that you would put

1 on the rooftop of your house, for example. We
2 look at large-scale, what we call utility-scale,
3 applications.

4 And the goal of Ausra and Carrizo Energy
5 is to have competitive prices with a simple
6 technology that has a high reliability and can be
7 scalable. And I'll talk about kind of our basic
8 unit of the technology and how that would be
9 scaled up.

10 Just to give you some background this is
11 a technology that's been in development primarily
12 in Australia for about 20 years actually. The
13 proof of concept facility built in Australia in
14 2004. Ausra is a company with good strong
15 financial backing. We've moved the company and
16 all of the technology folks and engineers from
17 Australia here to California. And the Carrizo
18 project is, of course, now in permitting.

19 And in saying that I just want to
20 reinforce what's been said before by the Energy
21 Commission Staff, that this is a process. And
22 this process will go on for awhile. And part of
23 this process is all about us being here to listen
24 to what people say; talking to the public; talking
25 to agencies; and continuing to work on our

1 project. So, when we say permitting process I
2 think it's something everyone really needs to take
3 to heart.

4 So our technology is called compact
5 linear fresnel reflectors, CLFR. There's some key
6 differences in this technology over some other
7 solar technologies that you may be familiar with.

8 We work at a lower temperature than some
9 of the other solar facilities. And so that is
10 designed, again, to be able to reduce costs. We
11 look towards volume manufacturing of our
12 technology. Again, it's been tested and we feel
13 it's ready for scale-up.

14 And the nice thing about our technology
15 is we produce steam directly. We use the
16 sunlight. We concentrate it. We make steam
17 directly, and that interfaces with traditional
18 electric power generation technology that's been
19 around a long time.

20 You may be familiar with the parabolic
21 trough solar technology. Down in the Mojave
22 Desert there's a large parabolic trough
23 installation. There's a number of trough projects
24 going on currently. And this slide is not really
25 intended to be a comment on trough projects, but

1 just to tell you kind of what things we looked at
2 when we went to decide our technology.

3 There is some complexity in the trough
4 in terms of highly slumped pieces of glass, fairly
5 large steel frames, some fairly high-tech
6 absorbers and the like. And our team has tried to
7 address some of those, and again, get to what we
8 call more of a simple, you know, jokingly referred
9 to as more of a low-tech solution. But we think
10 it's a solution that works very nicely.

11 And really what it is, it's a long line
12 of mirrors. The mirrors are relatively flat --
13 there's a very small curvature as I'll show you in
14 a minute -- focused on an elevated receiver.

15 And from those of us when you were -- I
16 don't know if you all did this, but when I was a
17 kid we had the magnifying glass in the backyard
18 and almost set the house on fire -- you know
19 pretty easily that if you focus the sun it gets
20 really hot. And in fact, we can make direct steam
21 in excess of 300 degrees Centigrade just by this
22 system.

23 The receiver, which is the elevated
24 piece of it, is fixed. It doesn't move with the
25 whole rest of the system. And what it is is a set

1 of pipes with a coating with water in there. The
2 sun focuses on those pipes; that makes steam; then
3 the steam goes off to the power block.

4 The mirrors are down low so they're easy
5 to get to and to clean. With any solar
6 installation if your mirrors get dirty, you lose
7 the effectiveness of your getting the heat from
8 the sun. So periodically you have to clean them.
9 If they're nearer the ground, that makes it easier
10 to do.

11 And you can see there's hoops that the
12 mirrors sit in. And during periods of high winds
13 or if it's raining or hailing, the mirrors
14 actually turn over. And there's a thin steel
15 backing on them so we can actually protect our
16 mirrors. And at night they would be turned over
17 so that you don't get dew on them. You know, when
18 it happens on your car windshield it's really hard
19 to clean. So obviously, again, we're trying to
20 keep the mirrors clean.

21 And this is kind of a ground view. You
22 can see the steel backing, you can see the hoops.
23 This is actually in our facility in Australia.
24 And the facility in Australia is at the Liddel
25 Power Station. It's kind of funny, we have a

1 small solar facility at a very large coal-fired
2 power station.

3 And the solar facility is going to
4 provide steam to that coal-fired power station so
5 that it actually makes them more efficient in
6 their operation. So it's kind of an interesting
7 concept. Frankly we put it there because we were
8 looking for a place to test our technology. And
9 Macquarie Generation had a site for us, and so it
10 worked out nicely.

11 In August 2004 it was completed. It's
12 one of what we call a line, which is ten rows of
13 mirrors and one fixed receiver. That was the
14 picture a couple slides back. So it was one of
15 those lines which produces about a megawatt of
16 energy.

17 Currently we're constructing stage II,
18 which is additional lines. And those will tie
19 into the Macquarie Generating Station. And then
20 we are in negotiations with Macquarie to add more
21 of those lines to continue to augment the coal
22 station there.

23 And this is a schematic of how it works.
24 The sun shines down on the mirrors. We use the
25 hoops to keep the mirrors focused as the sun

1 tracks across. Focuses on the receiver. Creates
2 steam. The steam then goes to a steam turbine.
3 Again, at this point this is all traditional power
4 generation technology that's been around a long
5 long time.

6 Makes electricity. The steam condenses.
7 And then for this project the steam will be cooled
8 through air-cooled condensers. The reality in a
9 number of places where you want to do solar is
10 there's a lot of sun and there's not a lot of
11 water. And water is a precious resource to be
12 used for other things. So this project will have
13 air-cooled condensers for its cooling cycle.

14 And then the water goes back through the
15 system. So there's a lot of reuse and recycle to
16 again minimize the amount of water we would use.

17 The project size. Net 177 megawatts
18 produced. You may have read we have a contract
19 with Pacific Gas and Electric for the sale of that
20 energy. And the project will consist of 195 of
21 those lines; drums and pipes for the steam; steam
22 turbine generators, which are the traditional
23 generators that create the electricity; the air-
24 cooled condensers; and then kind of all the
25 associated piping and infrastructure that goes

1 with it.

2 Subject to all the necessary approvals.
3 And, again, this is the process that we're in.
4 Construction should start in 2009. As the project
5 comes online we could be generating some power in
6 2010. We're hoping to utilize local labor force
7 and contractors as much as possible. As we get
8 farther down the line we'll continue to provide
9 information both through these types of hearings,
10 as well as on our website, as to how people can
11 participate.

12 For those of you that have emailed and
13 called me giving the name of your company, I
14 appreciate that. Please continue to do that. Our
15 VP of construction is here today. He and I
16 communicate on that stuff, and we're kind of
17 getting our list in order.

18 Transmission is interconnected to the
19 PG&E system. The powerline runs right along the
20 back side of our site, so it's a pretty easy
21 connection to PG&E's systems.

22 A map of the location. This is the site
23 to the north. Laydown area to the south. Again,
24 we have long lines of mirrors and things, so we
25 have a fairly good sized laydown area so that we

1 have some flexibility in how we move and handle
2 our materials.

3 This is a visual simulation that shows
4 the air-cooled condensers. On the right-hand side
5 shows the layout. A couple of comments on this.
6 We are in the process of making some revisions to
7 the design. The design of this type of a system
8 is an evolving thing. This is not an out-of-the-
9 box thing.

10 And we have been talking to the Energy
11 Commission. We've heard a lot of comments from
12 our neighbors out there. We have met with County
13 Staff. And we take those comments to heart. We
14 are going to be a part of this community for a
15 long time, and so we are going to be filing a
16 supplemental filing with the Energy Commission.
17 I've talked to Mary Dyas about this and the CEC
18 Staff.

19 So there will be probably a bit of time
20 here while we get this filing together. And it
21 will show the modification changes we're making to
22 the project; hopefully deal with some of these
23 issues. And to continue to improve our project.

24 So, not a lot of new information for you
25 here today, but I just wanted everyone to be aware

1 that we are treating this project as an evolving
2 thing as we go along. And we are trying to react
3 to the info we get.

4 The schedule. Certification I had as
5 fourth quarter this year. I think with the filing
6 that may slip a little bit. But the Energy
7 Commission, I think, will be issuing a revised
8 schedule. And I'll let Mary talk to that.

9 Some of the benefits. I mean I think
10 regardless of where you come in on the spectrum of
11 global warming or domestic fuel security or what
12 else, we think renewable power is a very important
13 part of the electricity picture in California and
14 in the U.S.

15 Electrical demand just continues to go
16 up even though I think we're much more conscious
17 as a country of conservation. A lot of our new
18 appliances and things use more power. And so
19 demand continues to rise. And we see this project
20 as being an important part of meeting that demand
21 in a responsible fashion.

22 As we look around the southwest and
23 other areas, and look for other potential sites,
24 one of the things that we've heard over and over
25 again is that this may provide an alternative to

1 agriculture when areas that are maybe less
2 profitable than they have been, and we've had a
3 lot of interest from various landowners on that.

4 Provide approximately 75 job
5 opportunities when we're operating. Construction
6 payroll, there's an estimate there. And we have
7 provided to the Energy Commission some of our
8 recent information, some breakdown of what that
9 looks like.

10 And one of the things we're excited
11 about being part of the community here with the
12 university here in San Luis Obispo and the school
13 out there is that this is going to be a new
14 technology, and it's going to be a technology
15 that's going to continue to evolve. And we think
16 there's some great opportunities for partnerships
17 and educational opportunities at a number of
18 levels. And that's something, as we go along,
19 we're continuing to think about how we can put
20 that into the project.

21 So, with that, I appreciate your time.
22 I'll turn it over to Mary to talk about the Energy
23 Commission process, or, Supervisor, do you have a
24 comment?

25 MR. PATTERSON: Thank you, Perry. I

1 want to introduce Mr. Terry O'Brien, Deputy
2 Director of the California Energy Commission.
3 Terry.

4 MR. O'BRIEN: Thank you, Supervisor
5 Patterson. It's a pleasure to be here today. I'm
6 going to give you a few introductory comments
7 about the role of the California Energy Commission
8 in terms of why we're here. And then Mary Dyas,
9 who is the Project Manager on this project, is
10 going to go into more detail regarding our review
11 process.

12 But the responsibility of the Energy
13 Commission dates back to 1975 when our agency was
14 created. And that was during a time of increasing
15 electricity use and a lot of concern on the part
16 of Californians regarding the high cost of energy.
17 Some of you who are old enough to remember, like
18 me, waiting in long lines for gasoline in the
19 first oil embargo in 1973. That pushed up the
20 price of oil substantially.

21 And if you go back to 1973 most of the
22 generation in California that was used to produce
23 electricity was based upon oil. And so
24 electricity prices went up quite a bit. So,
25 number one, there was an economic concern.

1 Number two, the utilities at that time,
2 PG&E, Southern California Edison, were projecting
3 growth rates in electricity consumption around 10
4 percent a year. And some people were talking
5 about maybe the need for a nuclear power plant
6 every 20 miles along the coast of California, and
7 a lot of coal-fired power plants that would also
8 have to be built. And that caused a great deal of
9 alarm and concern on the part of a lot of the
10 citizens and certainly on the part of the
11 Legislature.

12 And then the other thing that occurred
13 about that time was there was a company, Dow
14 Chemical -- I'm sure some of you are familiar with
15 it -- they wanted to build a large industrial
16 chemical complex up in the San Francisco Bay Delta
17 area, around the City of Pittsburg.

18 At that time they needed to get permits
19 from about 50 to 60 different agencies. They
20 eventually gave up, it was just too difficult for
21 them.

22 Based upon all of those factors the
23 Legislature decided to create the California
24 Energy Commission and create a one-stop siting
25 process for power plants. But only for certain

1 type of power plants.

2 Number one, for power plants that are
3 greater than 50 megawatts. So any power plant
4 smaller than that does not come under our
5 jurisdiction.

6 And then number two, it has to be a
7 thermal power plant. In other words, it has to
8 use heat to produce electricity. This project, as
9 you've heard Perry talk about the proposal, does
10 that. And so because of that, it comes under our
11 jurisdiction.

12 There are other types of solar projects,
13 photovoltaic, also referred to as PV, that don't
14 come under the Energy Commission. When we were
15 created they were specifically exempted. My
16 understanding is that there may be a PV project
17 filed here in the County in the not-too-distant
18 future. If that's the case, it will not come
19 under the jurisdiction of the California Energy
20 Commission.

21 We have quite a bit of experience.
22 Since our creation over 30 years ago, we've worked
23 on over 125 different power plant cases. I'm not
24 aware of any other agency in the United States,
25 whether it's a state agency, a federal agency or a

1 local agency, that has a staff like the Energy
2 Commission does that's dedicated solely to the
3 permitting and review, the environmental review,
4 the engineering review, the health and safety
5 impacts review of power plants. So we have a
6 great deal of expertise in this area.

7 And we have a commitment, I would say,
8 to insure that any project that we work on we want
9 to insure that the public has a full opportunity
10 to participate. Nick was talking about the fact
11 that we have a Public Adviser's Office. I think
12 we're one of only two agencies, along with
13 California Public Utilities Commission, that has a
14 Public Adviser's Office. And that was established
15 when the Energy Commission was established to
16 facilitate the participation of the public in our
17 review process.

18 So, we've had a number of workshops,
19 Energy Commission-sponsored workshops, already on
20 this project. There are going to be numerous
21 other workshops. They're going to be held here in
22 San Luis Obispo County to facilitate the
23 participation of the local population.

24 We fully recognize that related to the
25 review of power plants that impacts, which we

1 strive in our review process to minimize and
2 eliminate, nonetheless those impacts are most
3 directly felt in the area surrounding the project.

4 And therefore it's important for us to
5 be down here and listen to the issues that are
6 raised by the public and to respond to those
7 concerns.

8 We've already heard, for example, back
9 in the end of January at the informational hearing
10 and site visit, concerns expressed by local
11 residents regarding issues of noise, on safety, on
12 visual impacts, on nighttime lighting. Those are
13 all important issues. And we learn a lot when we
14 listen to the members of the public. And all of
15 those issues will be addressed in our analyses.
16 And Mary will talk about the two different
17 analyses that the staff prepares, a preliminary
18 and a final staff assessment.

19 I would also provide you with one other
20 bit of information in terms of the structure of
21 the Energy Commission. It's that the staff here,
22 we are an independent party. Which means that we
23 provide input just like the applicant does, just
24 like the other agencies, that they participate.

25 For example, San Luis Obispo County,

1 Bureau of Land Management, United States Fish and
2 Wildlife Service, California Department of Fish
3 and Game. But we are set up, as a staff, to look
4 at all of the issues and provide an independent
5 and objective analysis and a set of
6 recommendations on this and the other projects
7 that we review, to the Commissioners.

8 But the Commissioners at the California
9 Energy Commission are the final decisionmakers.
10 And those Commissioners, there are five of them;
11 they serve five-year terms that are staggered, so
12 one Commission's term come up every January. They
13 are appointed by the Governor, and they have to be
14 confirmed by the State Senate. And so they will
15 make the final decision on the project.

16 And the way the Commission operates is
17 that when a project comes in, two Commissioners
18 are assigned to that project. There's a Presiding
19 Member and an Associate Member.

20 On this project the Commissioners are
21 Chairman Jackalyne Pfannenstiel and Commissioner
22 Jeff Byron. And they were both down to the site
23 visit and informational hearing in January. They
24 will preside over the hearings. They will prepare
25 a recommendation on the project which will then go

1 to the full Commission for a final review and
2 consideration, and possible approval or denial.

3 If the project is to be approved by the
4 Energy Commission, there will be a whole series of
5 compliance conditions that will be associated with
6 the operation and construction of the project that
7 they will have to comply with in terms of the
8 license in that we will be involved with this
9 project from now, and if it is approved,
10 throughout its operational life history.

11 So we don't permit projects and then
12 turn their review over to another agency. We have
13 that responsibility once the project is approved
14 all the way through its operation.

15 So, anyway, I once again want to thank
16 Supervisor Patterson for inviting us down here.
17 We're very interested in your comments and look
18 forward to working with all of you.

19 Thank you.

20 MS. DYAS: I was just sitting there
21 thinking that I should have just let Terry do my
22 presentation, since he covered most of it. I'll
23 just have a little bit more detail in there.

24 Again, my name is Mary Dyas. I'm the
25 Project Manager for this project in the review of

1 the application that was submitted to the Energy
2 Commission by Ausra.

3 And as Terry mentioned, the Energy
4 Commission has permitting authority over thermal
5 power plants 50 megawatts or greater. And I was
6 kind of glad that he went into the distinction
7 between the solar thermal and the photovoltaic
8 projects, which are not under our jurisdiction.
9 Because I'd be kind of trying to figure out how to
10 put that in there, because I know the question has
11 come up as to the distinction as to why the PVs
12 are not under our jurisdiction. So I'm glad he
13 covered that.

14 In addition to the power plant's related
15 facilities such as transmission lines, water
16 lines, gas lines, access roads and so forth, are
17 all covered under our permitting process, as well.

18 As a quick overview of the licensing
19 process we have three phases that we go through.
20 There's the data adequacy phase. And once the
21 application is filed with the Commission staff
22 reviews the application to make sure that it meets
23 the minimum requirements by the siting
24 regulations.

25 And then once they determine that all of

1 the required information is there, they make a
2 recommendation to the Committee as to whether the
3 project is data adequate or complete. And then
4 once the Committee accepts that recommendation of
5 the application being complete, the clock on the
6 one-year process begins.

7 And then the second phase starts. And
8 that's the discovery and analysis phase. And
9 that's the kind of phase that we are in with this
10 project. Staff is reviewing all of the
11 information, obtaining further information from
12 the applicant and agencies and other interested
13 parties in order to proceed and produce their
14 analysis and to more fully understand the project.

15 During this phase staff produces two
16 documents, a preliminary staff assessment and a
17 final staff assessment. We are still several
18 months out from producing even the preliminary
19 staff assessment because we're still collecting
20 data for the analyses. At the end I'll go over
21 the schedule we're at, which is currently very
22 tentative due to the need for more information.

23 Also, during the discovery and analysis
24 phase, this holds plenty of opportunity for the
25 public and agencies to comment on the project, to

1 ask questions.

2 And I do want to note right now that as
3 with our previous hearing and workshops, this
4 workshop is being recorded so that your questions
5 will be put on the record and we will make sure
6 that staff addresses those questions in their
7 analysis.

8 It's also a good way for the applicant,
9 as well as any members of the public and agencies
10 reading the transcript, once that gets back to us,
11 to see what questions have been asked and make
12 sure that their questions are answered.

13 And then the final phase is the
14 Committee evidentiary hearing and its decision
15 phase. And it's during this phase that the staff
16 is no longer the center of the review process. It
17 moves over to the Committee. And the Committee is
18 in charge of doing the evidentiary hearings.

19 They will produce the Presiding Member's
20 Proposed Decision, in which there is a
21 recommendation on the project. And then after
22 they produce this document, it goes before the
23 full Commission to determine whether or not to
24 grant the license that has been requested.

25 This is just a flow chart of the

1 discovery and analysis phase showing that the
2 staff is currently at the center of the process.

3 A little more detail on the discovery
4 and analysis process. It's during this process
5 that staff will, in their review of the
6 application, determine whether or not the
7 application complies with all laws, ordinances,
8 regulations and standards.

9 It's also during this process that the
10 staff, which is comprised of environmental
11 specialists as well as engineering specialists,
12 will identify issues, evaluate alternatives,
13 identify any mitigation measures, and to recommend
14 conditions of certification. And this is all
15 information that is going to be addressed in their
16 individual sections in the preliminary staff
17 assessment.

18 It's also during this phase, as I
19 mentioned, where we facilitate public and agency
20 participation, as well as making the final
21 recommendation to the Committee.

22 This is the flow chart of the third
23 phase which shows the Committee at the center of
24 the process. During this evidentiary and decision
25 process the final staff assessment is published.

1 And it's also, again, like I said, all throughout
2 this process where public and agency can also
3 continue to make comments.

4 After the final staff assessment is
5 released, the Committee will conduct an
6 evidentiary hearing and will accept testimony from
7 all parties formally involved in the siting
8 process, as well as continue to receive public
9 comment.

10 At the conclusion of the hearing the
11 Committee will issue the Presiding Member's
12 Proposed Decision, or what we call a PMPD. This
13 contains findings relevant to the project's
14 environmental, public health and engineering
15 impacts, the project's compliance with all LORS,
16 which are the laws, ordinances, regulations and
17 standards, and recommended conditions of
18 certification and the recommendation of whether or
19 not to approve the project.

20 The PMPD is then, as I mentioned before,
21 used by the full five-member Commission to
22 determine whether or not to grant the license.

23 If the project, and that's an if, if the
24 project is approved and granted a license, the
25 Energy Commission Staff will then monitor

1 compliance with all the conditions of
2 certification which are noted in the document.

3 Staff's analysis and input to the
4 Committee's final decision requires staff to seek
5 input from agencies at the local, state and
6 federal level. And we have listed here just a
7 couple of the representatives from each of the
8 levels of government agencies.

9 More on the public participation
10 information. We hold a number of meetings. And
11 we've had -- I think this is, I know Jim had or
12 somebody had mentioned four meetings. And I think
13 they included the original meeting that Ausra
14 held.

15 We are still planning at least two or
16 three more workshops in the project area so that
17 there will still be ample opportunity for the
18 public to continue to comment.

19 Staff maintains mailing lists. And
20 there's also on the Commission's website, and
21 there is a copy -- I think copies in the back of
22 the front page of the Commission's webpage for
23 this project.

24 There's something called the listserver
25 which you can subscribe to and you can get

1 electronic notification anytime we post new
2 documents pertaining to this project on that
3 project site.

4 And the documents, meaning the
5 application for certification, are available also
6 in a number of public libraries throughout the San
7 Luis Obispo area, as well as each of the state
8 libraries, the Energy Commission library. And
9 then the docket unit also has them. And if you
10 would like to get a copy of that document you can
11 contact our docket unit.

12 Some ways that you can participate in
13 the process include submitting written comments,
14 providing oral comments at meetings such as this
15 one, to get on the record. You can become a
16 formal intervenor, and that was Nick's
17 presentation. And you can contact Nick with
18 regards to becoming an intervenor.

19 You can also provide written comment on
20 the preliminary staff assessment and final staff
21 assessment and the PMPD when those documents are
22 produced.

23 After the preliminary staff assessment
24 is published we have a 30-day comment period. And
25 we will hold a workshop on that document probably

1 two to three weeks out to give everyone time to
2 review and make sure your questions have been
3 addressed within the document.

4 Here's a list of some of the contacts
5 for this project from all of the parties involved.
6 And then dates of interest. These are kind of
7 like milestone dates that we have achieved so far
8 in our review process. The filing of the
9 application; when the application was accepted as
10 complete by the Commission.

11 We filed an issues identification
12 report; staff filed data requests; we held an
13 informational hearing and site visit. The
14 applicant responded to staff's data requests. We
15 held a data response workshop. And then today's
16 workshop.

17 And as far as process, now I'm going to
18 kind of go into -- several technical areas have
19 been brought to the forefront by questions that
20 the public has asked and comments that the public
21 has made, as well as agencies. And these are by
22 no means all of them, but these are just a few of
23 them that have been brought forward.

24 And I'm just going to take the next few
25 minutes to go over each of these and just list a

1 few of the items that staff is doing to address
2 these issues.

3 Staff is currently evaluating several
4 different sites under the alternatives area.
5 They're evaluating several different sites as
6 potential alternatives to the proposed project
7 site.

8 In staff's analysis they're required to
9 look at a range of reasonable alternatives that
10 could feasibly attain the objectives of the
11 project and avoid one or more significant effects
12 of the project.

13 Under the area of biological resources
14 the applicant is working with staff and the
15 Department of Fish and Game to complete additional
16 biological surveys in the project area.

17 Also staff is working jointly with the
18 U.S. Fish and Wildlife Service and the Corps of
19 Engineers to determine jurisdiction of onsite
20 drainage which has been identified as an other
21 waters by the U.S.

22 Under the area of noise staff is working
23 with the applicant to insure additional ambient
24 noise monitoring at residences not identified in
25 the application, and to make sure those are

1 completed. Staff is also evaluating various
2 mitigation measures to address potential noise
3 impacts from construction and operation of this
4 proposed project.

5 Under soil and water resources staff is
6 working with the applicant to assess the
7 groundwater resources at the project site, and the
8 potential impacts associated with the project's
9 planned groundwater pumping. Staff is also
10 evaluating groundwater supply and quality and will
11 address these in their analysis.

12 Under the area of traffic and
13 transportation, staff is working with the
14 applicant and Caltrans to obtain engineering
15 studies on state route 58 in order to evaluate the
16 condition of the road. Staff is also evaluating
17 various mitigation measures to address potential
18 impacts on traffic safety, including the addition
19 of traffic signals in -- Persons, just to name a
20 few.

21 And then for visual resources staff is
22 currently working with the applicant on the
23 lighting and landscaping plans for the project.
24 And staff is also evaluation, again, mitigation
25 measures to address these potential impacts.

1 All of these areas, as well as the
2 remainder of the areas that are covered in the
3 staff assessment, will be addressed, like I say,
4 put together in a single document called our
5 preliminary staff assessment. And the tentative
6 publishing date for this document is sometime in
7 September. And I want to stress that that is
8 tentative. There are numerous things that can
9 change either way, whether it could be earlier or
10 later.

11 After the document is released, as I
12 mentioned, we will have a workshop on that
13 document sometime during the 30-day comment
14 period. And also as noted on the slide at the
15 bottom, there's a little asterisk that the date
16 could potentially change. And then I actually did
17 put a larger version on the printed out copy
18 because I know this one's hard to read.

19 As far as the proposed schedule all of
20 the dates that are on there, there's a double
21 asterisk set of dates. Those are listed as all
22 tentative. And as I said, that's just because of
23 the need for additional information and the
24 applicant filing the supplement. And so the dates
25 are not set just because we don't know for sure

1 when we're going to get all the information we
2 need.

3 The to-be-determined dates are all dates
4 that are set by the Committee. And they don't set
5 those until they get our schedule firmed up, up
6 until we file the final staff assessment.

7 So that is it on the process. I don't
8 know --

9 (Pause.)

10 (Parties speaking simultaneously.)

11 MR. PATTERSON: Let's get started now.
12 As was mentioned, we have the blue cards. Please
13 fill those out, but I think logistically the best
14 way to handle this, we do have a mike. This is
15 being recorded, so we do need you to come forward
16 and state your name and offer your question. And
17 the question could be for the Energy Commission
18 Staff or for the applicant. And so we'll have
19 them up here to respond.

20 So, let's go ahead. We'll turn the
21 lights on. And we've only been meeting a little
22 less than an hour, so why don't we just dive right
23 into the questions. Go ahead and come forward and
24 we'll begin the question-and-answer process.

25 (Pause.)

1 MR. PATTERSON: What we'll do, in our
2 last hearing we didn't have the blue-card process.
3 We just asked people to come up and ask their
4 questions directly. But we do have the -- it's
5 nice to have them on the card, then we have the
6 record with your information on it.

7 What we can do then is just call you
8 forward and you can ask your question again. And
9 we'll start with Mr. Eric Christen. He's the
10 Deputy Director of the Coalition for Fair
11 Employment in Construction. And if you'd like to
12 specifically state your question then we'll field
13 it to the appropriate person.

14 MR. CHRISTEN: Thank you, Supervisor.
15 This is a comment, there's no real question, per
16 se, but I think you're ruling on both of them in
17 the same period.

18 MR. PATTERSON: We are. Questions,
19 comments.

20 MR. CHRISTEN: Okay, great, thank you.
21 As you indicated, my name is Eric Christen. I'm
22 the Executive Director of the Coalition for Fair
23 Employment in Construction. We are a statewide
24 organization comprised of over 300 companies. We
25 were formed ten years ago to oppose what are known

1 as project labor agreements.

2 We're here in support of the project.
3 We think this is a project that fulfills the needs
4 of Assembly Bill 32, which was passed back in 2006
5 which requires that by the end of 2010 that 20
6 percent of all the energy being produced here in
7 the state is done so by renewable power.

8 That's going to take all of the
9 construction workers in the state, not just a
10 select few. Currently there are approximately 1.2
11 million construction workers; 83 percent of those
12 are nonunion or merit shop.

13 However, your intervenor, California
14 Unions for Reliable Energy, this is a South San
15 Francisco lawfirm which acts as a front for
16 construction unions. And for ten years now they
17 have held up the permitting process of owners like
18 this in order to extort, and I don't use that term
19 lightly, a project labor agreement out of the
20 owners. And we are here to oppose that, as well.

21 Project labor agreements are
22 discriminatory agreements that force all workers
23 to have to be union on the project. And, again,
24 if we're going to need all the workers to meet the
25 demands that AB-32 lays out, PLAs and CURE need to

1 be dealt with.

2 Their actions cause economic distortions
3 in the marketplace, a marketplace that would
4 otherwise have built far more power plants at a
5 greatly reduced cost than have currently been
6 constructed in California.

7 Finally, however, people are catching
8 onto what CURE's up to. When the Roseville, City
9 of Roseville, was extorted to put a PLA on their
10 power plant a number of years ago, the City
11 Councilman Jim Gray said, quote, "I don't think
12 what CURE does is illegal, but I think it's
13 unethical." Mark Friedman with the Fulcrum
14 Property Group said this: There's a surprising
15 and unholy alliance between some environmentalists
16 and labor unions. It's particularly demeaning to
17 the environmental movement to allow laws designed
18 to protect the environment to be used as a sword
19 in a labor fight."

20 And then we have the media finally
21 calling out CURE. The San Diego Union Tribune
22 editorial page had this observation, quote,
23 "Construction unions are notoriously indifferent
24 to the environmental effects of big projects.
25 They just want union jobs, the more the better.

1 How IBEW officials and their lawyers can pretend
2 to be sincere agreements with a straight face is
3 beyond us. This use of environmental laws to
4 extort business concessions is perverse. The time
5 has come for someone to stand up to the IBEW and
6 its fellow union bullies."

7 And finally, The Sacramento Bee
8 editorial page said this just a month ago: Oddly
9 environmental leaders in California have remained
10 mum on this highjacking of environmental law.
11 Their silence reflects a marriage of convenience
12 between labor and environmental groups, and
13 possibly with some possible financial
14 entanglements."

15 "For several years CURE has used CEQA to
16 slow or block power plants. As it happens, CURE
17 employs a lawfirm founded by Tom Adams, the
18 current president of the California League of
19 Conservation Voters. Defenders of CEQA should be
20 outraged. They also should be worried. As the
21 abuses and misuses mount, they create ammunition
22 for industry groups that would like to see
23 California's landmark law revoked or seriously
24 weakened. Greenmail hurts CEQA's credibility.
25 Why are leading environmentalists complicit with

1 their silence." Unquote.

2 It's time to help end this extortion
3 that's going on. Again, we support this project.
4 We think it helps meet the demands of AB-32. And
5 CURE, who is an intervenor on this project, is up
6 to its same old games and they need to end. And
7 the CEC can be helpful in that regard.

8 Thank you very much.

9 MR. PATTERSON: Okay, thank you for your
10 comment. The next comment card is from Mr. George
11 Galvin, a Trustee of the Atascadero Unified School
12 District. Mr. Galvin. And we will have folks
13 available to respond to any comments after the
14 comments are made, when we get them all in. We'll
15 certainly give everyone an opportunity to respond
16 to those. Mr. Galvin.

17 MR. GALVIN: Thank you. I don't have
18 any questions, but I do have some comments.
19 You're in our school building right now that
20 belongs to the Atascadero Unified School District.
21 And the meetings you had out at Carrisa Plains
22 belong to us.

23 A little background. I'm not here to
24 speak on behalf of the board or the district.
25 That maybe will come later on.

1 But in 2001 we had almost 6000 students
2 in the district. Now we have less than 5000.
3 We're an ADA district and every student,
4 unfortunately we're looking at them also with a
5 dollar sign over their head when they come to
6 school, which is unfortunate.

7 And we all know that the state is
8 putting schools in a pretty precarious position.
9 And I don't want to get into the financial part of
10 it, but Carrisa Plains has 30 students right now.
11 We've had as many as 70 students. In that aspect
12 we would hope that maybe this project and the
13 employees would bring some more students into the
14 district. Like I said, I hate to put a dollar
15 sign on a student's head, but that's how we have
16 to operate. It's unfortunate, but that's the real
17 world.

18 And I want to conclude by saying that
19 Mr. Fontana mentioned the fact that they may work
20 with CalPoly, but I would hope that they would
21 keep an open mind and that maybe some of our
22 students are interested in not only the
23 construction, but the operation of a plant like
24 that, may have an opportunity to be able to learn
25 something from this project.

1 But anyway, I want to thank you, Mr.
2 Patterson, for bringing the meeting here. And I
3 hope you paid for the use of our facility.

4 (Laughter.)

5 MR. GALVIN: Thank you.

6 MR. PATTERSON: Of course we did, Mr.
7 Galvin.

8 (Laughter.)

9 MR. PATTERSON: Twice, as a matter of
10 fact.

11 Kevin Dayton, General Affairs Director
12 for the Associated Builders and Contractors of
13 California.

14 MR. DAYTON: Thank you; I'm Kevin
15 Dayton, Government Affairs Director for Associated
16 Builders and Contractors of California. We're a
17 construction trade association that represent
18 contractors that perform major public works,
19 commercial and industrial construction throughout
20 the state.

21 I'm here to first express our
22 Association's support for the project. We think
23 it's great opportunities for local contractors and
24 their workers, as well as an important step toward
25 greater use of renewable energy resources.

1 It's been said that as many as 400
2 construction jobs will be created by this, as well
3 as a \$170 million construction payroll. We
4 appreciate the commitment of Ausra to use local
5 labor forces and contractors as much as possible.

6 We do have a concern about this project,
7 though. Our concern is the intervenor California
8 Unions for Reliable Energy. This is a group, as
9 you've heard earlier, that has been intervening in
10 the approval of various energy projects, using
11 burdensome data requests and other tactics,
12 including lawsuits on a local level, trying to
13 prevent projects from going forward until the
14 developer agrees to sign a project labor agreement
15 that gives union a monopoly on the job.

16 And we've actually noted that
17 construction unions in the past couple years have
18 been the biggest opponents in the state to solar
19 power. As the Energy Commission Staff knows, CURE
20 has filed burdensome data requests and lawsuits to
21 try to stop a solar hybrid power plant in the City
22 of Victorville.

23 Last year when the Fresno City Council
24 wanted to approve a large solar project for their
25 airport, the lawfirm of Adams, Broadwell, Joseph

1 and Cardozo tried to object to that on
2 environmental grounds.

3 So, we know where the unions are coming
4 from. And to see CURE here as an intervenor we
5 know what the target is and what they're looking
6 for. And as we go along here in this process,
7 perhaps the Energy Commission can ask the CURE
8 representatives if CURE has asked for a project
9 labor agreement with Ausra, whether they're
10 negotiating it, where this is going in the
11 process.

12 They can ask CURE if it intends to file
13 burdensome data requests and file lawsuits until
14 the project labor agreement is signed. They can
15 also ask CURE if anything other than a project
16 labor agreement will satisfy their environmental
17 objections to this particular project.

18 I also ask that the Energy Commission
19 talk to Governor Schwarzenegger and the State
20 Legislature about changing the California
21 Environmental Quality Act so that objections to
22 projects are based on real environmental concerns
23 rather than ulterior motives.

24 In 2005 there was a bill that would have
25 done that, Senate Bill 628. Unfortunately that

1 bill failed to pass out of committee. There's
2 another bill this year dealing with the same
3 issues, Senate Bill 1631.

4 We urge the Energy Commission to support
5 any legislation that comes up that would clean up
6 the process and avoid this misuse of our state's
7 environmental laws in the Energy Commission's
8 licensing projects.

9 Thank you.

10 MR. PATTERSON: Thank you for your
11 comments. Megan Birney from the Community
12 Environmental Council. Megan.

13 MS. BIRNEY: Good afternoon and thank
14 you for having us. My name is Megan Birney; I'm
15 with the Community Environmental Council. We're a
16 nonprofit organization. And while we've been
17 around since the '70s, about five years ago began
18 focusing on energy policy and really looking at it
19 in a regional aspect.

20 For this reason we find that this
21 project is extremely exciting. Our flagship
22 campaign is fossil free by 33. And while it's a
23 catchy slogan, we actually did the hard and fast
24 numbers. Looked to consultants and researchers at
25 CalPoly San Luis Obispo, UC Santa Barbara and

1 figured out that if we transition to renewable
2 energy sources by 2033 we can actually save money.

3 We're talking billions of dollars
4 because of the merits of renewable energy
5 including decreased variability, the simple fact
6 that our renewable energy sources such as the sun
7 and the wind actually the energy source doesn't
8 cost us any money. It's the infrastructure.

9 So, for this reason we are in support of
10 this project. We also, as the two labor unions
11 have just discussed, there's huge benefits for the
12 local community. We're keeping local dollars
13 here, we're not sending them overseas. And that's
14 going to boost our economy, as well.

15 We also have huge interests for national
16 security and international policy if we are using
17 renewable local resources instead of fossil fuels.

18 While we do support this project it is
19 not a blanket support. We are interested to see
20 what comes from the preliminary staff assessment.
21 And we're excited that the County of San Luis
22 Obispo, the Energy Commission are working together
23 with Ausra to make the best project possible.

24 So, we thank you very much for
25 presenting today.

1 MR. PATTERSON: Thank you for coming up
2 and sharing your thoughts with us.

3 Michael Chicacos, also from the
4 Community Environmental Council.

5 MR. CHICACOS: Hello. My name is
6 Michael Chicacos. I'm a Senior Associate with
7 Community Environmental Council. And Megan has
8 told you a little bit about our organization.

9 I just wanted to comment a little more
10 generally on the project, and also the larger
11 picture of what alternatives to this project might
12 be. We see concentrating solar power as a very
13 viable and cost effective and environmentally and
14 socially friendly way of generating power.

15 I wanted to talk about some of the
16 alternatives. Here in our country we generate
17 most of our electricity through coal. We don't
18 generate a lot of that here in California, but in
19 general, especially in the midwest there's a lot
20 of large environmental impacts and social impacts
21 to that such as mountaintop mining and removal of
22 mountaintops.

23 We also have thousands of people all
24 over the world who are being killed in mining
25 accidents. Most of those are in China, but also

1 many here in the United States, as happened last
2 year in Utah. And also you have miners getting
3 diseases like black lung disease where they're
4 dying horrible deaths.

5 And I want to point out that an
6 alternative like this concentrating solar project
7 doesn't have any of those social and environmental
8 problems.

9 Included in the problems with coal would
10 be things such as all the pollutants, acid rain
11 and climate change pollution. So coal is
12 something very bad. We all like to use
13 electricity and we're going to continue using
14 electricity. We think is a really good way to
15 continue generating it, or to start generating it.

16 In addition, here in California we
17 use -- most of our electricity comes from natural
18 gas. Now natural gas is increasingly being
19 imported from other parts of our country and other
20 parts of the world now. Just off the coast of
21 Santa Barbara, where I'm from, we recently had a
22 large industrial, liquified natural gas plant that
23 was proposed.

24 So, increasingly, if we are using
25 natural gas, which is a little cleaner than coal,

1 we're going to be bringing in tanker loads of
2 liquified natural gas from Asia, from Australia
3 and very far away places, which is reducing our --
4 or is increasing our dependence on foreign fuels
5 and foreign fossil fuels.

6 The last major generating source that we
7 use here is from nuclear power, which we have some
8 experience here in San Luis Obispo County. There
9 hasn't been any new nuclear plants built in the
10 last 30 years because we don't really know what to
11 do with the waste. And also there's been a lot of
12 increasing costs and problems with nuclear
13 facilities.

14 So I want to point out that though a
15 concentrating solar plant may have some drawbacks
16 to it in terms of construction noise and some of
17 the traffic, that on balance concentrating solar
18 is a very good thing for our environment, for the
19 local economy here, and for the young people of
20 our world.

21 So I really encourage support for this
22 project. Thank you.

23 MR. PATTERSON: Thank you for your
24 comments.

25 Pati Nolen.

1 MS. NOLEN: Good afternoon. I'm Pati
2 Nolen from California Valley. And I know you all
3 keep addressing this on a global issue. But let's
4 just bring this back locally, okay.

5 First off, it's the beginning of the
6 domino effect. I'm understanding this is eight
7 square miles eventually, not just one.

8 I'd like to ask where all the stewards
9 of the range are now. We're talking about taking
10 a lot of ag land off the market. I think that
11 should be a concern to them.

12 Somebody brought up the oil crisis and
13 how we all drove, you know, economy cars and stuck
14 in lines in the 1970s. That has nothing to do
15 with this. Okay? Solar energy doesn't fuel your
16 cars.

17 I have brought up once again that
18 there's a valley fever issue out in that area. I
19 think dust abatement is a big concern.

20 And to the folks that mentioned jobs,
21 400 jobs, great. The area I live in, nobody out
22 there is going to get a job. A couple people in
23 this room can't get a job out there. They already
24 have jobs. So the jobs you're all talking about
25 are people that are an hour away from us. The

1 community that's being impacted the most by this
2 project gets nothing, nothing.

3 And the highway 58, which a lot of
4 people have brought up as an issue, the traffic
5 study that was done on that was erroneous at best.
6 If nothing else, it was a complete lie. Fifty to
7 80 cars an hour on that highway. What imagination
8 do you folks think that that highway gets 50 to 80
9 cars an hour where I live?

10 Also, no tax money, zip, zero. No tax
11 money for this community or this country
12 whatsoever. Good revenue.

13 You know, I'm sorry, I think that's
14 foolish. Especially when you talk about the kind
15 of wear and tear that's going to come up for the
16 next three years.

17 So you all talk about how great this is
18 globally. Well, locally it sucks.

19 (Applause.)

20 MR. PATTERSON: Thank you for your
21 comments.

22 Bob Nolen.

23 MR. NOLEN: My name is Bob Nolen. I
24 live in California Valley. Obviously I'm not for
25 this project.

1 I kind of have to laugh at the whole
2 concept of this being renewable energy since
3 they're using water; and the Energy Commission, as
4 well as the County general plan already states
5 that the Carrisa Plain is in overdraft. So, if
6 you're using more than what's going in, it's not
7 necessarily renewable.

8 The job issue, as my wife said, being
9 one of the dozen or so people who live in that
10 community that may actually end up working on this
11 project, jobs aren't coming from that community.
12 Carrizo Energy has already expressed they've
13 signed, or they're working agreements with the
14 unions out of Bakersfield. So you know where all
15 those payroll checks are going back to.

16 It's my understanding also that the
17 property will remain zoned ag, so it's going to be
18 taxed as ag land. The only reason that they're
19 here is because of our county ordinance that
20 allows energy production on ag land.

21 I kind of find it funny that all these
22 people that were in county meetings last year
23 arguing against the designation of Carrisa Plain
24 National Monument as a world heritage site, aren't
25 here complaining about losing possibly 10,000

1 acres of current grazing lands.

2 And I have two questions specific. One
3 to the Energy Commission on how can they look at
4 alternative sites when at the last meeting Carrizo
5 Energy basically said they didn't look at any
6 alternative sites. They didn't have any data.
7 They said, well, they might buy a section in this
8 township and this range somewhere. You can't
9 evaluate alternative sites when you have no data
10 to evaluate.

11 The second question is when did the Army
12 Corps of Engineers declare the waterway through
13 the construction laydown area other waterway of
14 the United States? I find that kind of
15 ridiculous. Because if you go downstream in that
16 same drainage there's cars, there's washing
17 machines, there's 6000 illegal sheep grazing down
18 there.

19 So if this is such a concern to the
20 Corps of Engineers, why isn't it a concern
21 downstream? The only reason that they wanted that
22 dedication was to do an end-run around the
23 environmental impact statement.

24 And the final question I would have
25 would be in regards to the letter that California

1 Fish and Game submitted to the Energy Commission
2 basically stating that Carrizo Energy and their
3 environmental company did not go through the
4 proper inventorying and evaluation of endangered
5 species on the site. And in particular, the blunt
6 nosed leopard lizard and the corridor for kit fox,
7 San Joaquin kit fox.

8 This county is nailing people up in this
9 north county on impact fees and mitigation fees
10 for kit fox on the basis that that corridor stays
11 open. We're talking Fish and Game's letter states
12 that this project is part of a bigger scale of
13 things of eight sections. Rumor out there is it's
14 15 sections. That essentially cuts off that
15 corridor one side of Carrisa Plain to the other.
16 How is that going to be -- how is that going to
17 affect the process of this project?

18 MR. PATTERSON: Thank you for your
19 comments.

20 Walter Reil representing the Central
21 Coast Astronomical Society.

22 MR. REIL: Yes, good afternoon. Walt
23 Reil from Atascadero with Central Coast
24 Astronomical Society. First I'd like to thank the
25 CEC and Ausra for holding this workshop. It's a

1 wonderful kind of venue for the public to get
2 involved.

3 There have been some actually
4 outstanding comments made here this afternoon. I
5 certainly understand the local concerns. I
6 understand the global concerns. I'm basically
7 here to represent my concerns in the scientific
8 community, as well as the educational community.

9 In the Central Coast Astronomical
10 Society we have a number of members who are using
11 the Hubble space telescope and the Kech telescope
12 (inaudible) observatories around the world. But
13 we're also very involved in our local educational
14 community here.

15 We're very involved with high schools,
16 especially working with CalPoly San Luis Obispo
17 and Cuesta College. And we are looking at
18 possibly developing astronomical observatories in
19 this area. We already hold star parties here at
20 Santa Margarita Lake.

21 Believe it or not this area of
22 California has some of the most wonderful dark
23 skies left in the United States. We're very very
24 concerned about its loss.

25 So my purpose here is to just ask Ausra

1 to please pay close attention to your nighttime
2 lighting issues; to please not direct any lighting
3 into the atmosphere; and keep it as minimal as
4 possible.

5 I do also want to mention some personal
6 concerns. I'm just curious about how are the
7 mirrors cleaned? What is the environmental impact
8 of the materials that you use? And I'm also
9 wondering what is the outlook for the future. Are
10 there plans to expand this facility?

11 Thank you.

12 MR. PATTERSON: Thank you. Next
13 comments or questions from Fred Collins, who's the
14 Tribal Administrator for the Northern Chumash
15 Tribal Council.

16 MR. COLLINS: My name is Fred Collins;
17 I'm Tribal Administrator for the Northern Chumash
18 Tribal Council. We've been here for over 15,000
19 years.

20 The Carrisa Plains plays a very
21 interesting role in the land that we were given
22 stewardship over. It's a central area for several
23 different communities, the Salenian (phonetic)
24 Community, the Okud (phonetic) Community, and the
25 Chumash Community.

1 As you can tell by the national monument
2 that we have out there, and the remains of what
3 has been preserved, it's pretty spectacular. The
4 entire valley is a spectacular piece of property.
5 It's a great piece of land. I've been out there
6 at the monument and I've seen seven individual
7 rainbows at one time across that valley.

8 The Northern Chumash Tribal Council is a
9 nonprofit organization. We have been organized
10 under SB-18. We are a state-recognized sovereign
11 nation. We are in the process of rebuilding the
12 nation. In that process obviously we are looking
13 at energy.

14 We also are looking at our neighbors.
15 And our neighbors are the most important thing.
16 We're educating people in getting along with
17 neighbors. One of the things that we do here in
18 the county is we have a local government-to-
19 government relationship where we deal with local
20 governments on all land use issues.

21 Solar energy is a good thing. We think
22 that solar energy issues can provide new ways for
23 the future. It needs to be looked very carefully
24 before we go and make any large steps here in the
25 Carrisa Plains.

1 The entire Plain is a very unique place.
2 I've been here my whole life. I was here before
3 California Valley was there. And I know what my
4 parents said when the California Valley rush
5 happened. it was an interesting time.

6 So what we have now is we have a new
7 time. And the stars out there, as the gentleman
8 talked about, are absolutely incredible. The
9 cosmology of the Chumash people and Native
10 American people is very very important. I see a
11 lot of folks here from URS today, and I see Perry.
12 And Perry and I have had a meeting before, and
13 I've met with URS. I haven't met with you on this
14 issue. We would like to be consulted on this
15 issue.

16 I want to thank the Energy Commission
17 for being here today. There is a piece of
18 property out there that we've been looking at for
19 awhile that the Stewardship Council has in control
20 of. And it happens to be across the street from
21 where Carrizo Energy is planning to do their
22 project.

23 And just recently yesterday I as on the
24 phone with Rick Nelson of the Stewardship Council.
25 And we are going to be making a proposal to PG&E

1 for that piece of property.

2 I think it's very important that
3 whatever we do out there, whatever is done out
4 there, the community has to be first and foremost.
5 And their concerns must be answered.

6 And for the Northern Chumash Tribal
7 Council, the kit fox corridor and all the animals
8 out there are extremely important. And we will
9 not let anything hurt that.

10 So, let's get on the ball, let's get
11 this thing done right. And we're going to do it,
12 but it has to be done with the community.

13 I want to thank everybody.

14 MR. PATTERSON: The next statement is
15 from Kevin O'Neill. Kevin. And you're
16 representing TIC, but you'll have to elaborate on
17 that for us.

18 MR. O'NEILL: As you said my name's
19 Kevin O'Neill. I work with a company called TIC.
20 We're an industrial contractor. We build power
21 plants across the United States. And we build all
22 types of power plants, not just solar power
23 plants, but just all types.

24 But I'm here in favor of the project. I
25 think it's a great project. It's environmentally

1 friendly; it's going to reduce our need for
2 foreign oil. And I don't know about you, but I'm
3 tired of sending my dollars to countries that hate
4 us.

5 It's going to help reduce global warming
6 which is an issue. And it's going to provide
7 power when we need power. I live about 70 miles
8 west of the site in the valley. And on hot days
9 when we need power is when these things work the
10 best. And, you know, we all rely on air
11 conditioning, I know I do. And at any rate I'm
12 very happy to see the project going in for a
13 number of reasons.

14 But like I said, my main concern and the
15 reason I'm here is because our company builds a
16 lot of power plants. In fact, we're one of the
17 top power plant construction companies in the
18 nation.

19 But we do very little work in
20 California. And the reason for that is these
21 project labor agreements that were discussed
22 earlier. And whether you're for or against the
23 project, you know, I understand. But, we should
24 all be against project labor agreements and the
25 permit extortion that's used to secure them.

1 As Eric mentioned earlier, we're an open
2 shop construction contractor. Our employees
3 choose to not to belong to a union, as do 87
4 percent of the other workers in the nation. And
5 that's a lot of people. And I have no issue with
6 people who want to belong to a union, but I think
7 that everybody ought to be allowed to compete.

8 And our environmental laws certainly should
9 not be used to preclude them from competing.

10 What happens with these things, and I'm
11 going to go over it one more time because I want
12 to make sure everybody understands it, is when
13 these projects go to permit this group of lawyers
14 that are funded by the unions, they will put up
15 complaints against the permit and they'll hold up
16 the permit for an indefinite period of time.

17 What they hope is that they will stretch
18 the permitting process out so long that the owner
19 of the property will have no choice but to sign a
20 project labor agreement agreeing to build and
21 maintain their plants using union labor in order
22 to get their permit through.

23 During this process they go to the
24 owners and they offer to help them get their
25 permit. Well, they know they can help them get

1 the permit because they know what's holding the
2 permit up.

3 I don't think most people understand
4 what happens during the whole process. If they
5 did they would be as upset as I am about it.

6 The other thing is yesterday, as I was
7 preparing to come here, I got my power bill in the
8 mail. And this is probably the best, the easiest
9 month I'm going to have all year. But I pay 20
10 cents a kilowatt hour for the power I use at my
11 house.

12 Now, I've got a brother who lives in
13 Utah. He pays 7 cents, a little over 7 cents an
14 hour for his power. I've got another friend who
15 lives in Idaho, pays 6 cents.

16 Now, I'm paying 20 cents now, but as it
17 gets to be summer I'm going to get -- I'll be
18 paying almost 30 cents, or I'll be paying over 30
19 cents for most of the power that I'm using.
20 That's quite an increase.

21 There's a lot of reasons that the power
22 costs more here than maybe some of the other
23 locations. But I think a lot of it is things like
24 this. Like I said, we build a lot of power
25 plants, and we've built them using open shop

1 labor, and we've built them under project labor
2 agreements where we had to use union labor. Our
3 experience has been it costs us 30 percent more to
4 build those power plants.

5 Now, ultimately us consumers pay that
6 extra cost. I wouldn't have a problem, you know,
7 an issue with it, but I know who's going to pay
8 for it, and we can't afford to pay for that.

9 In addition, it's important that we get
10 this renewable energy off the ground. It's a
11 great thing; it's going to help our country. But
12 it's a new technology, and being such it's a
13 little bit more expensive than the existing
14 technologies already. And they don't need this
15 extra burden.

16 So we need to all support this process
17 and help this permit go through without any
18 project labor agreements, because we don't need
19 the extra cost. Thank you.

20 MR. PATTERSON: Okay, thank you.

21 John Ruskovich.

22 MR. RUSKOVICH: My name's John
23 Ruskovich. Those three binders right there, I
24 have two more at home. It's all on this plant.
25 My education. My mother was born in Taft and my

1 grandfather worked for Standard Oil of California
2 for 46 years.

3 The natural gas you were talking about,
4 I have documents at home for the whole San Joaquin
5 Valley, in the upper delta, natural gas. It was
6 found and capped because it can't be pulled out of
7 the ground yet. Don't go there about having to
8 bring it overseas. We have it in the state.

9 As far as this plant goes I've submitted
10 on the 58 highway corridor where trucks can't go
11 on. I've asked at three meetings about has
12 anybody gone and looked at the LoKern site.

13 I will be submitting pictures and a
14 report on that Monday to Ausra and to the Energy
15 Commission to let you know one of the reasons why
16 they were coming to the Plains was because of the
17 powerlines and the old substation.

18 Well, nobody said that the powerlines
19 and substation need over \$60 million worth of
20 upgrades. Okay, why not build a new one five
21 miles west of the Midway Substation on the LoKern
22 property? Well, they looked at it on their funny
23 map, but they ignored who might own that property.

24 Just to let you know, a group that might
25 work with you really easy. The U.S. Department of

1 Energy, that's what their job is, is to create
2 energy. No, there's no oil on it. The property
3 is substandard ground; it won't even grow grass.
4 It grows sagebrush.

5 So no wildlife will be destroyed.
6 You're only 11 miles from I-5 corridor. You're
7 right next to a hazmat plant. So, you know,
8 noise, oil fields, none of that's a problem. The
9 water issue. There's a California aqueduct that
10 goes right through this property. You can use a
11 million gallons a day out of it.

12 It's a no -- in our area it's all loss.
13 We are going into our second drought year, failed
14 crops. You think there's a lot of water to be
15 pumped out of the ground? Our barley's not going
16 to make it this year, and our cattle feed is only
17 about this tall.

18 For those of you who don't know about
19 this plant, anything less than 40 degrees this
20 plant sucks energy to keep warm. Up to two
21 mornings ago we've been freezing every morning
22 since November, except for, I think, five
23 mornings. It's not 40 until about 10:00 in the
24 morning out there, for four to five months. So
25 your plant's going to be running your heaters

1 keeping your water warm.

2 On the other side of the mountain your
3 comment was, well, it's foggy, that's why we
4 ignored it. When it's foggy over there, we're
5 subfreezing in our area.

6 You really need to go back, start over,
7 and look at this other project. I brought up the
8 facts about the wells, where you turn grain silos
9 and old grain tanks into water wells and tanks.
10 You just had a man come out a week and a half ago
11 and do a new well report because you knew that
12 report was completely false. A lot of your other
13 reports are completely false. Put this where it
14 needs to be.

15 The Chumash Indians, thank you for
16 filing comment. I want to get together with him.
17 My family's been in this area since the 1880s
18 actually, but before that they've been in
19 California since 1840s. But I love the land out
20 there. I love the antelope, the elk, the eagles,
21 and that's why I'm here. As a rancher who
22 represents the Farm Bureau a couple years ago, the
23 stewardship awards, because of my love of the land
24 and my animals.

25 Well, I feel that those antelope are

1 mine, just like my neighbors. And I'm here to
2 protect them and our way of life. Please look at
3 the report I'm going to submit Monday. It's part
4 of your first alternative sites for western Kern
5 County. This is perfect, almost desolate ground
6 that you can't hurt any more than what's already
7 there. An oilfield and a hazardous waste dump.

8 Why look at our area, because this is
9 what's going to happen. You're going to come in
10 with your 640 acres. There's two other companies
11 coming in right behind you. They want in so bad
12 they're threatening my neighbors already. You
13 either sell to us or we're going to tie you up in
14 legal problems, not letting you get building
15 permits.

16 This is how this solar energy is now
17 starting to threaten the people on the east side
18 of this county they want it out there so bad.
19 Build an industrial area. Not agricultural area.

20 But just to let you know, if this
21 project goes through, for those of you who live in
22 this county there's a project called the Dolitio
23 Project in San Luis. That's now tied up in court.

24 We are looking at that option, too.
25 Who's we? Oh, there's about three of us, about

1 70,000 acres combined cattle land. That's how
2 committed we are to this. We want our land
3 protected. We don't need an industrial park.

4 I've been to other solar plants. The
5 one at Four Corners. It's about a half a mile off
6 the road, and it's 15 feet tall. And the cooling
7 stacks are 25 feet tall. That we could almost
8 live with, not something right on the road that's
9 56 feet tall with cooling, well, block buildings
10 115 feet tall. That's not in the Plains.

11 So, make it real easy for everybody.
12 Please just go look at the land that's available
13 for you on the west side of I-5 and highway 33 off
14 of LoKern. There's over 5000 acres there that's
15 abandoned ground. That would be perfect for this
16 project. You can't sterilize it enough. You
17 can't pollute it enough because the ground's
18 already basically won't grow nothing and never
19 has. And leave us alone.

20 Thank you.

21 MR. PATTERSON: Thank you for your
22 comments.

23 I have a question here from Anne McMahon
24 to the CEC. Do you want to make more comments
25 than just that question? Okay, come on up then.

1 And then we'll address that specific question when
2 we get through all the comments.

3 MS. McMAHON: Yeah, I had one question
4 but I've thought of a few more as I've been
5 sitting here.

6 So, my question was initially, and I
7 think I've answered it for myself, how the CEQA
8 process and the CEC process fit together. And I
9 guess I'm kind of looking at whether -- I mean,
10 could you clarify whether, for instance, a
11 preliminary staff assessment is actually like a
12 draft EIR, and I mean I don't quite understand how
13 those fit together.

14 I didn't see air quality addressed
15 anywhere in the concerns under your issue areas of
16 concern. And it seems like air quality could be a
17 really big issue. It says you're working with
18 APCD, so I'm sure you're talking with them about
19 it. But I'd like to see it mentioned with the
20 other concerns.

21 Cumulative impacts concerns me a little
22 bit. Several people have made reference to the
23 other projects that are out there on the drawing
24 boards. And I'm particularly concerned in view of
25 the different jurisdictions. You know, CEC has

1 jurisdiction over some, the county will be the
2 lead agency on others. And how can you do an
3 adequate analysis of cumulative impacts when you
4 have these projects that are sort of on parallel
5 tracks and different agencies reviewing the
6 impacts?

7 And I think that's a huge issue. And
8 it's one that -- I mean I don't know how you
9 address it, but I think it needs to be.

10 Regarding the alternatives, I'd like to
11 know if when you are -- you know, what's the
12 criteria for the alternatives you look at. Is it
13 similar projects in the similar geographical area,
14 or is it any kind of project that might generate
15 the same megawatts? I mean I kind of rather would
16 be looking at projects where you're going to put
17 solar panels on lots of rooftops around the county
18 to generate the energy, as opposed to, you know,
19 widespread impacts in a really sensitive area.
20 But, you know, I don't know if that's an
21 alternative that you'd look at.

22 And lastly, you know, anyone that's been
23 listening to the news in the last few days.
24 There's all around the world food riots, food
25 shortages. I mean there's a lot of scary things

1 going on around food supplies. And I just think
2 we should take pause anytime we're talking about
3 large impacts to agricultural areas when we can't
4 predict in five, 10, 15 years what the food
5 economy and ag economics is going to look like.

6 And I know there's a lot of things
7 changing here locally with farmers and ranchers
8 getting into more small-scale production, doing
9 direct marketing. And I think, you know, once you
10 pave it over it's gone. And we need to be able to
11 feed ourselves.

12 So I think the impacts to the loss of
13 productive ag land, and this may not be real
14 productive ag land, but agriculture changes. And
15 at some point in time we don't know, we can't
16 predict, you know, how productive or what that
17 land might be able to produce in terms of food we
18 really need.

19 And that's the end of my list, thank
20 you. And thanks, Jim, for the meeting today.

21 MR. PATTERSON: You bet. Thank you,
22 Anne.

23 Curtis Neil, Director of Marketing for
24 the Sharp Salute Energy System.

25 MR. NEIL: Hello, I'm Curtis Neil. I'm

1 Director of Marketing for Sharp Salute Energy
2 System. We are the oldest solar company in
3 California, formed in 1976.

4 We are not involved with this project
5 actually. But anyhow, our big concern is with one
6 of the intervenors here, which is CURE, California
7 Unions for Reliable Energy. They have filed many
8 frivolous lawsuits against solar projects around
9 the state to try to hold them up to extort union
10 agreements.

11 And for you not in the solar business,
12 basically solar companies are not unionized. The
13 workers choose not to. They have chose not to
14 join despite all the efforts of the unions.
15 They're not interested in it.

16 Therefore, basically if you are going
17 with a labor agreement you are not hiring people
18 who are trained or educated in doing solar
19 installations. And you don't have a lot of local
20 people, either, who can do this. Which means
21 you'll be importing labor for this project.

22 So, like the person who was out there in
23 Carrisa Plains saying he wouldn't be able to get a
24 job with them because they have the union
25 agreement. So, you know, if it's by merit, and

1 therefore we could hire him type of thing.

2 Anyhow, like you to watch out for that
3 if you would, please. Thank you.

4 MR. PATTERSON: Thank you. Tim
5 Strobridge.

6 MR. STROBRIDGE: My name's Tim
7 Strobridge. I'd just kind of like to back up a
8 little bit to the presentation today that Mr.
9 Fontana did, which kind of left out key important
10 things in this project.

11 This project is called a solar farm, but
12 it is not a solar farm. It's a thermal energy
13 plant. It's an industrial site. The mirrors are
14 on the bottom, the pipes are on the top. The
15 pipes are 56 feet tall, over one square mile. A
16 typical power pole is 40 feet tall, so it's 16
17 above that, if you can envision that.

18 This is a plant that's going to produce
19 hazardous waste, liquid hazardous waste, on a
20 daily basis that's got to be trucked out of the
21 plant. There's nothing green about this plant
22 except the money that these guys are going to
23 make.

24 You know, this is a typical snow job
25 that Ausra has put on in every one of their

1 meetings. And it's kind of a shell game with
2 information to see how much information they can
3 keep from the public. So we've got to dig, you
4 know, on our own through the computers,
5 everything, to find out what we need to do.

6 I do have a question on setbacks on
7 these cooling towers that are ten stories tall, if
8 you can envision a 10-story building, that's how
9 tall these cooling towers are. I need to know
10 what the setbacks are to the nearest -- legal
11 setbacks to the nearest residence, and the
12 turbines.

13 That wasn't answered at the last
14 meeting. And kind of lost my train of thought
15 here, but I do have to take a little poke at those
16 anti-union guys sitting back there. I find it
17 very interesting that they're bashing unions. But
18 it's the corporations with the fat wallets that
19 are hanging onto that money. You know, the middle
20 class is disappearing in this country because of
21 anti-union people like that.

22 I'm a retired USCW, 34 years. And I was
23 able to retire at 52 years old because of the
24 union. My wife's a union member. My brother's a
25 union member. Very proud of it. And these

1 unfortunate people that are disillusioned by the
2 fact that they think that the labor is taking all
3 the -- labor unions are taking all the money from
4 these corporations, it's corporations that want to
5 keep it all.

6 Thank you.

7 MR. PATTERSON: Thank you for your
8 comments.

9 Mike Strobbridge.

10 MR. STROBRIDGE: I live in Carrisa
11 Plains. My property is 2800 feet from the back of
12 this plant and where the cooling towers are going
13 to be.

14 There's nothing green about this plant;
15 there's nothing environmentally friendly about it,
16 either. You got to weigh your options. What's
17 more important to you people, the solar power or
18 the environment?

19 They put this plant in they're going to
20 kill every living thing on every square inch of
21 this piece of property, all right. They're going
22 to move over a million cubic yards of dirt.
23 They're going to bulldoze the site. They're going
24 to terrace it off, gone.

25 I live there. I'm there every day. I

1 mean they can tell me how it is, whatever; I'm
2 there, I see it. There's antelope that run
3 through there every day. Where else in the State
4 of California do you see prong-horn antelope or
5 tule elk? I've never seen them anywhere else.
6 They'll be gone if these guys come in.

7 That square mile, that's just the
8 beginning. This gentleman here told us they have
9 options on six and a half more sections. That's
10 six and a half square miles.

11 They're building thermal solar plants in
12 the Mojave Desert that are 555 megawatts. Why
13 would these guys stop at 177? They're doing the
14 177 to get this square mile, dig their claws into
15 us and take the rest.

16 They're claiming 19,000 gallons of water
17 a day. They're going to pull them from the lower
18 basin. We're all pulling our drinking water from
19 the upper basin. And they're telling us that they
20 do not connect in any way, it will not hurt us.

21 I would personally like to see the
22 paperwork that shows that, you know, the
23 impermeable barrier between these two. Because, I
24 mean, I'm just a dumb hick in the sticks, but as
25 far as I know, water comes from the sky, rain;

1 soaks through the ground. It's got to go through
2 the upper basin to get to the lower. Doesn't come
3 from the core of the earth.

4 I mean, I had my well certified two
5 weeks ago. I met 13 gallons a minute. These guys
6 last summer telling us that they're going to run
7 their plant at 13 gallons a minute on a 24-hour
8 basis, 365 days a year. That is the full
9 capability of my well, all year round, all day
10 long, never stopping. And that's not going to
11 affect my well, at 2800 feet away?

12 I got two questions. If my well goes
13 dry, which would force me off my property, you
14 know, this is not the only solar company. I got
15 other solar companies pressuring me, telling me
16 they're going to surround me, they got options on
17 three sides of me, I need to sell to them, I need
18 to move.

19 I'm building a house right now. They're
20 telling me I need to stop building. I just need
21 to basically hand my property over to them for
22 \$4000 an acre. Where do you get property in San
23 Luis County for \$4000 an acre? That is an insult.

24 I want to know what Ausra is going to do
25 for me if my well goes dry and I have to move my

1 family. This is a direct effect on my quality of
2 life and my neighbors. There are 30 families
3 within a three-mile radius of this plant that will
4 be directly affected by it, 24 hours a day, every
5 day of their life, Thanksgiving, Christmas,
6 everything, we got to deal with this. I don't
7 think that's very fair.

8 And I also have a question for the
9 Energy Commission. What is the Energy Commission
10 and the State of California going to do for me
11 when my well goes dry and I'm forced to move?
12 Because if you authorize this plant you're
13 accepting partial responsibility for what happens
14 to our area, our environment. The prong horn
15 disappears, the State of California is directly
16 responsible, along with Ausra, URS and everybody
17 else that is involved with this.

18 You know, these anti-union guys coming
19 in here, that's a joke. You know, you want to
20 talk about the anti-union stuff, talk to Ausra. I
21 don't want to hear it. I don't care, because I
22 don't want this thing here. I have no problem
23 with solar power. I think it's a good thing.

24 Every other company's in the Mojave.
25 Why do they got to come into a residential area?

1 They say it's an ag area, but our area in this ag
2 area is residential. What's wrong with the
3 Mojave? This is an inappropriate spot for this
4 plant, completely inappropriate.

5 You know, I don't know what to say. You
6 know, everybody's got their hand out right now. I
7 listened to one guy from back to the other, from
8 this association, this, that, whatever. I see it
9 every day on the -- I hear mitigation more than
10 anything else. All mitigation is is somebody
11 handing somebody else a bunch of money for them to
12 turn their head the other way.

13 You know, everybody's got their damn
14 hand out. It makes me sick. The way you guys do
15 business makes me sick. I mean I didn't want to
16 go there, man. I don't even want to be on record
17 to say right now what I think of all of you. But,
18 I'm done. But this is ridiculous.

19 You know, you guys come in here and
20 barely give me any information. I don't know.
21 I'm done.

22 MR. PATTERSON: Thank you for your
23 comments.

24 (Applause.)

25 MR. PATTERSON: Robin Bell.

1 MS. BELL: I'm Robin Bell and I have a
2 small home on the Carrisa Plains and plan to build
3 my retirement dream home on the Carrisa Plains
4 about 1.2 miles from the solar plant.

5 And I think that this plant could be
6 really exciting and solar power is great for the
7 world. But I think they've just picked the wrong
8 spot.

9 First, if it has to be on the Plains,
10 they shouldn't have picked a parcel adjacent to
11 the area with the largest concentration of
12 residential development. They could have picked
13 something further to the north several miles where
14 nobody lives.

15 But their reasoning, the response I got
16 was it would have taken too much time, cost too
17 much money. they would have had to run, extend to
18 the transmission lines. So it's the cheapest
19 easiest place. And we're getting stuck with the
20 consequences.

21 The other problem with building this on
22 the Plains is what Fish and Game has finally said,
23 and we all knew, that this is a really special
24 place. To quote them in their letter, it's in an
25 area which supports one of the highest

1 concentrations of special status species in
2 California, as well as uncommon native game
3 populations for which the state has committed
4 considerable effort and public funds to
5 reestablish and manage. The site is also in an
6 area identified as critical for the recovery of
7 the federally listed species, and is a crucial
8 wildlife movement corridor."

9 I mean, as environmentally good as solar
10 energy can be, how can it be good when it's going
11 to affect a place with all those concerns?

12 That's pretty much my comments, but I
13 did have some questions. Oh, one other comment.
14 About this being okay for zoning because it's
15 agricultural, you can generate electricity on
16 agricultural land.

17 Well, in light of all the other solar
18 companies that want to come in, and I mean I'm
19 hearing somewhere like 18,000 acres, I can't
20 imagine that our county rules that would allow
21 solar generation on ag land, or electrical
22 generation, would have meant for it to come in and
23 completely wipe out one of the biggest ag areas in
24 the county.

25 That just seems like it shouldn't have

1 ever happened. And it couldn't have been the
2 intention of that law.

3 So, I had a couple of questions. First
4 of all, I was hoping that maybe we would get an
5 update on where things stand with the Army Corps
6 jurisdiction and on the truck route. But now I'm
7 guessing, and I'd like clarification, that we
8 won't be getting any of those answers till
9 September.

10 The other thing I wanted to find out
11 more about was the laydown area. Fish and Game is
12 now talking about parking spaces over there. And
13 the original Ausra presentation said that
14 employees were going to come in on nine buses. So
15 there wouldn't be a lot of traffic.

16 Well, at the last meeting they said
17 well, they can't make them come in a bus. So I'm
18 just wondering how many people are they planning
19 to drive individually. And if there are going to
20 be any kind of overnight parking in that parking
21 lot. Are people going to be allowed to drive an
22 RV and stay there, which I don't think would be
23 good for the neighbors.

24 And I also -- at the last workshop, at
25 the very end the CEC explained how they're going

1 to monitor the water use. And that if it dropped
2 more than five feet the plant would be shut down.

3 I'm wondering if maybe to help us
4 understand some of this a little bit better, we
5 could get some more information on what the CEC
6 does. For instance, what about Ausra said they
7 would follow the CEC guidelines for visual impact
8 and sound. Well, what are those guidelines? It
9 would be really helpful if we knew what those
10 guidelines were.

11 For instance, will the middle ground use
12 be preserved? Do we have -- I would be in the
13 middle ground -- do we have any rights to visual
14 screening? Things like that. It would be nice to
15 know the rules, the CEC guidelines and rules on
16 visual impact.

17 And then, let's see, one comment was
18 Ausra submitted a new map with well locations.
19 And it came up in the last meeting that a lot of
20 the well locations were not shown on the map.
21 This new map is still missing half of the well
22 locations. My well, which is clearly visible from
23 the street isn't on there. My neighbor's well
24 that's clearly visible from the street isn't on
25 there. I don't think Mike's well was on there.

1 So that information seems incomplete.

2 I also had a question for the CEC; in a
3 letter to Ausra on April 4th requesting more
4 studies, they didn't mention anything about the
5 antelope or golden eagle or I think it was ten
6 other special status species that the Fish and
7 Game were concerned about. And I'm just wondering
8 are they going to follow through and get
9 information on that.

10 And then my last question is -- well,
11 let me back up a little bit. What I've discovered
12 is that the very first step in getting any kind of
13 power plant off the ground is getting on the
14 California Independent System Operator's queue.

15 Those people, Cal-ISO, are the people
16 that run the transmission lines. So, to get your
17 power out you have to go through them. And there
18 are six projects in our county on that queue. The
19 first one was last January in '07, a photovoltaic.
20 Then in April a solar thermal, which I assume is
21 Ausra; they don't say who it is, was last April.

22 Then there were three more photovoltaics
23 in, I believe, July that got on that list. And
24 then I think it was in late December, I think the
25 20th, maybe, there's another solar thermal company

1 back on the list.

2 And at the last meeting Ausra disclosed
3 that they had option agreements on six and a half
4 more sections. But they said they weren't doing
5 anything with it, or didn't have any plans.

6 And according to what I looked up on the
7 county there was some type of an agreement
8 recorded in February that was effective in late
9 December of '07 of those parcels that Ausra had
10 the options on.

11 So, late December they're getting an
12 agreement on those, and late December somebody
13 filed for a solar thermal plant in the area,
14 double the size of this one. And I'd like to ask
15 Ausra again, are you guys not number 288 on the
16 Cal-ISO queue. We'd like to know.

17 And that's it.

18 MR. SPEAKER: It's not us --

19 MS. BELL: It was just bad timing that
20 you guys were both the end of December.

21 MR. SPEAKER: It's not us. We have not
22 filed --

23 MR. PATTERSON: Thank you for your
24 comments and questions. And we'll get to those
25 when we get through the blue cards. I only have a

1 couple of blue cards left. If any of you want to
2 make a comment or ask a question, please complete
3 the blue card so we have the record.

4 What I think we'll do after these two
5 folks speak, and anyone else that wants to speak
6 in this round, we'll take about a five-minute
7 break so you can get a drink of water, stretch
8 your legs.

9 And then we'll come back, and that'll
10 give us time to review the cards and list the
11 questions that were asked specifically. And then
12 we can have both Ausra and the CEC address those
13 questions.

14 So, again, if you want to comment or ask
15 a question please fill out the blue cards that are
16 available on the back table.

17 Mary Strobridge.

18 MS. STROBRIDGE: My name is Mary
19 Strobridge. And I do want to open up by saying
20 that I do not oppose solar energy. However, I do
21 oppose this particular project.

22 I'm going to take a different slant on
23 this and what I've heard coming from people that
24 have been speaking. I'm going to talk more about
25 the Carrisa Plains, itself.

1 Recently I was reviewing the March 27,
2 2007 video of the board of supervisors meeting
3 when the board was discussing the resolution to
4 support a world heritage site nomination for the
5 Carrisa Plain national monument.

6 I thought it very interesting to see
7 people speak in opposition of this designation due
8 to the increase in traffic, tourists, ranching and
9 farming disruption and the basic fear of the
10 destruction of the tranquility of the Plains due
11 to the designation.

12 Some people talked about how the Plains
13 had already changed with the national monument
14 there. Others worried that the increase in
15 traffic caused by people from all over the world
16 would just be horrible going through Santa
17 Margarita.

18 What is really disconcerting to see
19 these people speak about protecting the Plains and
20 the heritage of the land while some of these same
21 people are selling their property to Ausra and to
22 another solar company that's come in.

23 People from other places in the world
24 come to the Plains to see how we protect and care
25 for our grasslands. That was just in the Tribune

1 just a few weeks, maybe a month or so, back.
2 Instead, now the gateway to the Carrisa Plain
3 national monument will be covered literally with
4 photovoltaic cells in the 640-acre industrial
5 thermal energy power plant.

6 My question is, is there no one who will
7 advocate for the Carrisa Plains. For the beauty
8 and the tranquility of a place that is incredible.
9 Is there no one to protect the flora and fauna of
10 this area? This area is absolutely fantastic. It
11 is a special place in the whole world.

12 I'm glad the meeting happened today and
13 I'm glad it happened here because the general
14 public has absolutely no idea of the industrial
15 look to CESF and is totally unaware of the other
16 companies coming in. It's also unaware that the
17 power generated won't be for San Luis Obispo
18 County. It'll be leaving this county. This is
19 not, definitely not, preserving our county for
20 future generations to enjoy.

21 Thank you.

22 (Applause.)

23 MR. PATTERSON: Thank you for your
24 comments.

25 Susan Harvey.

1 MS. HARVEY: Good afternoon; my name's
2 Susan Harvey and I represent North County Watch.
3 And a couple things have come up so I'm kind of
4 juggling papers here.

5 I'm curious from the California Energy
6 Commission, the presentation that you gave today,
7 is that the same one that you gave on the same --
8 is this the same information as the day that there
9 was a tour? So this --

10 MS. DYAS: It's less.

11 MS. HARVEY: Okay. Because I wasn't
12 aware that on this -- had been identified, this
13 other waters of the U.S. yet.

14 MS. DYAS: It is on one of the
15 additional slides --

16 MS. HARVEY: Oh, okay.

17 And I have some questions. A gentleman
18 connected with the CEC during that trip mentioned
19 to me that the CEC has already approved more than
20 enough generation facilities to satisfy
21 California's needs, but mostly they hadn't been
22 built because they weren't financially feasible.

23 Do you make those kind of -- do you take
24 that kind of information into consideration when
25 you're judging new applications?

1 MR. O'BRIEN: Do you want me to answer
2 that now or --

3 MR. PATTERSON: Let's get all the
4 questions and then we'll answer -- be easier,
5 thank you.

6 MS. HARVEY: I think Robin asked this
7 question. Do you have any idea when there'll be a
8 determination on the jurisdiction of the waterway?
9 And somebody asked also about the existing grid
10 lines and their capacity. Will you be considering
11 the cumulative effects of additional applications
12 for generation in that area on the grid lines?

13 The comment's been -- well, one of the
14 reasons that people say they want to put it out in
15 the Carrisa Plain is because of a superior sun
16 generating ability. And I'm wondering if there's
17 been any analysis done as to what that actually
18 amounts to? I mean, what's that coefficient that
19 makes it so much greater? And how much added
20 megawatts would have to be built somewhere else,
21 or additional monies used to not be putting it in
22 this unique place?

23 I think that a lot of things have to be
24 considered here, and the only issue isn't just
25 generating electricity, from my standpoint.

1 The gentleman who was talking about his
2 13-gallon-a-minute well, is there any analysis
3 done on, you know, when you're building houses you
4 have to show that you have water enough for 20
5 years, you know, if you're doing suburbs.

6 So, is there some analysis as to the
7 capacity of water for this, for the lifetime of
8 the plant?

9 And then I was noting these, well,
10 actually somebody pointed it out to me, of the
11 answers to questions I'd asked before. And one of
12 them comments, one of the answers was that the --
13 because I was talking about safety issues and the
14 Sheriff. And one of the answers was that the
15 Highway Patrol patrols rural roads in San Luis
16 Obispo County. And once in awhile there's Highway
17 Patrol on rural roads in San Luis Obispo County.
18 But having them occasionally. It's generally
19 state roads because they're, you know, monitoring
20 traffic issues on those.

21 But, I don't think that that constitutes
22 -- well, I hope you're not going to be considering
23 that that's adequate mitigation for safety issues,
24 considering the low amount of sheriff protection
25 in this area of the county.

1 And I think that's all I have now.
2 Thank you so much for coming and for having this
3 in this area. I really appreciate it.

4 MR. PATTERSON: Thank you for your
5 comments. My last request is from Tom Foss.

6 MR. FOSS: Yeah, I just wanted to talk
7 on a couple of things to help focus sometimes on
8 things that are important. I used to farm out
9 there for quite awhile. I farmed the piece that
10 they're going to develop right now.

11 And just for your information there's
12 some big wells out there. Just west of there
13 there's the Lewis well, there's a couple wells on
14 this place. Right down from the school which is
15 about a mile from there, there's a big well. And
16 then about a mile and a half east of that there's
17 a couple of big wells, too. They were put in to
18 farm potatoes.

19 All the time they were using those wells
20 the domestic well on Lottie's (phonetic) place
21 where this is being developed never went dry. So
22 pumping water out there doesn't seem to be a real
23 big deal.

24 The other thing you might notice in
25 their stuff, they said they were going to use

1 about, if you took all the water they pump out and
2 you spread it over that section it's about a half
3 of an inch a year, which is about a tenth of what
4 an annual year is.

5 The other thing is you might remember,
6 see summer fallow on there. Well, that's how we
7 farm every other year because there's not that
8 much water for crops. If you dig down in summer
9 fallow it's wet down there. Well, this place is
10 going to be shaded. So my opinion on that is it's
11 probably going to be something that's going to be
12 a net. Water's going to go into the ground, like
13 in your place you're talking about water gets down
14 there going through the top. Well, I think that's
15 probably what's going to happen at that place.
16 It's going to be dry under there. So those are a
17 couple of things to think about.

18 Another thing is, you know, there's
19 going to be some kind of energy come into this
20 place. It's just gradually getting there. So
21 what do you want? You know, this doesn't have any
22 inputs, no trucks coming in, no trucks going out,
23 and it's kind of aggravating to look at the thing,
24 but what are we going to get.

25 If they do get it in there, maybe we all

1 ought to get together and buy it from them when
2 they get done so we can run it ourselves, and take
3 care of ourselves out there.

4 My comments.

5 MR. PATTERSON: Thank you. Let's take a
6 seven-minute break; reconvene at 3:30 to address
7 some of the questions that were asked.

8 (Brief recess.)

9 MR. PATTERSON: What we're going to do
10 now is both the project applicant and the
11 representatives from the CEC will address the
12 issues that were raised during the comment-and-
13 question period.

14 I just want to remind you that this
15 workshop is being recorded. And what will happen
16 with that recording is they will generate a
17 transcript of the comments and questions; and go
18 through and answer each one specifically. It'll
19 take about a month to do that. And then it will
20 be posted on the CEC website, as well as our
21 office at the County will get a copy.

22 So if, in the event, in the next half
23 hour we don't specifically get the answer to a
24 question, it will be forthcoming in the
25 transcript. So it'll all be there, it'll all be

1 addressed.

2 What we're going to do first is have the
3 project applicant respond. Ms. Jane Luckhardt
4 will address, and I notice she was taking copious
5 notes during the comment-and-question period. And
6 she's going to come through and address those
7 issues.

8 And then Mr. O'Brien and Ms. Dyas from
9 the CEC will address the issues specific to the
10 CEC. And, again, we do want to try to wrap up by
11 about 4:00. But if there were specific things
12 that they didn't touch on, specific questions, we
13 may have an opportunity to ask those again. But
14 they will be posted on the website and we will
15 have hard copies here within about a month.

16 So, Ms. Luckhardt, would you like to get
17 started?

18 MS. LUCKHARDT: Okay. And please bear
19 with me as I was trying to take notes on some of
20 the things that you guys were asking about as you
21 went along. And like he mentioned, if we missed
22 something we do go through the transcripts
23 afterwards and create lists. And the fine folks
24 at URS I will give credit for, are the ones who
25 put together the detailed responses.

1 There was a question about night
2 lighting. And this has come up before. And that
3 is something where we are preparing a preliminary
4 lighting plan. The preliminary lighting plan
5 should be completed in about four weeks, to look
6 at night lighting. That's been a concern.

7 There will be a follow-on, a more
8 detailed plan that will follow that will come out
9 prior to the PSA. And that will come out after
10 the supplement comes in, which has some project
11 changes.

12 So that's kind of the timing on getting
13 the overall lighting plan, night lighting plan
14 analysis prepared and back to you guys to look at.

15 There was a question about how the
16 mirrors are cleaned. And this has come up before.
17 The mirrors are cleaned with softened water so the
18 calcium and sodium carbonates have been removed.
19 They use very little water. And it essentially
20 evaporates as they're doing the cleaning. And so
21 there isn't like a cleaning fluid that is used
22 that ends up going down into the ground.

23 So that's kind of the general answer to
24 the washing question. And they've got some more
25 detailed stuff on that in some written responses

1 that we have, as well, that we've provided
2 previously.

3 There were a lot of questions about
4 expansion plans and other projects. Ausra cannot,
5 you know, Ausra's not in control of other
6 developers. And so, you know, what you may be
7 hearing from other folks we may or may not have
8 very good information on at this time. And we
9 surely can't tell you what their plans are unless
10 they've been announced publicly.

11 At this point Ausra does not have any
12 additional queue positions for any of the
13 additional land that they have options on. So
14 that's where that stands. And that includes that
15 queue position 288 that I think Ms. Bell
16 mentioned.

17 MR. NOLEN: Are you saying that the land
18 you have options on is not part of those
19 additional eight acres that Fish and Game, or
20 eight sections Fish and Game were talking about?

21 You have an additional six and a half
22 acres that aren't part of (inaudible)?

23 MS. LUCKHARDT: An additional --

24 (Parties speaking simultaneously.)

25 MS. LUCKHARDT: They have six and a half

1 sections. That's all they have.

2 MR. PATTERSON: And, if I may, rather
3 than interrupt during the answering portion, if
4 something doesn't get answered specifically we'll
5 have a few minutes hopefully at the end and you
6 can come up and ask for clarification and that
7 sort of thing. That'll keep us from bouncing back
8 and forth the rest of the afternoon. So, --

9 MS. LUCKHARDT: Yeah, and I think that's
10 important because --

11 MR. PATTERSON: -- please do that.

12 MS. LUCKHARDT: -- especially on
13 questions like that, since there have been, and
14 obviously you guys are all aware of a lot of other
15 proposals in different areas, there may be some
16 confusion about who owns what and who's proposing
17 what where.

18 I think the Ausra folks probably are
19 only going to be able to clearly answer responses
20 dealing with what they own and what they control.

21 And another question that was brought up
22 was on educational opportunities for K through 12,
23 not just simply CalPoly. And I know that they've
24 been very aware of that. There's a school nearby
25 the facility, and they were actually, I know Perry

1 has said this in the past, that Ausra has been
2 very interested in working with the local school
3 and others. So I don't think he in any way meant
4 to say that there wouldn't be K through 12
5 opportunities.

6 There were some questions, and I'm just
7 going to shift gears. I don't have this like in a
8 nice orderly fashion, so each question is going to
9 shift gears.

10 We're moving on to Army Corps, the Army
11 Corps determination. That has not been made.
12 There is no determination yet by Army Corps. That
13 determination could take up to three months. So
14 we are waiting; the information has been filed and
15 submitted. We'll provide it to the Commission and
16 to all of you through these meetings and workshops
17 whenever that decision is made. So, no decision
18 has yet been made.

19 And then there was another question
20 about setbacks. The setbacks, the front setback
21 from the front, what would be considered the front
22 of the property, Angela, do you know what was the
23 front? The power block section, the setback is 25
24 feet. The side and rear setbacks are 30 feet.
25 That's just the standard county, and you guys

1 please correct us if somehow we've got that wrong.
2 But we believe that's just the standard county
3 setback requirements.

4 There have been some comments about
5 folks getting pressured to sell properties. We
6 can only speak on behalf of Ausra, and Ausra has
7 not tried to pressure anybody to sell property.
8 So, you know, I think that anyone would think that
9 that would be a concern.

10 We've had a lot of comments, today as
11 we've heard in the past, about concerns about
12 impacts to wells. Everybody out there is on a
13 well, we understand.

14 So we are preparing a detailed well
15 study. There were comments at the last workshop
16 from California Energy Commission Staff on things
17 they wanted included in that well study. And so
18 we're doing a very detailed well study. We're
19 expecting to get that out to everybody in four to
20 six weeks.

21 As a part of that URS has had folks on
22 the ground doing some ground trooping to get as
23 much information as they can on other wells that
24 are located in the area.

25 So the new information, since we've

1 heard back from you that the information we had
2 was very incomplete, we've got folks that are on
3 the ground trying to verify that. Again, that
4 information is confidential so it's not available
5 from a state agency. So we do have to do a lot of
6 ground trooping, and folks are doing the best they
7 can to get as much information in.

8 There have been questions in the past
9 and brought up again today about truck routes, and
10 bringing trucking materials in across the various
11 roads. The heavy haul routes and that additional
12 analysis, along with the change that Perry
13 announced last time, to do some manufacturing
14 onsite, all of that will be included in the
15 project supplement which is due out in about two
16 months. So that will be a part of that.

17 There have been a lot of concerns when
18 we talk about truck routes and roads dealing with
19 the estimates of the number of cars across the
20 roads. I think there was a comment today that the
21 peak hour car estimate was 80 cars.

22 That came from Caltrans' information.
23 You know, what we're hearing basically from the
24 local folks is that that highly overestimates the
25 number of cars that go across that road. That

1 actually would only reduce the impacts of
2 construction and traffic, which would be the
3 primary concern. Or operational traffic if the
4 actual number of cars are less. We have to use
5 published data, and that's what was available.

6 Let's see, there was a comment about
7 whether workers could use the worker parking area
8 and bring RVs in and stay overnight. You know,
9 for a certain amount of time if they were working
10 there. And I've talked to the construction guys
11 and they said no, there won't be anybody pulling
12 in their RVs and staying overnight.

13 There will be construction trailers
14 there, as is typical with any construction site of
15 this size. But there won't be like people pulling
16 in with their RVs and camping out. So you won't
17 have their stereos and their generators and stuff
18 at night. There'll be project stuff, but not
19 individual.

20 Let's see, got more comments about the
21 wells. I've told you that's probably four to six
22 weeks out.

23 There were some concerns about species.
24 We received information from Fish and Game that
25 they had concerns that 2007 was too dry a year to

1 conduct a lot of the biological studies. We're
2 going back out and re-doing those studies again.
3 So that information will be coming in.

4 There are certain times a year when you
5 can do protocol surveys, and they are highly
6 regulated and specified. So we can't go out and
7 do all the surveys now, and then provide it to
8 you, all the results a month from now.

9 Those surveys have started and they will
10 be ongoing. Some of them can't be done until, I
11 think, September. So, you know, we're going to be
12 providing information periodically as the
13 information comes in. But those surveys are being
14 redone so we will have 07 and 08 information.

15 Let's see. As far as cumulative impacts
16 on transmission and cumulative impacts of other
17 projects, the way that works in general is you do
18 a cumulative impacts analysis on all the other
19 projects that are nearby that could create a
20 cumulative impact that you have information on.

21 We can't do a cumulative impacts
22 analysis on a project that has yet to be proposed,
23 or where there isn't any public information. We
24 can only do cumulative impacts analysis on other
25 projects that have been proposed, and where there

1 is sufficient information to do an analysis.

2 You know, so if that information isn't
3 available, it isn't done, we can't do it. The
4 information that is out there we have done and
5 will continue to do as information becomes
6 available.

7 And then there was a question about the
8 difference in the solar values for the Carrisa
9 Plains as opposed to say the Bakersfield area,
10 which is over by I-5. And in talking to the folks
11 they say it's about 10 to 15 percent worse in
12 Bakersfield. So it's about 10 to 15 percent
13 better at the Carrisa Plains than down in the
14 valley.

15 AUDIENCE SPEAKER: What is? What is,
16 the sun or --

17 MS. LUCKHARDT: The sun. That's my
18 understanding. It's the value of the sun, the
19 actual solar radiance that comes in and bounces
20 off. It's because your elevation's better.

21 So, there are actually studies that they
22 do on these issues. And that's what the studies
23 have come back to show.

24 But see there was a concern about dust
25 and valley fever. And I think this would be

1 primarily during construction, but potentially
2 also during operation. But this would be
3 primarily construction. And we're proposing some
4 mitigation measures to minimize construction-
5 related fugitive dust. Which to reduce both PM10
6 and PM2.5, but would also result in reducing the
7 overall amount of dust or things that are kicked
8 up along with construction.

9 So, we're aware of this issue and we're
10 looking at dust mitigation in general. They do
11 that on every power plant, but on this one
12 specifically.

13 And I'm trying to think if there's
14 anything else. I think that's my list. If I have
15 missed something I apologize. We did our best to
16 try and take notes as we went along. And, again,
17 we'll be looking at the transcript.

18 MR. PATTERSON: Thank you, Ms.
19 Luckhardt. Now Mr. O'Brien and Ms. Dyas from the
20 California Energy Commission will address some of
21 the questions addressed specifically to the
22 jurisdiction of the CEC.

23 Mr. O'Brien.

24 MR. O'BRIEN: Thank you. After I'm done
25 it will either be Mary or Caryn Hough, who is the

1 -- Holmes -- who is the Staff Counsel on this
2 project.

3 Let's see. First of all, a general
4 comment. Good questions from the members of the
5 public. These aren't unusual questions, we've had
6 these types of questions on other projects.

7 It is, in terms of our experience, we
8 currently have two other solar projects inhouse,
9 located in the Mojave Desert. We're looking at
10 some of these same issues. And the concerns that
11 many of you raised, particularly those individuals
12 who are living in the area, are very legitimate
13 questions. And we take those issues seriously.
14 We're going to be addressing the issues that you
15 brought up in our preliminary staff assessment and
16 our final staff assessment.

17 Will you agree with the staff's
18 conclusions and recommendations? My guess is that
19 there won't be a hundred percent unanimity, you
20 know, when we put forward our recommendations on
21 the project. That's not unusual. People have
22 different views on what level of the impacts are,
23 what's the appropriate mitigation.

24 Power plants are, by their nature,
25 somewhat controversial. But going back to

1 something I said earlier, remember the staff,
2 we're an independent party. We don't make the
3 decision. The Commissioners make the decision.

4 So I want to re-emphasize for those of
5 you who feel very strongly about this project,
6 have concerns about how it might impact you, or
7 the environment and other issues that are
8 particularly important to you, please get involved
9 in the process. Nick Bartsch earlier talked about
10 you can be an intervenor, if you want to.
11 Otherwise you can participate as a member of the
12 public and provide input.

13 The Commissioners take comments from the
14 public very seriously. That's one of our major
15 responsibilities. So, in terms of just a few
16 comments on some of the questions.

17 CEQA equivalency, that was raised.
18 Don't look at the various documents that we
19 prepare and try to do a one-to-one correlation on
20 those. We prepare, as Mary indicated, the
21 preliminary staff assessment. We're going to put
22 that out. We're going to get input back from all
23 the parties, the applicant, members of the public,
24 the agencies.

25 And then we're going to revise that for

1 a final staff assessment. That's staff's
2 recommendation to the full Commission. Then the
3 Committee who's been assigned to the case, they're
4 going to take that input; they're going to take
5 input from the applicant; they're going to take
6 input from other governmental agencies like the
7 County of San Luis Obispo, from members of the
8 public, from residents of the local area.

9 And then they are going to craft a
10 decision; that's the Presiding Member's Proposed
11 Decision. And that goes to the full Commission
12 for a final determination.

13 So there are going to be additional,
14 many opportunities for all of you to participate
15 to the extent that you're interested in doing so.

16 In terms of the issue of cumulative
17 impacts, just kind of repeat something that Jane
18 said. We want to be able to identify all the
19 projects that are going to be in the area that are
20 going to contribute to cumulative impacts, but
21 they have to be reasonably foreseeable.

22 And to that extent we're working with
23 the other agencies, including San Luis Obispo
24 County, to learn about those projects so they are
25 included in our analysis.

1 In terms of water issues, obviously a
2 significant concern to individuals who live in the
3 area, we are familiar with this sort of issue in
4 terms of what's going to be the impact to
5 neighboring wells. We are analyzing that issue.
6 We're going to make a determination as to what we
7 think the potential impacts are. And if the
8 potential impacts are significant, we're going to
9 recommend conditions of certification to eliminate
10 those impacts.

11 And we, the staff, the staff is going to
12 recommend conditions that insure that no adverse
13 impact happens to any local landowners.

14 In talking about transportation issues,
15 the Commission absolutely has the authority to
16 impose on any licensee, including this applicant,
17 issues regarding transportation, how workers get
18 to the site. Okay.

19 So we are not going to -- the
20 Commission, in my opinion, is not going to approve
21 a project in which, if this happened, we came to
22 the conclusion that there were transportation
23 impacts that were significant, we would propose
24 mitigation measures. And those would be measures
25 that the applicant would have to comply with.

1 In terms of the issue of Cal-ISO and the
2 queue issue, you know, Jane talked about that. We
3 do this transmission system engineering impact
4 analysis to determine whether or not this project,
5 when it injects electricity into the existing
6 grid, is going to have any adverse impacts on
7 other portions of the existing electricity grid.
8 And if that were to be the case, then we would
9 recommend mitigation measures to insure that that
10 did not occur.

11 In terms of the issue of a need
12 determination. The Commission used to have a
13 requirement to do a need determination on
14 projects. That requirement no longer exists.

15 But in terms of the electricity coming
16 from this project, if you look at California,
17 California's electricity growth right now is
18 growing at about the rate of about 1.4 percent.
19 We are the most efficient state in the Union in
20 terms of how we use electricity. In large part
21 because of all the programs the Energy Commission
22 has implemented, conservation programs, efficiency
23 programs, over the last 25 years.

24 But the population in the state
25 continues to grow by about a half a million a

1 year; increased economic activity. So there is a
2 need for additional electricity. But that, I
3 don't believe, is going to be a major issue on
4 this project.

5 The issues of major concern here, and
6 you've raised, you know, many of them, revolve
7 around the issue of what are the environmental
8 impacts of this project, and what are the public
9 health and safety impacts. And what are the
10 levels of those impacts. And can those impacts be
11 appropriately mitigated.

12 And we talked a little earlier in this
13 workshop about how the Commission will implement
14 or propose -- how the staff will propose
15 conditions of certification to insure that the
16 impacts are not significant.

17 If the impacts were to be significant,
18 then the Commission would be faced with a
19 decision, just like San Luis Obispo County is
20 faced with decisions on projects, as to whether to
21 approve the project, notwithstanding significant
22 impacts. And to do that you would have to reach
23 certain findings and do an override.

24 But our goal is always on every project
25 we get, including this project, to insure that the

1 impacts are insignificant and appropriately
2 mitigated.

3 MS. HOLMES: Hi. My name is Caryn
4 Holmes, and I'm the Staff Counsel to this project.
5 I wanted to go into a little bit more detail about
6 some of the legal questions that were raised
7 earlier this afternoon.

8 I think that somebody asked the question
9 as to whether or not the CEC process was the same
10 as the CEQA process. We're subject to CEQA, we're
11 the lead agency for the project under CEQA; and
12 all of the CEQA policies regarding things such as
13 assessing impacts and posing mitigation, looking
14 at alternatives, are equally applicable to us as
15 they are to the county approving a project.

16 However, the process we use, the
17 paperwork that we use to present that analysis is
18 different than an EIR. And as you've heard us say
19 a number of times today, we use different
20 documents. We are allowed to do this because the
21 Resources Agency has said that our process
22 provides the same or more level of detail as an
23 EIR would require.

24 So, there isn't a one-for-one
25 correlation, as Terry said, but all of the

1 policies that are inherent in CEQA we are subject
2 to as we go through this process.

3 There was also a question about what's
4 the scope of our alternatives analysis. It's the
5 same as it would be under CEQA, to follow on to
6 what I just said. We would look at a reasonable
7 range of alternatives that could feasibly obtain
8 most of the project's objectives.

9 What those alternatives are hasn't been
10 finally determined at this point. We're still
11 working on developing them. And you will see them
12 in the preliminary staff assessment. And we have
13 taken into account a number of comments and
14 suggestions from members of the public in
15 assessing which alternatives we should be
16 considering.

17 Somebody also asked how can we evaluate
18 cumulative impacts for projects that are outside
19 our jurisdiction. Almost all of our cumulative
20 impacts analyses involve projects outside our
21 jurisdiction, since there are not frequently two
22 CEC projects proposed side-by-side.

23 We simply seek information from local
24 governments, other state agencies, project
25 proponents. As Jane said, once the information

1 becomes available we fold it into our analysis.

2 And last, somebody asked a question
3 about a water reliability assessment. I think
4 you're referring to what is typically called an
5 SB-610 analysis. It applies to projects of a
6 certain size.

7 This project would not trigger the need
8 for an SB-610 analysis. But as part of the
9 analysis that the Energy Commission Staff conducts
10 of reliability, we do look to see whether or not
11 there is a reliable supply of water available.

12 So you wouldn't see something that looks
13 like an SB-610 analysis, per se, but you will see
14 an assessment of whether or not there is
15 sufficient water over the long run for the
16 project.

17 And I think those were the areas that I
18 wanted to just go into a little bit more detail
19 on.

20 MR. PATTERSON: Okay, thank you. Are
21 there any burning questions that did not get
22 answered that you want to ask? This will be the
23 last opportunity here, but again, what was said
24 today will be transcribed and be available on the
25 website, as well as we'll have a hard copy in my

1 office that you will be welcome to have for your
2 review. And I was told it would be available in
3 about four weeks.

4 So, what I would like to do now is thank
5 all of you for coming this afternoon and
6 participating in this process. I especially want
7 to thank the CEC for coming down. This is an
8 additional hearing, as Mary mentioned earlier,
9 there have been three or four already. There will
10 be several more as the process plays out.

11 And we do everything we can locally, as
12 well as the CEC, sending out notices. They have a
13 sign-up sheet in the back.

14 If you'd like to be on their
15 notification list, make sure you get your name and
16 contact information on that list. And you will
17 be notified anytime there is a hearing in the
18 area.

19 I also want to thank Ausra for coming
20 down and bringing their technical staff with them
21 to be here.

22 They're taking notes to insure that they
23 get all the questions and issues raised by the
24 public. And then they will address them and
25 respond to them appropriately.

1 So, again, my personal thanks to all of
2 you for coming and spending your afternoon with
3 us. Thank you.

4 (Whereupon, the Informational Workshop
5 was adjourned.)

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CERTIFICATE OF REPORTER

I, TROY A. RAY, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Information Workshop; that it was thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said workshop, nor in any way interested in outcome of said workshop.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of April, 2008.

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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

APPLICATION FOR CERTIFICATION
For the CARRIZO ENERGY
SOLAR FARM PROJECT

Docket No. 07-AFC-8

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(Revised 2/5/2008)

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DECLARATION OF SERVICE

I, Christina Flores, declare that on May 8, 2008, I deposited copies of the attached Transcript for April 12, 2008 Informational Workshop in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

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Christina Flores