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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:	Docket No. 06-AFC-06
Application for Certification For the Eastshore Energy Center	**CHABOT-LAS POSITAS COMMUNITYCOLLEGE DISTRICT AND CHABOT-LAS POSITAS FACULTY ASSOCIATION'S WITNESS TESTIMONY EXHIBIT LIST**

CHABOT INTERVENORS SUBMIT THE FOLLOWING:

EXHIBIT LIST

Testimony of Carolyn Arnold	Exhibit 600

Student Characteristics Report, Fall 2007	Attachment A to Exhibit 600
Biennial Student Survey, Fall 2007	Attachment B to Exhibit 600
Testimony of Susan Sperling	Exhibit 601
Testimony of Rachel Ugale	Exhibit 602

Dated: December 6, 2007

Liebert Cassidy Whitmore

By: _____
Laura Schulkind
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☑ Check box if continuation pages are attached.
(Proof of Service attached.)

50711.1 CH030-032

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TESTIMONY OF CAROLYN ARNOLD EXHIBIT 600

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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:	Docket No. 06-AFC-06
Application for Certification For the Eastshore Energy Center	**TESTIMONY OF CAROLYN ARNOLD ON BEHALF OF CHABOT INTERVENORS PERTAINING TO ENVIRONMENTAL JUSTICE**

I am the Coordinator of Institutional Research and Grants for Chabot College, and I have served in this capacity for fourteen years. A copy of my curriculum vitae is part of the record of this proceeding and was filed in conjunction with the Chabot Intervenors' Prehearing Conference Statement.

My office is responsible for tracking student characteristics, success, and outcomes at Chabot College. Our information is based on quantitative and qualitative data gathered through my office and the office of admissions. My office is responsible for analyzing this data, as well as supplying it for state and federal reporting requirements.

I have reviewed our most recent Student Characteristic Report (a true and correct copy of which is attached to my sworn testimony as Attachment A.) Among other things, this report indicates the following:

--During the course of a semester, Chabot College serves over 14,000 students;

--During the course of a full academic year, Chabot College serves approximately 22,000 students; and

--Approximately 70% of our students are minorities.

Additionally, my office just completed Chabot College's biennial student survey (a true and correct copy of which is attached to my sworn testimony as Attachment B.) Among other things, this survey indicates the following:

--40% of Chabot College's students are in their family's first generation to attend college; and

--60% of Chabot College's students are low-income by either federal or local standards.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 6, 2007 at Hayward, California.

Dr. Carolyn Arnold

Dr. Carolyn Arnold

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ATTACHMENT A
OF EXHIBIT 600

Chabot College Student Characteristics
Fall 2007 Preliminary Census

Total Students	Number	Percent
	14,212	100%

Gender		
Female	8,036	57%
Male	5,855	41%
Unknown	321	2%

Race-ethnicity		
African-American	2,102	15%
Asian-American	2,414	17%
Filipino	1,445	10%
Latino	3,268	23%
Middle Eastern	36	0%
Native American	101	1%
Pacific Islander	371	3%
White	3,110	22%
Other	252	2%
Unknown	1,113	8%

Citizenship		
U.S. Citizen	11,838	83%
Permanent Resident	1,706	12%
Student Visa	105	1%
Other	561	4%

Age		
19 or younger	3,452	24%
20-21	2,256	16%
22-24	2,095	15%
25-29	1,790	13%
30-39	1,844	13%
40-49	1,302	9%
50 or older	1,473	10%

Student Type		
Full-time		
12 or more units	4,194	30%
Part-time		
6 to 11.5 units	4,286	30%
.5 to 5.5 units	5,732	40%

Enrollment Status		
First time any college	2,603	18%
First time transfer	1,448	10%
Returning transfer	1,489	10%
Returning	352	2%
Continuing	8,083	57%
In High School	237	2%

Student Educational Level		
In High School	427	3%
Freshman (< 30 units)	7,863	55%
Sophomore (30-59 un.)	2,231	16%
Other undergraduate	1,427	10%
AA/AS degree	837	6%
BA/BS or higher deg.	1,427	10%

Official residence		
District Resident	9,635	68%
Other CA Districts	4,280	30%
Other States	154	1%
Other Countries	143	1%

Note: Cities in the District include Castro Valley, Dublin, Hayward, Livermore, Pleasanton, San Leandro, San Lorenzo, and Union City.

Enrollment Pattern		
Day only	7,625	54%
Both Day and Eve/Sat	3,229	23%
Evening or Eve/Sat	2,884	20%
Saturday only	402	3%
Independently Scheduled	72	1%

Educational Goal		
Transfer (with/without AA/AS)	5,278	37%
AA/AS only (not transfer)	1,221	9%
Occupational certificate or job training	1,847	13%
Personal development (intellectual/cultural, (basic skills, GED)	1,131	8%
Other or Undecided	2,769	19%
Unknown	1,966	14%

New Students: High school districts		
Chabot College Districts	1,339	51%
Castro Valley	*124*	*5%*
Hayward	*443*	*17%*
New Haven	*287*	*11%*
San Leandro	*155*	*6%*
San Lorenzo	*302*	*12%*
Moreau	*28*	*1%*
Dublin/Livermore/Pleas	33	1%
Other Alameda County	328	13%
Other Bay Area	132	5%
Other California	556	21%
Other States	85	3%
Other Countries	130	5%
Total new students:	2,603	100%

Local residence: Cities with over 100 students					
Hayward	4,247	30%	San Lorenzo	755	5%
San Leandro	2,045	14%	Newark	315	2%
Union City	1,444	10%	Alameda	183	1%
Castro Valley	1,062	7%	Pleasanton	103	1%
Oakland	916	6%	Livermore	115	1%
Fremont	1,111	8%	Dublin	105	1%
			Other local cities	1,811	13%

Transfer students: Previous college		
CA Community College	1,602	55%
California State Univ.	365	12%
University of California	127	4%
CA private colleges	173	6%
Out of state	281	10%
Out of country	228	8%
Unknown	161	5%
Total transfers:	2,937	100%

SOURCE: Chabot-Las Positas Institutional Research Dataset, Fall Census, preliminary count as of 10/18/07.

Chabot College Office of Institutional Research

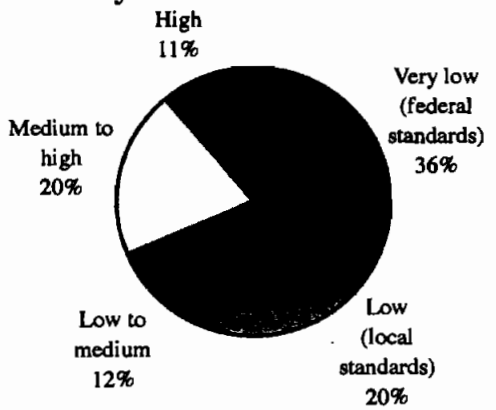
ATTACHMENT B
OF EXHIBIT 600

Chabot College Student Accreditation Survey: Fall 2007
Highlights
Family Income and Status

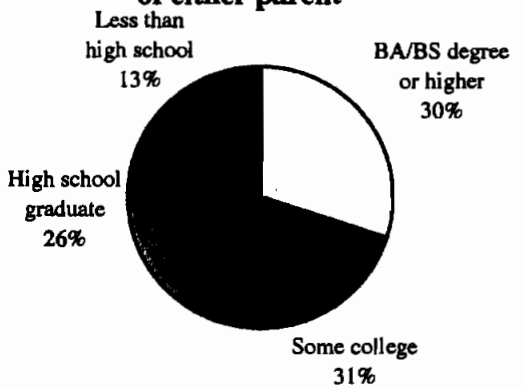
The Student Accreditation Survey collects student demographic data that is not otherwise available, such as family income, parents' education, childcare needs, and living situations. This information is used to plan services and grants that respond to our students' needs. In 2007, 36 percent of Chabot students have low incomes according to federal standards and another 20% have low incomes based on local standards. This means that more than half (56%) of Chabot students are low-income. In addition, almost 60 percent of the students live with their parents, and almost 40 percent are in the first generation of their family to attend college.

The Student Accreditation Survey was conducted in October 2007 in a representative sample of 69 classes. Surveys were completed by 1,379 students (63% full-time; 37% part-time).

Fall 2007
Family income level of students



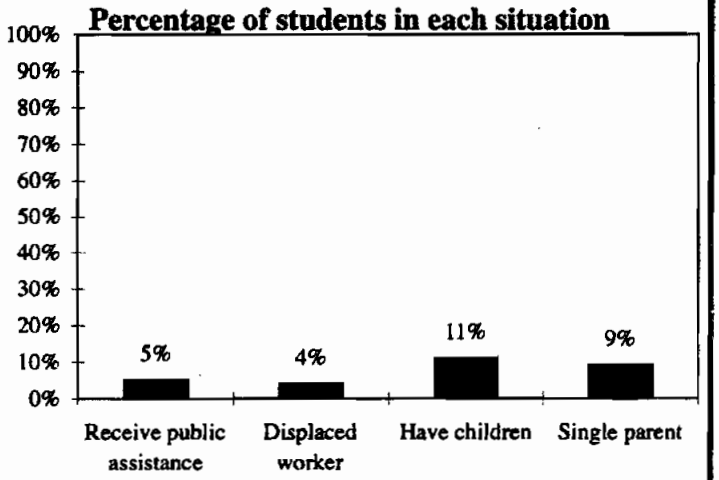
Fall 2007
Highest education level of either parent



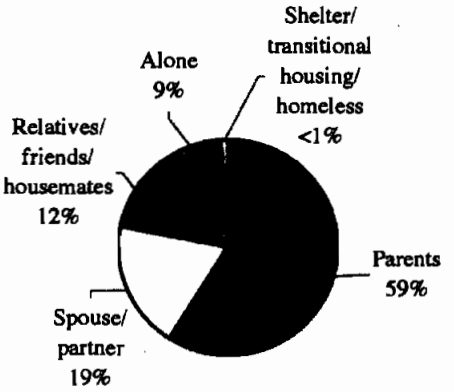
Notes: Family income was self-reported and adjusted by household size. Very low income is defined by the Federal government (i.e., US Department of Health and Human Services) as income earned up to 150% of national poverty level. Low income is defined as about 50% of local median income by the US Department of Housing & Urban Development.

NOTE: All percentages have a margin of error of 2 to 4 percentage points.

Chabot College Fall 2007
Other income and childcare information
Percentage of students in each situation



Fall 2007
Living situation of students



TESTIMONY OF SUSAN STERLING EXHIBIT 601

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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:	Docket No. 06-AFC-06
Application for Certification For the Eastshore Energy Center	**TESTIMONY OF SUSAN SPERLING ON BEHALF OF CHABOT INTERVENORS PERTAINING TO PUBLIC HEALTH AND ENVIRONMENTAL JUSTICE**

I am a tenured faculty member of the Chabot-Las Positas Community College District, and have been teaching at the Chabot College campus for twenty-one years, primarily in the areas of biological and cultural anthropology. Also as a biocultural anthropologist and postdoctoral fellow at UCSF, I have researched the relationship between multiple stressors on immigrant communities and health outcomes, and have taught first and second year medical

students at UCSF in the CAB Program (Culture and Behavior across the Curriculum) about these. This is now a required element of medical training at UCSF and in it we examine health behaviors and outcomes in the context of ethnicity, race and socioeconomic class. Medical students are referred to a robust body of research indicating, among other things, that the impact of accumulated environmental stresses may have a differential effect on morbity and mortality in disenfranchised communities when compared to control populations. These stresses include the presence of heavy traffic, air pollution, and industrial plants, among other things. A copy of my curriculum vitae is part of the record of this proceeding and was filed in conjunction with the Chabot Intervenors' Prehearing Conference Statement.

I have reviewed the sworn testimony of Dr. Carolyn Arnold, regarding the demographics of Chabot College. As a long-standing member of the Chabot faculty, I am also familiar with the demographics of the College and surrounding community. Chabot Community College is located in a census tract with a highly diverse immigrant, poor and working class population and this is reflected in the demographics of the college itself. I have worked at Chabot with many students who have no reliable access to routine health care and who are confronting a variety of life stresses unknown to young adults in more affluent families. Many young people spend much of the work week, as do many infants and preschoolers (served by Chabot's Early Childhood Center) on the College campus. Faculty and other staff spend up to 40 or more hours a week at the College. So the College community shares with other local communities certain population features as well as risks.

I have reviewed the Final Staff Assessment (FSA) in this matter and find significant flaws in the methodology used by staff to analyze Environmental Justice ("EJ") impacts on the surrounding community, including Chabot College. It is my conclusion that these errors make the ultimate conclusions that there are no significant EJ impacts flawed and unreliable.

Failure to Consider the Chabot College Student Community

It is clear from a review of the FSA, that its demographic screening did not consider the presence of approximately 15,000 majority-minority students on the Chabot campus in its EJ analysis. In my opinion, it is appropriate to consider student populations, as well as residential

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populations in conducting demographic screening and EJ analysis. I am aware that, even without considering the demographics of the Chabot student population, the FSA found that the surrounding community is over 50% minority and therefore conducted a disparate impact analysis in certain areas. However, students have unique vulnerabilities which should have been part of the disparate impact analysis. In particular, a majority of our students are the first in their family to attend a post-secondary educational institution and are at significant risk of dropping out. Any increased stressors increase the risk that they will not continue their education. A thorough EJ analysis would take into consideration the impacts on an educational institution devoted largely to minority and poor students who are seeking an education to break out of the cycle of poverty.

Failure to Recognize Chabot-Las Positas Community College District as an Interested Local Agency

As recognized in the FSA, EJ factors include not only the negative environmental impacts on minority and low-income communities, but their equal access to the process for approving power plant sites. It is very troubling that the community of Chabot students—who largely come from minority, low-income and immigrant communities—did not receive the protection and advocacy of their college district. Their greatest opportunity to be heard and have their interests articulated is through the community college. By failing to solicit the required analyses and recommendations from the District, a historically disenfranchised community was relegated to the fringes of this process.

FSA Conclusions Relating to Land Use Compatibility and Traffic/Transportation

The California Government Code at §65040.12 defines environmental justice as "fair treatment of people of all races, cultures and incomes with respect to the development, allocation, implementation, and enforcement of environmental laws, regulations and policies." (Eastshore FSA, 2007, 2-4) In reviewing 11 areas of potential concern regarding environmental justice raised by the proposed Eastshore Project, CEC staff found only two requiring "environmental justice screening": Land Use and Traffic, and Transportation. In each of these two areas however, staff set aside environmental justice concerns because they concluded that potential adverse public health and other effects would have no differential impact on populations by race,

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ethnicity or socioeconomic class (Eastshore FSA 2-4.) Thus, while acknowledging that "A greater than 50% minority and low-income population have been identified within a one-mile radius of the Eastshore site" (FSA, 1-5), CEC staff does not find significant issues of environmental justice posed by the proposed Eastshore development. For the reasons discussed below, this analysis is flawed because it incorrectly assumes that different populations experience environmental impacts in the same way.

FSA Conclusions that Eastshore Does Not Present Health Risks to Poor and Minority Communities

The FSA Public Health section prepared by Dr. Greenberg (4.7-1), evaluates potential public health risks posed by the project and "does not expect there would be any significant adverse cancer, or short or long-term non-cancer health effects from the project", and that "emissions from Eastshore would not contribute significantly to morbity or mortality in any age or ethnic group residing in the project area." For the reasons discussed below, this conclusion is also flawed, as it fails to consider public health concerns particular to minority and low-income communities. The FSA indicates that its analysis accounted for impacts on what it describes as, "the most sensitive individuals in a given population, including newborns and infants," However, this methodology is inadequate, as there is no indication that it considered the unique vulnerabilities of poor and low-income residential and student communities.

Methodology Concerns

There are a number of lines of evidence not considered by CEC staff that call into question staff conclusions regarding potential environmental justice impact and public health. In drawing these conclusions, CEC staff have not considered a body of emerging relevant theory and data from public health/epidemiological disciplines examining the particular susceptibilities of low-income and minority populations to multiple stressors in the physical, economic and social environments. Conditions such as low birth weight, hypertension, cardiovascular disease and asthma pose problems in many low-income communities (Committee on Population, 2007; O'Neil et al.,2003). Low birth weight alone appears to predispose individuals to greater vulnerability to environmental stress over the entire lifespan (Barker, 1998). These and other

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emergent data require that we redefine what constitute acceptable levels of air pollution for particular communities.

As CEC staff consultant Dr. Greenberg acknowledges in the FSA "Exposure to multiple toxic substances may result in health effects that are equal to, less than, or greater than effects resulting from exposure to the individual chemicals. Only a small fraction of the thousands of potential combinations of chemicals have been tested for the health effects of combined exposures." (Eastshore FSA, 4.7-6) Clearly the area of multiple toxics exposure is in an early stage of science. In light of this fact, the emerging data on higher susceptibilities of vulnerable populations must be reviewed by the CEC for an impartial and fair analysis of these important issues, and as mandated by CEC rules and procedures.

CEC staff analysis also does not adequately take into account the potential cumulative impact of siting a second new power plant in a community already at heightened risk (see below), and heavily impacted by exhaust from diesel truck traffic in the immediate vicinity of the College and the plant(s). As the FSA makes clear, the demographics of the relevant surrounding area raise potential issues of environmental justice if air quality is affected by the proposed siting of the Eastshore Project. Recent research indicates that acceptable thresholds for pollutants may vary, depending upon demographics and accumulated stresses. Thus, a threshold that applies to a socioeconomically privileged demographic may differ for disenfranchised communities. This fact is simply not addressed anywhere in the FSA.

A Report of the Public Law Research Institute at UC Hastings College of Law, Opportunities for Environmental Justice in California, Agency by Agency (Auyong, 2003) raises some similar issues in CEC processes of analyzing environmental justice concerns:

> In attempting to integrate environmental justice concerns into this process the CEC focuses on three issues: demographics, public outreach, and impact assessment.....First the CEC examines the demographic nature of the potentially "affected area", i.e. within a six-mile radius of the proposed facility, or a more precise area when feasible. The criteria for what makes an area "affected" include air quality, water, visuals, traffic, public health, and noise effects. If "minority" or "low-income" individuals comprise over 50% of the population in this "affected area", than an affected minority and/or low-income population is found. This finding,

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> presumably, is the threshold for the CEC to determine that environmental justice is possibly implicated in the matter.
>
> The assumptions underlying this finding, however, are debatable. For example, the determination of the affected area appears to consider only the additional impact of the power facility, not the cumulative impact of the facility with other existing conditions that affect air quality, water, public health, etc., in this area. (emphasis mine.).

The Hastings Report concludes that the CEC appears to be making a good faith effort to address certain environmental justice issues in the licensing of power plants, but that "Whether these efforts are sufficient is open to debate." (Auyong, 2003) The Report raises the following questions about CEC processes of considering environmental justice (pp. 19-25.):

- Are the public hearings merely informational, or are comments truly welcome?
- Have the important decisions already been made prior to any public announcements or hearing?
- Are cumulative and indirect impacts taken into full consideration and how?
- Does current and future policy take adequate account of history of the proximity of many power facilities to minority and/or low-income communities?

The Report concludes that the CEC is mandated to assess trends in energy consumption and to "analyze the social, economic, and environmental consequences of these trends." (Public Resources Code 25216a) and that "Having pertinent data is an essential requirement to identify, evaluate and, where appropriate, act on or dispel, environmental justice concerns."

The Hastings Public Law Research Institute is not alone in raising questions about the CEC's current methodology in assessing environmental justice issues. The Latino Issues Forum's Report on California Energy Planning (2001) addresses concerns that: "...the State of California's rush to build gas-fired power plants as a solution to the energy crisis (is) at odds with its mandates to protect public health, the environment, and insure environmental justice for people of color and the poor. " The study examines 18 power plant projects, 17 of which are peaker plants, (for which specific location data were available to the public at the CEC web Site as of June 30, 2001.) The study concludes that "the majority of power plants considered by the CEC are planned for or being built in neighborhoods populated by people of color---especially

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Latinos and African Americans." The report proposes that, in light of these data, the Governor and Legislature should place a moratorium on all present and future gas-fired generation development until the CEC completes "full and detailed environmental justice impact analyses and comprehensive environmental reviews of existing and proposed energy facilities."

Clearly, there is significant debate in legal and other interested communities about the current CEC approach to environmental justice concerns and these debates also provide a context for my testimony.

Biocultural Factors: The Differential Impact of Cumulative Stress in low-income and Underserved Communities

The Committee on Population (CPOP) of the National Academy of Sciences defines stress as "environmental demands that tax or exceed the adaptive capacity of an organism, resulting in biological and psychological changes that may be detrimental and place the organism at risk for disease or disability (Cohen et al., 1998). The hypothesis that "greater exposure to stress over the life course increases susceptibility to morbity and mortality among members of minority groups" is well supported by data from many reliable epidemiological studies both here and abroad.

For example, British researcher Dr. Andrew Steptoe of the Department of Epidemiology and Public Health at University College, London studied residents of 18 higher SES neighborhoods and 19 low SES neighborhoods (Steptoe et al., 2001). The study concluded that high levels of noise, smells, and fumes from industrial plants in poorer neighborhood were associated with "poorer self-rated health, psychological distress and reduced ability to carry out activities of daily living." (Interestingly Steptoe et al. found no association between neighborhood and different levels of smoking, diet or alcohol consumption or physical activity, suggesting that the environmental factors associated with poorer neighborhoods may act as independent stressors.)

The Eastshore FSA notes that asthma rates vary by race/ethnicity in Alameda County, with African Americans experiencing over twice the rate of asthma as non Hispanic whites. Public health research in numerous studies has demonstrated the prevalence of asthma at epidemic levels among minority populations in California and elsewhere. Given the apparent

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greater susceptibility of certain groups to environmental stressors, including pollution, a uniform "acceptable level" of plant emissions may not apply to such populations. Risk factors may accrue in logarithmic progressions rather than additively. Again, research on the prevalence low birth weight in low-income communities(Barker, 1998) suggests that this factor alone can lead to greater effects from cumulative environmental challenges and higher morbidity and mortality at every life stage. The Eastshore FSA acknowledges "It is evident that further research is needed to definitively link emissions from gas-fired plants as a cause or exacerbation of asthma (FSA: 4.7-15). Given this fact, how then can we know, as stated two pages later, that "All impacts at all receptors, including sensitive receptors such as schools, would be below the level of significant impact." (FSA: 4.7-17) What is an acceptable level of emissions from a second gas-powered plant near communities with potentially heightened susceptibilities, given that by CEC staff's own admission, further research is needed to establish a linkage between such emissions and asthma?

Yet, even without definitive data on such, we know quite a lot about populations at risk and the environmental hazards they tend to confront. According to the U.S. National Academy of Sciences Understanding Racial and Ethnic Differences in Health in Late Life: a research agenda (2004) "A considerable body of evidence has established that individuals of low socioeconomic status are more likely to suffer from disease, to experience loss of functioning, to be cognitively and physically impaired, and to experience higher mortality. The influence of socioeconomic status on health is assumed to begin in the prenatal environment and continue through life. Parents' socioeconomic status affects childhood conditions, such as exposure to toxins and infectious agents. These conditions affect health immediately and possibly for years afterwards, the effects being only partly moderated by later changes in status..."

Recent data indicate that the interaction between socioeconomic status and air pollution in low-income communities is not just additive. Such emissions as produced by a natural gas-powered plant may have a greater impact on the health of working class and low-income communities. . A study by O'Neil et al. (2003) in the journal Environmental Health Perspectives notes that groups with lower socioeconomic status may receive more exposure to air pollution, and that such groups have already experienced greater material deprivation, less consistent access

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to health care and greater psychosocial stress, and may therefore be more susceptible to the health effects of air pollution. Because of this mix of greater susceptibility and greater exposure to air pollution, such populations are apt to suffer differential and worse health effects from the presence of pollution plants than more economically privileged communities. These include reduced life expectancy, poorer birth outcomes and higher rates of asthma and cardiovascular disease.

In conclusion, I am confident that a more thorough review by CEC staff of relevant research on the potential adverse effect of the proposed siting of the Eastshore Project will indeed raise issues of environmental justice. The many low income, immigrant and minority communities served by the College are at potentially increased risk of suffering negative health impacts. It is incumbent upon us as an academic community to bring to your attention the most current, valid and heuristic science to consideration of these crucial issues.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 6, 2007 at Hayward, California.

Susan Sperling

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TESTIMONY OF RACHEL UGALE EXHIBIT 602

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STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:	Docket No. 06-AFC-06
Application for Certification For the Eastshore Energy Center	**TESTIMONY OF RACHEL UGALE ON BEHALF OF CHABOT INTERVENORS PERTAINING TO IMPACT ON EDUCATIONAL RESOURCES**

I have served as a member of the classified service of the Chabot-Las Positas Community College District at its Chabot campus for thirteen years. I am also president of the Classified Senate of Chabot College, and have served in this position for three years. The Classified Senate

participates in shared governance of the College and participates in decisions that relate to the interests and welfare of the college's classified employees. In my capacity as Senate President, I am familiar with the needs and concerns of the college's classified employees.

High Level of Exposure to the Environment

Chabot College employs approximately 226 classified staff on a 94 acre campus with over 30 buildings. Many classified staff has duties that require them to work outside and engage in strenuous outside activities for all or part of the day. These jobs include such things as grounds maintenance, repairs, security, transportation and delivery services, leading outside recreational activities for children, and providing athletic training to our sports teams. Additionally, virtually all classified staff are routinely required to walk from building to building in the course of fulfilling their duties.

This regular and often strenuous outdoor activity has raised the serious concerns of the Classified Senate as to the potential negative health impacts of the Eastshore Power Plant on classified staff. It is my understanding that the specific demographics of Chabot College were not taken into consideration in analyzing the Eastshore application, and that these concerns were therefore not adequately factored into the CEC staff's conclusions.

Impacts on Staffing

Additionally the Classified Senate has serious concerns that approval of a second power plant so close to the campus will negatively impact student enrollment, which in turn threatens staffing levels. Chabot College's state funding is keyed to its enrollment. Thus, as enrollment declines, so does funding; and if funding declines, cutbacks in staffing are likely to occur.

The Classified Senate is also concerned with the impact of siting a second power plant so close to the campus on staff recruitment and retention. As president of the Classified Senate, I am involved in the hiring and retention of classified staff. It has been my direct experience that the college is already suffering with a high turn-over rate and difficulty filling positions. The Classified Senate believes that approval of the Eastshore Plant will compound this problem.

Classified Senate Resolution

Due to these serious concerns, on November 30, 2007, the Classified Senate, on behalf of

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the classified staff of Chabot College, adopted a resolution opposing approval of the Eastshore Plant.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 6, 2007 at Hayward, California.

Rachel Ugale

50009.1 CH030-032

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

APPLICATION FOR CERTIFICATION FOR THE EASTSHORE ENERGY CENTER IN CITY OF HAYWARD BY TIERRA ENERGY	**Docket No. 06-AFC-6** **PROOF OF SERVICE (Revised 12/04/07)**

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a Proof of service declaration to each of the individuals on the proof of service list shown below:

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DECLARATION OF SERVICE

I, Ervietta McCullough, declare that on **December 6, 2007**, deposited a copy of the attached **Chabot-Las Positas Community College District and Chabot Faculty Assocation (Chabot Intervenors) Witness Testimony Declarations of Carolyn Arnold, Susan Sperling and Rachel Ugale;** in the United States mail at San Francisco , California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmitted via facsimile transmission to those identified above with a Fax number.

OR

Transmission via electronic mail was consistent with the requirements of the California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Ervietta McCullough

From: "Ervietta McCullough" <emccullough@lcwlegal.com>
To: "docket@energy.state.ca.us" <'docket@energy.state.ca.us'>, "greg.trewitt...
Date: 12/6/2007 1:55 PM
Subject: FW: Eastshore Energy Center; 06-AFC-06
Attachments: Witness Testimony Exhibits.PDF

Ervietta McCullough
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From: Ervietta McCullough
Sent: Thursday, December 06, 2007 1:44 PM
To: 'docket@energy.state.ca.us'; 'greg.trewitt@tierraenergy.com'; 'dstein@ch2m.com'; 'jscholl@ch2m.com'; 'hmrenergy@msn.com'; 'jluckhardt@downeybrand.com'; 'ltobias@caiso.com'; 'greg.jones@hayward-ca.gov'; 'michael.sweeney@hayward-ca.gov'; 'maureen.conneely@hayward-ca.gov'; 'david.rizk@hayward-ca.gov'; 'diana.graves@pillsburylaw.com'; 'michael.hindus@pillsburylaw.com'; 'ronald.vanbuskirk@pillsburylaw.com'; 'lindampaulh@msn.com'; 'james.sorensen@acgov.org'; 'chris.bazar@acgov.org'; 'cindy.horvath@acgov.org'; 'richard.winnie@acgov.org'; 'andrew.massey@acgov.org'; 'jbyron@energy.state.ca.us'; 'jgeesman@energy.state.ca.us'; 'sgefter@energy.state.ca.us'; 'bpfanner@energy.state.ca.us'; 'cholmes@energy.state.ca.us'; 'pao@energy.state.ca.us'; 'jewellhargleroad@mac.com'; 'jwhite747@comcast.net'; 'slzvha@aol.com'; 'wulf@vs-comm.com'; 'suzbarba@comcast.net'; Laura Schulkind; Maiya Yang; 'ssperling@chabotcollege.edu'; 'susansperling@sbcglobal.net'; 'clofft@chabotcollege.edu'; 'sarveybob@aol.com'
Subject: Eastshore Energy Center; 06-AFC-06
Importance: High

Dear Parties: