

INFORMATIONAL HEARING AND SITE VISIT
BEFORE THE
CALIFORNIA ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION

In the Matter of:)
)
Application for Certification for) Docket No.
the CPV Vaca Station Power Plant) 08-AFC-11
Project)
_____)

EASTERLY WASTEWATER TREATMENT PLANT
ADMINISTRATION AND CONTROL BUILDING
ASSEMBLY ROOM, FIRST FLOOR

6040 VACA STATION ROAD

ELMIRA, CALIFORNIA 95625

THURSDAY, MARCH 12, 2009

5:00 p.m.

Reported by:
Peter Petty
Contract No. 170-07-001

PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

COMMITTEE MEMBERS PRESENT

Jeffrey D. Byron, Presiding Member

HEARING OFFICER AND ADVISORS

Raoul Renaud, Hearing Officer

Kristy Chew, Advisor

David Hungerford, Advisor

STAFF AND CONSULTANTS PRESENT

Deborah R. Dyer, Staff Counsel

Rod Jones, Project Manager

PUBLIC ADVISER

Loreen McMahon

APPLICANT

Michael Carroll, Attorney
Latham and Watkins

Andy Welch
Competitive Power Ventures

Doug Davy
CH2MHILL

ALSO PRESENT

Len Augustine, Mayor
City of Vacaville

Dan Broadwater, Business Agent
International Brotherhood of Electrical Workers
Local 180

Rod Cameron, Business Agent
Plumbers and Steamfitters Union

ALSO PRESENT

Rebecca Griswold

Gary Tatum, President/CEO
Vacaville Chamber of Commerce

Steve Baker

Terry Dickinson

June Guidotti

Sandy Person

Heidi Spencer

Roberto Valdez

Bill Lozano

Thomas Moorhead

John Murphy

Jamie Foster

Jennine Foster

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1 P R O C E E D I N G S

2 5:00 p.m.

3 PRESIDING MEMBER BYRON: Good evening.

4 Well, we're not quite evening, I guess. Good
5 afternoon. My name is Jeff Byron; I'm a
6 Commissioner with the California Energy
7 Commission. And with me is my Advisor, Kristy
8 Chew. And two to my left is Mr. David Hungerford.
9 He is an Advisor to Commissioner Rosenfeld, who is
10 my Associate.

11 We have a Committee of two
12 Commissioners. And we're going to explain a lot
13 of the details. In fact, that's what tonight is
14 all about is explaining the process by which the
15 state of California goes through to evaluate
16 applications that come before us for power plants.

17 So I noticed out on the -- who here took
18 a little walk out there by the sewage treatment
19 plant to take a look at the site? Okay, most of
20 you.

21 And the applicant has also provided some
22 sandwiches and salad. There's no strings
23 attached, I take it. Okay, good.

24 But all I want to do is explain just
25 briefly before I turn it over to our Hearing

1 Officer, Mr. Renaud, that I want to ask you a
2 couple more questions. How many folks here in
3 general, based upon what you know, because we know
4 there's an issues identification report -- how
5 many have read the issues identification report?
6 Okay, a couple of folks, good.

7 But based upon what you know, I mean,
8 how many folks are in favor of this power plant
9 being built? How many folks are not? How many
10 folks are neutral? Okay, every person from the
11 Energy Commission's hand should be up.

12 (Laughter.)

13 MR. SPEAKER: That was a test.

14 PRESIDING MEMBER BYRON: That was a
15 test.

16 MR. SPEAKER: Mine went up, I just
17 pulled it down again.

18 PRESIDING MEMBER BYRON: We are here to
19 conduct a preliminary hearing --

20 MR. SPEAKER: We can't hear you back
21 here.

22 PRESIDING MEMBER BYRON: We are here --
23 I'm sorry -- we are here to conduct a preliminary
24 site visit and hearing to hear about the process
25 that we go through so you'll all understand that.

1 And also to hear from the applicant and the staff.

2 And then you'll all have an opportunity to speak.

3 We want to hear from you. That's why
4 Mr. Hungerford and I are here. And we're going to
5 be back here many times.

6 So maybe I've said too much, but I just
7 noticed there was a little bit of let's just say
8 anger out there on the site visit. This is an
9 opportunity for your voices to be heard. Everyone
10 will be heard. I'm well fed and I'm not leaving
11 till we're done.

12 Mr. Renaud, I hope I didn't go too far.

13 HEARING OFFICER RENAUD: No, that was
14 great. Thank you very much.

15 PRESIDING MEMBER BYRON: All right.

16 HEARING OFFICER RENAUD: Good. All
17 right. As Commissioner Byron said so well, this
18 is the beginning of the process of reviewing the
19 application to build and operate this power plant.

20 The Energy Commission Staff will be
21 conducting an environmental review of that
22 application under California law. And part of
23 that process is to make sure that you, the public,
24 are involved, and have an opportunity to learn
25 about it and to be heard.

1 Eventually a thick document called the
2 Presiding Member's Proposed Decision will be
3 issued. That will contain the recommendation of
4 the Committee, that is Commissioners Byron and
5 Rosenfeld, about the proposal.

6 In order to get to that point we have to
7 conduct what is known as evidentiary hearings.
8 These are hearings in which sworn testimony is
9 taken, very much like in a courtroom. And once
10 that evidence is all into the record, then the
11 Commissioners then decide and make up their minds.

12 The Commissioners' decision must be
13 based solely upon the documents and evidence and
14 testimony that's in that record. And as I said
15 earlier, this meeting right now is the first part
16 of that record.

17 All of these public meetings are
18 transcribed by a certified court reporter into
19 written transcripts which you can read on the
20 Commission's website or you can see copies in
21 various public places like libraries.

22 The Committee's decision has to be based
23 solely upon all the evidence and documents in the
24 record. And one of the ways that we insure that
25 their decision is only based upon the record is

1 something that California state law has called the
2 ex parte rule.

3 And this basically requires that any
4 communications about the project be done in a
5 public forum. Communications, I should say, with
6 the Commissioners be done in a public forum such
7 as this one.

8 That insures that there's no opportunity
9 for outside influence, you know, closed-door
10 meetings, that kind of thing. We want everything
11 to be very open, very public, that type of a
12 process.

13 Now, today we are going to hear some
14 initial presentations about the project and about
15 our process. The first one of those will be by
16 our Public Adviser, Loreen McMahon.

17 The Public Adviser's Office is operated
18 for the purpose of informing the public about
19 these projects and giving an opportunity for each
20 to participate. And Loreen's going to now explain
21 about how you can do that.

22 MS. McMAHON: Welcome. Do I need to
23 speak holding it, or can it pick it up? Okay.

24 Just for future reference, when you come
25 up to make comments this is where you can stand

1 and have your voice picked up by the recording so
2 we can have it on the record.

3 I have a short presentation. The Energy
4 Commission process has a part of it that is very
5 important to the public and to the Commissioners
6 and to the Energy Commission, as a whole, and
7 that's the public involvement.

8 It's really important that you're here
9 and we're really glad to see so many of you here.
10 And invite as many other people as you know into
11 the process that we may have missed. We would
12 appreciate that.

13 The Public Adviser's Office, which I'm
14 representing, is a unique and independent office
15 within the Energy Commission. We operate
16 separately from the rest of the staff, and our
17 sole purpose is to work with the public so that
18 they understand what the process is.

19 We help them understand how to
20 participate in a meaningful way. And we answer
21 questions and work with you so that you have a
22 point of contact to go directly to in the
23 Commission.

24 And my contact information is in this
25 brochure which is at the table there. And that

1 gives you just a general overview of what I'm
2 saying. And it includes a little sheet specific
3 to this project. The rest of it's generic.

4 So, where do you get the information at
5 the Commission? We have a project website set up
6 that's right there. Also, it's on the little
7 sheet so that you don't have to write it down.
8 You could also go to our docket's office.

9 You can get information from the
10 listserver which I'll go into in a little more
11 detail here in a minute. And then we have an
12 Energy Commission library.

13 And the first part of the process, the
14 first document that comes in is the application
15 for certification. And Rod, the project manager,
16 will give you more details on that part of the
17 process.

18 But for you to know that you can read
19 that in your community, we put copies of it in the
20 local libraries. You can access it from your home
21 via the web, the entire document is on the web.
22 You can come to the Commission and see it, too.

23 So the noticing the public and trying to
24 get the public involved is a many-staged process
25 for us to get us to this point. First of all,

1 when we receive the application for certification,
2 we send notices out to residents, to libraries, to
3 the agencies. And we send letters from our
4 Executive Director to local officials.

5 And then once we have determined that
6 we're going to have this meeting, we have another
7 series of announcements that go out. And these
8 announcements go to the project mailing list,
9 which includes the same residents, libraries and
10 agencies, the proof of service list that's been
11 building for this case, and then the listserver
12 list.

13 And the listserver is the electronic
14 automatic distribution that we have. And I
15 encourage everyone to sign up for that. That's
16 the best way to get information.

17 You can go to the website; you can sign
18 up for that, yourself. Or you can use the sign-up
19 sheet, we call it, instead of a sign-in sheet.
20 We'll sign you up on the listserver for you. Or
21 you can sign up on this to receive just U.S. mail,
22 as opposed to electronic. Or both. But the best
23 information source comes from our listserver. So
24 that's what this is for, to help us help you sign
25 up.

1 And then we also do an outreach. The
2 Public Adviser's Office -- I think you went too
3 fast -- nope, sorry, you didn't. The Public
4 Adviser's Office then has a portion of this, as I
5 indicated.

6 We do our own research and outreach into
7 the communities. We don't rely on anybody else's
8 list. We try to create our own.

9 PRESIDING MEMBER BYRON: You made a
10 mistake there.

11 MS. McMAHON: Did I?

12 (Parties speaking simultaneously.)

13 MS. McMAHON: Well, maybe I even
14 addressed it wrong on the letter, but I didn't get
15 any complaints, so maybe it's just my slide.

16 (Laughter.)

17 MS. McMAHON: I apologize. And then
18 there's the middle paragraph with all the other
19 types of people that we try to identify,
20 organizations that we try to identify. We try to
21 get help from these community groups in posting it
22 and distributing it to their members. It's a lot
23 easier for us to find organizations.

24 And we put an ad in the paper. And then
25 we also have a posting on two of your local

1 websites of this particular event. Then we send
2 out those notices.

3 And then now how do you participate once
4 you find out about this? First and foremost, it's
5 important to come to this meeting, and to come to
6 other meetings that are specific to topics you're
7 interested in. There's a lot of meetings, so you
8 might want to come to all of them, or you might
9 want to pick and choose the ones that are
10 important to you.

11 Sign up to receive information. And
12 then we try to encourage everybody to come. We
13 want comments. We want involvement. We can
14 accommodate people with disabilities and
15 nonEnglish speakers.

16 So there's two levels of public
17 participation in this process. The first is
18 informal. You come to these meetings or you come
19 to subsequent meetings. And if you want to make a
20 comment to the Commissioners, we have these blue
21 cards. And it's just a way to like get your name
22 to the Commissioner so he can read it out and call
23 you up in an orderly fashion. And there'll always
24 be someone at all of the meetings to collect the
25 cards. And I will be collecting them today and

1 I'll take them up to the Commissioner for you.

2 Written comments are always welcome.

3 You can write them and give them to us at the
4 hearings. You can write them and mail them in.

5 The comments that the Commissioners receive are
6 part of what they consider, and they become part
7 of the record, but they're not considered
8 evidence. There's a distinction that that I'll
9 talk about in just a second.

10 Okay, the second level is the formal
11 participation where you petition the Committee to
12 intervene. In order to do that you can contact
13 our office and we'll help you through it. You
14 basically file the petition and the Committee will
15 approve it or not approve it.

16 And if it's approved you become a party.
17 You get put on the proof of service list. And you
18 have the same rights and responsibilities as the
19 other parties to the proceeding.

20 And those are, you can receive all the
21 filings in the case. So instead of just getting a
22 notice, you get the actual documents. You still
23 receive all the notices through the proof of
24 service list.

25 You can file your own documents, you can

1 file evidence so that it is weighted more than a
2 comment, because it's considered evidence. You can
3 make motions, petitions, objections.

4 If you do any of that you have to --
5 your responsibilities include you have to file it
6 to all the other parties. And you have to follow
7 the rules of being an intervenor. So it's a
8 higher level of involvement. It's beneficial in a
9 lot of ways to certain people's goals on what they
10 want to receive and be participating in our
11 process. And others will not want to have that
12 level of involvement or responsibility.

13 My contact information. And if you have
14 any questions I'll be over here for later.

15 HEARING OFFICER RENAUD: Okay, thank
16 you. And I think I failed to say that we will
17 have a public comment period at the end of this
18 and we do that at all hearings. Every hearing has
19 a public comment period at the end.

20 Next we'll proceed to presentations
21 about the project, itself, starting with a
22 presentation by the applicant. So, you can proceed.

23 MR. WELCH: Thank you. As I said before
24 I'm Andy Welch; I'm the project manager for
25 Competitive Power Ventures. And we are the

1 developer of this project. We've come into
2 agreement with the City of Vacaville in the
3 details. And we're going to be developing it.

4 CPV is -- quickly who we are. We're a
5 company that was founded in 1999. We're
6 headquartered in Silver Spring, Maryland, but we
7 have offices in San Francisco, as well as one in
8 Massachusetts.

9 We basically have three different areas
10 of involvement in the energy business. We develop
11 exclusively clean-burning natural gas plants. We
12 develop renewable energy plants. And we manage
13 other people's plants for them when they lack the
14 expertise to operate them.

15 We have a lot of knowledge in the
16 business. Our company goes back ten years. We
17 have people in our company that go, including
18 myself, go back much further, I guess a lot
19 further than I like to admit, in this industry.

20 The project that we have, as we said,
21 660 megawatt natural gas, combined cycle power
22 plant. It will be combined cycle technology and
23 we'll get into some more of that later, but
24 basically the same technology that's been used for
25 most of the major power plants built in California

1 and throughout the rest of the country for the
2 last 15 to 20 years.

3 Extremely efficient, extremely tight
4 controls on the emissions out of it. Very
5 effective and efficient and a safe way to generate
6 electricity.

7 We will be using recycled water at this
8 plant. A portion of the water that is currently
9 wasted we will be using as cooling and makeup
10 water into our plant.

11 This is a project that's a considerable
12 investment into the community. We say it's
13 upwards of \$500 million of investment, just to
14 build it in capital costs. And we just went
15 outside and looked at the location of it.

16 A big question comes, why do we do a
17 plant like this. California has seen, over the
18 years, rapid growth in electricity need. It's
19 still considered to be ongoing into the future.
20 There's basically three prongs that we've seen in
21 the growth over the last decade that has increased
22 far beyond what there was previously.

23 Those three areas contributed to the
24 economic growth that we've seen. We've also seen
25 the immigration into the state, the amount of

1 people increases. And they're going to areas
2 which require more air conditioning, you know,
3 further off the coast, more into the deserts and
4 south, as well as in the warmer areas.

5 And the third is the technology that we
6 all use more of, you know. Twenty years ago it
7 was rare to have somebody have a computer in their
8 house -- several of them. We have cellphones,
9 ipods, all these things that get plugged in.
10 Plasma tvs, multiple refrigerators in our houses.
11 We continue to use more and more electricity per
12 person.

13 So, as we say, those three prongs, you
14 know. Unfortunately it looks like we've got a
15 slow down in economic growth here that's impacting
16 a lot of us. And that will -- that could temper
17 what would be needed, but the amount of people
18 coming into California is not decreasing, it's not
19 slowing down. And the amount of technology that
20 we're using is not decreasing.

21 So, we continue to see plants needed out
22 into the future. And that's not just our opinion,
23 but it's the California Public Utilities
24 Commission, the California Independent System
25 Operator, the California utilities. In fact, PG&E

1 has out on the street a request for power plants
2 to build up to 1200 megawatts of power to be
3 brought on by 2015. We're hoping to be one of
4 those.

5 So that, you know, there is a need. And
6 we feel that we very efficiently and effectively
7 meet that. And none of this is even considering
8 the fact that we have 50-, or more, -year-old
9 power plants that just aren't as efficient, aren't
10 as clean as ours that at some point we need to
11 retire, to get out, and to get the better plants
12 online. And we're not even building plants quick
13 enough here to retire those old ones.

14 The project, itself, we talk about 660
15 megawatts. That's about, depending on --
16 population of 600,000 homes, on 25 acres. Again,
17 like most of the power plants built in California
18 have been, and most of the existing power
19 generation or a lot of the existing power
20 generation in California, natural gas. It's been
21 key.

22 You know, we don't -- we basically
23 pushed coal technology out long ago in California.
24 We converted over the oil plants, because we
25 didn't like the emissions out of them, to natural

1 gas. And that's on plants that don't have any
2 controls and don't have the efficiency that we're
3 going to have on ours.

4 The use of greywater is considered very
5 useful when -- it's a benefit for the power plant
6 for its cooling, while using nonfresh water, as
7 well as to the use of the waste treatment plant is
8 given an opportunity to make some revenues off of
9 what otherwise is just a cost to them.

10 We tie into the electric lines as we
11 were point out. We have railroad tracks on Fry
12 Road. And that would be into the 230 kV system.

13 As was stated by the Hearing Officer and
14 the Public Adviser, we are at the beginning of a
15 process here. We are a long way. We're talking
16 about a project that we don't expect to be online
17 until 2013. You know, with the permitting and all
18 the other activities we have going on, it just
19 take a long time to get there. And so we're, you
20 know, we're nowhere near the end of this process.

21 Quick talk about the combined cycle. As
22 we've said, this is a technology that's been
23 using, proven it's effective and efficient. It's
24 reliable and it's safe.

25 The concept is we use gas turbines that

1 are in enclosures, weatherproof, soundproof
2 enclosures, to generate electricity by compressing
3 air and adding natural gas to it.

4 That would be equivalent to what's been
5 used for decades as a peaking plant. But to raise
6 the efficiency of this we then take the waste heat
7 off the back end that would otherwise be going up
8 and just out of the stack into the atmosphere.
9 And we put it through a heat recovery boiler. We
10 use that boiler makes steam, and we put the steam
11 into a steam turbine to generate more electricity.
12 Essentially all of that, as we call it, the terms,
13 that's free energy that we're taking.

14 And it takes us from a 40 percent
15 efficient plant up to an almost 60 percent
16 efficient. That can be twice as efficient as some
17 of these older plants.

18 Efficiency is the key, it's a way of
19 using less energy, wasting less of our resources,
20 putting out fewer emissions and creating a better
21 way of generating into the future and providing.

22 We talk about the community benefits
23 that we offer. We think they're considerable.
24 That's why we spend a lot of time working with the
25 city to come to terms on a lease deal for the

1 project. It's over half a million dollars of
2 investment. Particularly nowadays I know that can
3 get a lot of attention. But that is considerable.

4 It's why we realize that we're not just
5 here to do something and leave. But we're making
6 an investment in this community. We want to
7 become part of this community. And a lot of the
8 reasons why we've done what we have to create the
9 relationships we have with many of the people.

10 Because of that, through property taxes,
11 through lease payments, through purchase of water,
12 we're talking the city and county seeing over \$6
13 million annually to their general fund budgets.

14 We have an extra benefit of just adding
15 generation in the area where you are provides less
16 likelihood of transmission interruptions taking
17 down the power, less exposure -- elsewhere in
18 delivering the power long distance. Creates a
19 robust system. It benefits not only consumers,
20 but it helps attract industry.

21 And as I said, one of the key things
22 that we really need to do in this state is to get
23 rid of some of these older, inefficient plants,
24 the unreliable plants, and replace them with new
25 high-efficient plants.

1 And plants like this that not only
2 generate at high efficiency, but have a ability to
3 have a variable load. It can dispatch and it can
4 ramp up and down quickly on demand. And that
5 allows for renewable energy, such as wind and
6 solar, that can't be predicted, that are as-
7 available energy, as we call them, to provide into
8 the system when their load -- if the wind dies,
9 you know, momentarily, we can ramp up. If it
10 comes back, it goes down. And it just makes is
11 possible for us to have these different generation
12 and renewable technologies on. We can scale back
13 the operation of our plant. And making the whole
14 system much more efficient and much more renewable
15 than it would otherwise be.

16 Because, as we know, we can't rely
17 solely on renewable energy because they dno't
18 operate around the clock. We have a certain
19 amount of energy that we just need for
20 refrigeration and for lights and air conditioning
21 that we need whe it's required. And we can't jsut
22 wait for the as-available energies. So this melds
23 well, and it works together.

24 Economic benefits of the jobs. We talk
25 about over the two-year construction period on

1 this project of having, averaging over 200 people
2 working on it at any time with that peaking up at
3 670 jobs.

4 And these are good tradesmen jobs, you
5 know, boilermakers, electrical workers, that make
6 a very effective way for economic stimulus because
7 of its ripple effect it has on the community.
8 These are people who not only go to work, but
9 then, you know, they have more money to spread
10 out. That ripple effect is key to keeping some of
11 the things that the city has done to attract
12 business in the past is key to why Vacaville has
13 continued to be healthy when many of the
14 communities around it are struggling.

15 It's a benefit to us to be local, the
16 things that we purchase, having local suppliers
17 for what we keep our operation, what we need for
18 construction. Just makes more sense. It makes it
19 more that we know that the product will be there
20 when we need it, less shipping.

21 Makes sense for us to hire people from
22 the community. Now, these are, you know, the
23 operators of this and the instrument technicians,
24 the 25 to 30 people that we have online. They'd
25 be skill jobs. It takes training. But, you know,

1 to the extent of, as any employer knows, if you
2 hire somebody from the community it's more likely
3 that you're not going to lose them in attrition
4 because they decided they didn't like living
5 here. People who are from the community
6 are more likely. So, it's a benefit to us, as an
7 employer, to hire locally. And to buy locally.
8 It works together on that.

9 Just the idea of what we're, you know,
10 we're looking through. You know, we're in the
11 permitting process now. We're near the beginning.
12 We are going to put, you know, we've got the air
13 permits and the state, call state environmental
14 quality to do that. That's what we're doign here
15 at the Energy Commission.

16 Electrical interconnection and the
17 feasibility studies and all that we put together
18 have to work. Then we've got to get financing,
19 which, you know, we're looking at the second half
20 of 2010 which may be critical to us, as many of
21 you know, what the financing market looks like
22 now.

23 And then construction. You know, we
24 have engineering and procurement of equipment that
25 takes months before we can get the field. And

1 then we got a couple years of construction. And
2 that's how we get to our 2013 online date.

3 And that's basically the as-fast-as-I-
4 can-talk version of the project.

5 HEARING OFFICER RENAUD: Thank you.

6 Before we go to the Commission Staff presentation,
7 Mayor, (inaudible) -- we have the -- here, say
8 these words, and then we'll go on to the project.

9 MAYOR AUGUSTINE: Well, once again I
10 want to welcome the Commission to the City of
11 Vacaville. There are a couple things I want to
12 clarify to make sure people understand.

13 And that is number one, the authority
14 for approval of this project lies solely in the
15 hands of the California Energy Commission. And
16 the second part of it is that any mitigation
17 procedures are the responsibility of Competitive
18 Power Ventures, which is the applicant. And so I
19 want to make that clear.

20 Now, do we see any benefits in this?
21 Obviously we do. You just heard about the amount
22 of money that the city and the county could
23 benefit from, as well as the jobs that would be
24 produced on the construction side of the house for
25 two years. As well as the 25 to 30 reasonably

1 good jobs here that would be permanent jobs.

2 In these times of economic hardship you
3 can see that the number one problem that we're
4 facing in our state is not just money, but it's
5 jobs, losing jobs.

6 And as you see now there are cities
7 around us that have over 10 percent of
8 unemployment. Anything over 6 percent is pretty
9 bad. So that's something that we have to
10 consider.

11 So, there are benefits to this, as well.
12 We understand their impact. And that's why you're
13 here to express those impacts to the Commission.
14 And it's their responsibility to place mitigation
15 procedures on the applicant, make sure that they
16 adhere to that.

17 California's very tough. This is not a
18 slam-dunk kind of a process. They're investing a
19 lot of money in just the preparation of going
20 through the procedure of trying to get approval.
21 In the final analysis the CEC will look at this
22 thing very very strongly and make sure that all
23 the t's are crossed and the i's are dotted, that
24 sort of thing. So, I just want to make that
25 perfectly clear.

1 We are in a position of trying to just
2 help the process along, make sure that you have
3 the opportunity to speak and have your concerns
4 answered.

5 So, that's why we're here today. And I
6 welcome you all and appreciate this crowd.
7 Normally we see this kind of a thing for major
8 projects in the city, so this is not unexpected.
9 And we certainly do take your opinions into
10 consideration.

11 So, thank you very much for being here.

12 PRESIDING MEMBER BYRON: Mr. Mayor,
13 thanks for having us. We don't always have such
14 nice accommodations for our power plant siting
15 cases.

16 MAYOR AUGUSTINE: I'm sorry you don't
17 have a chair to sit in, though, --

18 (Laughter.)

19 MAYOR AUGUSTINE: Thank you.

20 HEARING OFFICER RENAUD: Rod Jones on
21 behalf of the staff.

22 MR. JONES: Thank you. Well, it's not
23 often I get a chance to follow a mayor, but
24 appreciate the situation here.

25 Once again, my name is Rod Jones and I'm

1 the CEC Project Manager. I will be discussing the
2 licensing process, essentially giving you an
3 overview.

4 First of all, this is a marathon, it's
5 not a sprint. So this is a very long arduous
6 process that we're undertaking. And this is
7 extremely thorough. We have a very efficient and
8 strong intelligent staff that will work with the
9 applicant to insure that we address any and all
10 impacts that may come about as a result of the
11 project. So, just want you to rest assure that we
12 do have your interests in mind.

13 The Energy Commission is the permitting
14 authority for this project, essentially power
15 plants 50 megawatts or greater. If this project
16 were 49 megawatts it would fall under the
17 authority of hte City of Vacaville.

18 The Commission also has authority over
19 related facilities which are called linears,
20 electric transmission lines, water supply lines,
21 natural gas pipelines, waste disposal facilities,
22 access roads.

23 In this process we've essentially
24 adopted the California Environmental Quality Act
25 process, which is we identify impacts based on the

1 proposed project.

2 Next slide, please. So there are three
3 important phases of this licensing process. There
4 is the data adequacy phase, the staff discovery
5 analysis phase and the Committee evidentiary
6 hearing and decision phase.

7 We have just actually completed the data
8 adequacy phase. That essentially entailed the
9 applicant submitting the application for
10 certification, in which staff evaluated the
11 application to determine that we could proceed
12 with the full application.

13 Actually, what it is is an informal
14 application. Once we come data adequate then we
15 have a formal application. Currently we are in
16 the staff discovery analysis phase of the project.

17 And what that entails is data requests
18 that we essentially prepare for the applicant
19 based on the project. In other words, if staff
20 has concerns regarding certain technical areas such
21 as noise, air quality, water, soils, essentially
22 we will provide a data request to the applicant.
23 And the applicant will respond within a certain
24 period of time, essentially 30 days, in the form
25 of data response.

1 We also will prepare issues
2 identification report, along with our data
3 request. Let me back up. The staff actually
4 submit a data request, forward to the applicant.
5 So currently we have data requests out there that
6 will be responded to by the applicant.

7 The issues identification report is
8 issues that staff will essentially feel that maybe
9 impact the project, the terms of its perceived
10 approval or just overall process.

11 During the discovery analysis phase we
12 also will hold workshops. We'll hold a issues
13 resolution data request workshop with the
14 applicant. This is actually a workshop that is
15 facilitated by staff. It doesn't involve the
16 Siting Committee. And which we will come together
17 with the applicant, agencies, the public,
18 intervenors if there are any intervenors on the
19 project. And we will essentially discuss issues
20 and respond to data requests, or actually seek
21 verification data requests.

22 We also will prepare a preliminary and
23 final staff assessment. This is equivalent to
24 really EIRs, the environmental phase.

25 Then the third phase, which is a very

1 important phase, is accumulation of really all the
2 work the staff has done in the discovery phase.
3 And that's the Committee evidentiary hearing and
4 decision phase.

5 And we actually spoke a little bit about
6 that earlier, that in processing, staff provides
7 testimony, staff, the applicant, agencies and
8 intervenors provide testimony on information
9 that's been prepared in the preliminary and final
10 staff assessments.

11 And the result of that then, the
12 Committee will provide a Presiding Member's
13 Proposed Decision, which essentially is a
14 recommendation based on information that's been
15 gathered on the project.

16 And what it is, it's a decision that
17 will be a recommendation on whether to approve the
18 project or not approve the project.

19 And then that PMPD will actually be
20 forwarded to the full Committee. But there is a
21 hearing that takes place, as a result, essentially
22 testimony and so forth.

23 Next slide, please. So this is really
24 just a mapping of the discovery analysis phase.
25 Once again, it looks at intervenors involved. At

1 this moment to my understanding there are no
2 intervenor.

3 MS. SPEAKER: There are none yet.

4 MR. JONES: But, there may be after
5 today. The Public Adviser works with the
6 intervenor and the public to receive comment and
7 input on the project.

8 During the discovery analysis phase
9 staff is essentially preparing, doing its
10 assessment, it's analysis of the project.
11 Applicant is also providing information. And
12 local, state and federal agencies are also
13 providing information, as well.

14 Next slide, please. Once again, this
15 just talks about discovery and analysis phase.
16 During this phase the documents must essentially
17 address laws, ordinances, regulations and
18 standards that are required. It must follow that.

19 We also will conduct engineering,
20 environmental analysis of the project. And, as I
21 mentioned, we'll identify issues, evaluate all
22 charges, identify mitigation measures and
23 recommend conditions of certification.

24 And as well, of course, facilitating
25 public and agency participation during this

1 process. And as a result we have a preliminary
2 staff assessment and a final staff assessment.
3 And then we make recommendations.

4 Next slide, please. Just some note of
5 how it would look in terms of the process. We'll
6 be having the Public Adviser, public comment,
7 intervenor testimony. We have the Committee-
8 proposed decision.

9 And after the Committee's proposed
10 decision they will make a recommendation to the
11 full Commission. Of course, you have input from
12 staff, public testimony. You have the applicant
13 testimony, as well as interested agencies.

14 Next slide, please. And the evidentiary
15 hearing, the decision process, this once again
16 talks about that's required here. And issues
17 Presiding Member's Proposed Decision. I know I've
18 said that more than one time, but it's very
19 important because it's really the essence of
20 whether the project will be approved, in terms of
21 a recommendation that's being made to the full
22 Commission.

23 So, during this discovery analysis
24 phase, there's participation from the public,
25 agencies, the Committee. We work closely with the

1 local community, -- the City of Vacaville,
2 planning department, the Solano Air Quality
3 Management District, state agencies and federal
4 agencies, as well.

5 This is a slide of public participation
6 information. Loreen spoke about this earlier.
7 Once again, this is a very transparent process.
8 It's open to the public. And there are ways in
9 which you can get access to information regarding
10 the project.

11 If you do not have internet access, but
12 are able to go to the local library and research
13 the project, that, as well. Or if you want to be
14 notified of public meetings you can be placed on
15 the listserver and be notified of the public
16 meetings.

17 And then, of course, workshops have to
18 be notified. Noticed essentially ten days prior to
19 that meeting.

20 Next slide, please. Participation
21 continued. Energy Commission library is a great
22 source of information. Not only regarding this
23 project, but about energy, in general. And it's
24 open to the public.

25 We also have the Energy Commission

1 website where you can find the project. And
2 actually this is an excellent way to -- the
3 project. If you're just extremely busy and don't
4 have a lot of time, and you don't want to be an
5 intervenor, or you dno't really want to put a lot
6 of energy into -- taking place. And I advise you
7 to access the project's website.

8 And then we have a dockets unit which
9 also will receive information pertaining to the
10 project; docket it to te entire system. And it
11 will be added to the project website.

12 A list of project contacts. I would say
13 that you want to call me after this meeting if you
14 have questions, should questions not be answered
15 this evening, I'm accessible, that's my job. And
16 my responsibility is to provide service to the
17 community.

18 Okay. Next slide, please. Now, I'm
19 going to talk about the issues identification
20 report. And this is where essentially staff has
21 identified potential issues that we think may slow
22 down the licensing process.

23 So the purpose of the issues
24 identification report is to inform participants on
25 potential issues. Focused on four topics. And

1 then, of course, we have -- to prepare this issues
2 identification report. Significant impacts that
3 may be difficult to mitigate. Noncompliance with
4 LORS, conflicts between parties about findings,
5 conditions of certification for Commission
6 decision.

7 Staff has identified potentially, at
8 this moment, as of this moment, two areas of
9 concern. Air quality and transmission systems.

10 Next slide. Under air quality we've
11 highlighted two areas of concern, emission
12 reduction credits. And essentially wha we're
13 saying here is that we have a tentative proposal
14 from the applicant. Staff needs more information
15 to really actually the Yolo/Solano Air Quality
16 Management District will need the information, as
17 well, to fully evaluate this part of the project.

18 And so we see this as a potential issue
19 that could take awhile to provide information.
20 And I don't know, Andy, if you wanted to speak to
21 this, or -- I'll jsut move on to the next one.

22 MR. CARROLL: We're happy to answer any
23 questions that come --

24 MR. JONES: Okay.

25 MR. CARROLL: -- up. As you pointed

1 out, the applicant did provide a tentative offset
2 package in the application for certification. We
3 are continuing very diligently to flesh that
4 package out. We understand that that's something
5 that the Energy Commission is very interested in.
6 And we look forward to answering any questions
7 that staff has as we move thorough the process.

8 MR. JONES: Okay, thank you. The other
9 potential issue is best available control
10 technology as it relates to rapid response startup
11 of the proposed base for the project. And
12 essentially asking the applicant to respond to
13 this.

14 By the way, we are in the process of
15 apparent data requests as the case -- two issues
16 here.

17 Transportation system design.
18 Essentially the concern here is that we're asking
19 the applicant to provide a supplement to the
20 system impact study which looks at scenarios of
21 transmission line work that would take place as a
22 result of the project.

23 If it's reconductoring would be needed,
24 essentially upgrading the transmission line, then
25 from our perspective we would need an

1 environmental analysis of that situation. So
2 we're not saying it's a major issue, but we're
3 saying that at this point, we're letting the
4 Siting Committee know that this could be a
5 potential issue that could slow things down in
6 terms of the overall process.

7 This is a proposed schedule. It's
8 staff's ideal scenario. But like any schedule,
9 it's subject to change. Just going through it
10 briefly, the applicant files application for
11 certification in November.

12 The Commission determined that the AFC
13 was complete in January of this year. Staff filed
14 the issues identification report March 4th. And
15 we also filed a data request, as I mentioned; that
16 was on March 5th.

17 That brings us to the informational
18 hearing and site visit. This is where we are now.

19 There's a response section of the
20 schedule. There's also staff reports. These are
21 the staff's reports that the applicant and staff
22 prepares to the Siting Committee essentially
23 updating them on where things are in the overall
24 scheme of the project.

25 Now, this schedule is, as I said, is

1 proposed and subject to change. And really will
2 be evaluated by the Committee and most likely will
3 have some modifications to it.

4 I wanted to point out number 10, staff
5 receives preliminary determination of compliance.
6 This is just one example that, for example, if we
7 do not get this particular item addressed in a
8 timely manner, it forces the schedule to slip.

9 We've built in essentially a 13-month
10 period to complete the process. Typically it's a
11 minimum of 12 months to complete the process. You
12 will notice that there are asterisks by areas
13 where, activity where this says to be the target.
14 Well, potentially those are dates that will have
15 to be determined by the Siting Committee based on
16 where things are in the overall process.

17 So, we've only been able to address
18 where we stand in terms of the staff doing the
19 scheduling. But the to-be-determined areas will
20 have to be addressed later.

21 All right. Well, we've just talked
22 about this. Point out the two areas of sort of
23 potential concerns, the air quality and
24 transmission.

25 Also, we have about 26 projects in queue

1 at the CEC. And so we will definitely try our
2 best to provide the service that we should to the
3 applicant. But we do have other competing
4 projects, as well.

5 So, once we get to the end of the
6 process and if it's been determined that the
7 project will receive a license in this case, then
8 what happens after that.

9 Well, there's a post-licensing project
10 compliance oversight that takes place. And
11 essentially this will assure that the project is
12 really evaluated during construction phase. And
13 what conditions were created and the owner of the
14 project -- are here to join in the process.

15 The Commission really is involved with
16 the project to the end, from startup to finish.
17 So even though the project is not in the licensing
18 phase, and now in the compliance phase, the
19 Commission still tracks and monitors the overall
20 project. And we'll do so until the project really
21 comes to the end.

22 Thank you.

23 HEARING OFFICER RENAUD: Okay, thank you
24 for all those presentations. The only thing
25 remaining for us to do before we go to public

1 comment is the schedule. The Committee has to
2 issue a scheduling order. And I've seen the
3 staff's recommended schedule. Does the applicant
4 think that a reasonable schedule for us to try to
5 keep?

6 MR. CARROLL: Yes.

7 HEARING OFFICER RENAUD: All right. So
8 we'll issue a scheduling order shortly, probably
9 next week.

10 And with that, I think we can proceed
11 into our public comment period. We'll want the
12 people who want to speak to come up somewhere. I
13 spoke to standing at that corner is the best place
14 where you'll get picked up for the record.
15 There's a microphone.

16 I have a few blue cards. We'll call
17 those first, and then anyone else who wants to
18 come up can come up, too.

19 So, let's start with Dan Broadwater.

20 MR. BROADWATER: Good evening. My
21 name's Dan Broadwater. I'm a resident of
22 Vacaville, and I'm also the Business Manager of
23 IBEW Local 180. We represent over 700
24 electricians in Napa/Solano County.

25 Speaking kind of selfishly for this

1 project, seeing as how the economic times being
2 what they are, you know this is a very important
3 job to us. And the fact that it is going to be a
4 year process, anxiously awaiting this thing to
5 come along.

6 It's got so many benefits. We see up
7 and down the state people propose these projects
8 such as this and there's so many problems that's
9 associated with it. This is perfect; we've got
10 water; we've got the transmission line close; the
11 gas is close. The site couldn't be better, a
12 better situation.

13 We've got a readymade workforce in the
14 area that's ready to man this thing up. And I
15 really hope that the people that do live close by
16 and may have concerns do voice their opinions on
17 this because that's how this process is supposed
18 to be. There are mitigation measures that will be
19 put in place, and we'll try to make the best of
20 both worlds out of this.

21 But, please, consider when you come up
22 to speak against this thing or for it, that look
23 at the big picture that we're looking at. I mean
24 it's such a great benefit to the city and to the
25 community and to the state.

1 We desperately need the energy and
2 Solano County is a pasture for electricity. We've
3 got some windmills and a little bit of solar. But
4 there's no, other than five peaker plants, there's
5 no capabilities of making our own energy. And we
6 finally have that ability here.

7 So, hope that you guys go forward with
8 this project. Appreciate your support.

9 HEARING OFFICER RENAUD: Thank you. Rod
10 Cameron.

11 MR. CAMERON: Thank you and good
12 evening. Rod Cameron. I'm a 35-year resident of
13 the city of Vacaville. I'm also the Business
14 Manager for the Plumbers and Steamfitters Union.

15 Our organization some years ago embarked
16 upon an effort to create CURE. CURE is an
17 organization that has a lot of dealings with the
18 California Energy Commission. We've been
19 involved; we've worked with many proponents in the
20 past up and down the State of California making
21 sure that the environmental remediation was a
22 priority.

23 We're very supportive of this project.
24 I think we can find comfort in the fact that
25 Competitive Power Ventures is not new to the state

1 of California. They've been through this process
2 before. They understand what's needed. And I
3 think that they're going to find a way to mitigate
4 the concerns that our good neighbors have. And
5 hopefully be able to satisfy their concerns as
6 well as the Commission's concerns with the
7 transmission and other items that have already
8 been mentioned.

9 We would hope that we would see this
10 process come through. We certainly need the jobs;
11 we know what this is and what it can mean to our
12 community. And we hope that the Commission can
13 find its way clear to license this project.

14 Thank you.

15 HEARING OFFICER RENAUD: Thank you.

16 Rebecca Griswold.

17 MS. GRISWOLD: I'm Rebecca Griswold. My
18 husband Barney and I own a piece of property that
19 is used for farming. We're three-quarters of a
20 mile from the future location of this site on
21 Lewis Road.

22 And there's a lot of people here who can
23 speak about air pollution, water pollution, light
24 pollution, noise pollution, the chemicals, what's
25 going to be used, transmission lines, groundwater,

1 all this. But I'm jsut going to talk about one
2 thing.

3 As these gentlemen here were talking
4 about community and Andy Welch was talking about
5 community. There's very few of us in this room
6 that live in Elmira, the community of Elmira. We
7 do not live in Vacaville, which owns the property.
8 We live in Solano County.

9 And as I was driving -- I just want to
10 know, how many of you, as you were coming to this
11 meeting tonight, drove down Lewis Road or Fry Road
12 toward this location? Could you just raise your
13 hands? Not very many.

14 This is a beautiful, pristine
15 agricultural area. Every property owner that I
16 know within, let's say, two miles of this future
17 plant uses their property for agriculture,
18 growing, like we do, hay or alfalfa, goats, sheep,
19 cattle, kids. And I do not believe that this is a
20 good site for a power plant.

21 Everybody that's associated with it is
22 very nice. They have informed us of everything
23 that they're going to be doing. My husband and I
24 both believe that the siting is wrong. It's on
25 the corner of a very busy intersection.

1 As I was coming home from town today
2 toward our home and I crossed the railroad tracks,
3 and I looked at the view that is going to be in
4 front of me if this is built, for the rest of my
5 life, however long it is, however long I live
6 here. And I could not picture the cooling towers,
7 the big stacks, 25 acres of power plant. I could
8 not see it.

9 It does not belong in our community.

10 HEARING OFFICER RENAUD: Thank you. All
11 right, next card is Gary Tatum.

12 MR. TATUM: Yes, I'm Gary Tatum,
13 President and CEO of the Vacaville Chamber of
14 Commerce. And I really -- there's nothing that's
15 ever been accomplished where we don't have
16 objections to it. I don't care what the growth
17 matter is. You can go back here to the beginnings
18 of the city and there were objections to a variety
19 of different things, whether it be business growth
20 or even agricultural growth in some respects.

21 So we're always going to face a certain
22 part of the population, unfortunately, that is
23 going to object to any form of growth we have.

24 With that being said, I'd like to say
25 that Vacaville is a blessed community. Vacaville

1 has three primary sources of water which attracts
2 biotech and other businesses here. We are
3 fortunate because most communities have one
4 source. If they're really lucky they have two
5 sources. But we have the Tehama Aquifer, we have
6 North Bay, which is out of the Sacramento River,
7 and we have Lake Berryessa.

8 Now we have a fourth source of water,
9 and that's the water from this wastewater
10 treatment plant that could be put to good use.
11 And where else do we have in this entire area the
12 three things that are absolutely vital for this
13 power plant, gas, power lines and a source of
14 water.

15 A water source, also, that's not going
16 to cost the citizens of the area anything. It's
17 not going to be coming out of our ground, or out
18 of the lakes and so forth.

19 The other thing is we're very interested
20 obviously in jobs. We've had already two
21 sessions, one with our major employers committee,
22 and the other one our business issues committee,
23 where the proponents have spoken to them.

24 And the business community is solidly
25 behind this. Obviously it means growth, it means

1 job growth. And right now especially we're
2 terribly concerned about job growth.

3 We'll have the building here going on
4 for some years, at least two, with 650 people
5 working on it. And then eventually 25 to 30 well
6 paying jobs that will benefit the community also.

7 So we see this as an absolute necessity
8 if we're going to see some clean energy growth in
9 the area.

10 Thank you.

11 HEARING OFFICER RENAUD: Thank you.
12 Steve Baker.

13 MR. BAKER: Yeah, I'm Steve Baker. I'm
14 a local engineer, professional. And you spoke
15 about operators and labor force and local material
16 supply. I'm wondering if there's engineering
17 design opportunities, architectural design
18 opportunities, if this is a canned plant design
19 that's going to be replicated around the state.
20 Or if there's other business professional
21 opportunities associated with this. It's just a
22 question.

23 Thank you.

24 HEARING OFFICER RENAUD: I'd ask Andy to
25 answer that.

1 MR. WELCH: Certainly. If there are,
2 unfortunately from our perspective, as a developer
3 you can't just do canned plants. Every site is
4 unique and has its own.

5 I mean we, at this point, already have
6 engaged some local engineering companies to work
7 with us. We've got some of the larger power plant
8 specific activities are done by -- we're using
9 Worley Parsons that helped us prepare that, out of
10 Sacramento, or I guess which -- Folsom, thank you.

11 So, yes, there are. I mean in the end,
12 you know, there is a considerable amount of
13 engineering that goes on, both local and whoever
14 we end up choosing, probably on a competitive-bid
15 basis to design it and construct the plant.

16 But, yeah, you know, unfortunately we
17 can't just use what was used on the last one and
18 replicate it. They all have their own unique
19 attributes.

20 MR. BAKER: Thank you.

21 HEARING OFFICER RENAUD: Good. Terry
22 Dickinson.

23 MR. DICKINSON: Good evening. Terry
24 Dickinson, I'm a local landowner. Me and my wife
25 own some property about a couple thousand feet

1 east of Lewis Road. We have about 50 acres. We
2 built out home there.

3 Am I in favor of a power plant in my
4 backyard? No. You know, so I want to bring up
5 some issues that maybe we could look at.

6 I know there's not a waiting list of
7 people that are signing up to put power plants in
8 their backyard or within 1000 feet of their
9 backyard. So you can understand my concern.

10 One of the things that I would like to
11 bring up is the noise. As some of you know, at
12 least the people that live in the area, this is a
13 very windy area. And we know that sound travels
14 in the wind. So I don't know if that's been taken
15 into consideration or not, but it needs to be.

16 Another thing is that I notice the plant
17 has a oil backup. No oil backup?

18 MR. WELCH: No, sir.

19 MR. DICKINSON: There's a chart out
20 there that says it does.

21 MR. WELCH: It does?

22 MR. DICKINSON: Yes.

23 MR. WELCH: Excuse me for that. Now
24 that may have been picked up from a previous --

25 MR. SPEAKER: It indicates that there's

1 a backup generator onsite, not a backup --

2 MR. WELCH: Oh, I'm sorry, small --

3 MR. SPEAKER: -- generator --

4 MR. WELCH: Yeah, it's a small diesel,
5 couple megawatt.

6 MR. SPEAKER: Yeah.

7 MR. DICKINSON: So it's an oil --

8 MR. WELCH: It's for, you know, say
9 shutdown -- the plant, but it's -- what is it,
10 John, a megawatt?

11 MR. SPEAKER: Yes.

12 MR. SPEAKER: It's an emergency --

13 MR. WELCH: A 1 megawatt emergency
14 genertor.

15 MR. SPEAKER: Almost like a -- it's one
16 of hte backup generators that hte facility here
17 has.

18 MR. DICKINSON: So it runs on oil, not
19 natural gas?

20 MR. WELCH: That would run, if it runs
21 at all, it's on oil.

22 MR. DICKINSON: Okay. The next item I'd
23 like to have considered is the location. You
24 know, it was put on the east south corner of this
25 lot the city owns. I don't know how many hundreds

1 of thousands or millions of dollars you can save
2 by moving it closer to the transmission building.

3 I mean you're going to have to pump
4 water out there, and then pump water back. And
5 you're going to have to run your electric lines
6 out there. So that needs to be considered. I
7 think it would be better aesthetically to not have
8 to look at it on the corner, and get it closer to
9 these buildings up here.

10 So, I'm hoping maybe we can find an
11 Indian burial ground or a lizard or a frog out
12 there somewhere --

13 (Laughter.)

14 MR. DICKINSON: -- that would shut this
15 down. So we'll get back with you on that one.

16 PRESIDING MEMBER BYRON: Rod, would you
17 like to address how the staff deals with some of
18 these issues, such as the noise issue that Mr.
19 Dickinson brought up?

20 MR. JONES: Sure. In any project,
21 particularly a project of this type, noise is one
22 of the primary concerns that you want to address.
23 Because you're always concerned about the amount
24 of traffic that will be generated as a result of
25 the project.

1 So, staff will, as we normally do, look
2 at the cumulative effect of traffic, noise.
3 Typically there are noise measurements that are
4 taken to look at the ambient, essentially, noise
5 in the community. And then that's evaluated.

6 So, noise is definitely one of the areas
7 of concern. It's high on our list for this type
8 of project.

9 MR. WELCH: Let me just add, on behalf
10 of the applicant, as was indicated in the staff's
11 presentation, the project is required to comply
12 with all applicable laws, ordinances, regulations
13 and standards. And those include all the existing
14 applicable requirements related to noise.

15 So the project had to be designed and
16 mitigated to meet those applicable standards. And
17 if you look in the application for certification,
18 which is online, you'll see a whole section or
19 chapter devoted exclusively to noise. Where we've
20 done noise modeling and analysis to demonstrate,
21 we believe, that the project complies with those
22 requirements and won't have any adverse impacts.

23 Of course, the staff will undertake
24 their own independent analysis of that and
25 evaluate the work that we've done. And ultimately

1 it will be up to the Commission to decide.

2 But I would encourage you in any of
3 these areas that you have concerns about, to look
4 at hte application online. Because we've spent a
5 tremendous amount of effort to try to address
6 them. And there's a lot of infomration contained
7 in there.

8 MR. DICKINSON: I just wanted to address
9 the environmental condition in the area where it's
10 going to be located. I understand the noise
11 issue --

12 PRESIDING MEMBER BYRON: Sir, we'd love
13 to get you on the record. Come on up here.
14 Otherwise we can't record it and we can't hear
15 what you're saying.

16 MR. DICKINSON: Yeah, I understand what
17 you're saying about the noise, and I understand
18 the CEQA process where that's evaluated. I'm just
19 wanting to make sure that you consider the wind in
20 the area, and that it will take the noise and it
21 will travel. And not just the local, evaluate the
22 decibels in the local area. Consider the wind.

23 MR. JONES: Point taken.

24 HEARING OFFICER RENAUD: Great, okay.

25 Thank you.

1 June Guidotti, you have a letter for us?

2 MS. GUIDOTTI: Yes, I do. It's actually
3 cc'd to --

4 HEARING OFFICER RENAUD: Thank you.

5 MS. GUIDOTTI: I've just got to pull
6 this forward to talk. June Guidotti, 3703 Skelly
7 Road, Suisun, California.

8 I would not be here today if when the
9 general plan was done and the CAC meeting did
10 their job, they hid my attorney's letter in
11 Vacaville for which I've submitted it to you. My
12 letter in Vacaville's paperwork in the general
13 plan. So I've enclosed this letter as part of my
14 records.

15 Please add this record to the public
16 hearing on March 12th for the authority to
17 construct and operate a CPV Vacaville Station 660
18 megawatt plant. I'm asking that you deny this
19 project. That the Energy Board deny it.

20 I requested for the public and for the
21 people that the EIR shows different alternatives
22 and sites other than what the CPV Vacaville
23 Station project. That are not natural gas burning
24 power plants.

25 I realize they're using water to cool it

1 for the turbines. Because it appears that this
2 granting of this permit may create arrangements
3 with other private land that have already
4 developed permits, this action would appear to be
5 subject to the EIR under CEQA, also, showing the
6 effects of the other projects. There would be
7 potential significant impacts.

8 The new 230 kV line switchyard slooping
9 into existing 230 kV circuit, Vacaville/Dixon to
10 Lambie Road, and to Vacaville/Dixon to Peabody. I
11 have asked on this map is the closest I can see,
12 and maybe before I leave you can show me where the
13 switch is. This out of one of your 2000 pages. I
14 could not find where these lines are going.

15 This natural gas and electric power
16 plant needs an EIR review showing the evaluation
17 of other projects including agriculture, energy,
18 because Vacaville Station is using agricultural
19 land. You're starting off with 25 acres, and your
20 paperwork says 143 acres.

21 So I'm hoping that the Energy Commission,
22 when they do their EIR, that they include other
23 alternatives such as a two-step composting and an
24 energy project.

25 The first step will be a research

1 project from a long-term agriculture to produce
2 various combinations of feedstock, sugar beets,
3 waste and other available products, agriculture
4 products, material waste, using anerobie digester
5 or a pyrolysis system to produce a high-quality
6 feed grain and energy certification of a small
7 power plant and also a large one.

8 Now, this will put people to work. I
9 hear people coming up here to build something. We
10 need to put our farmers to work. If the board of
11 supervisors in Vasquez and Vacaville had put the
12 general plan back to what they changed we would
13 have the farmers working. We would not be -- we
14 would have lots of jobs. This did not happen.

15 So, in the manufacturign of the feed
16 grains and energy used in the technology in
17 feedstock there proved to be the most successful
18 during the research study. I'm asking you to do a
19 study comparing what you're doing with what Mr.
20 Reustle in the letter that he gave that Bob Worl
21 and the Energy Commission has record on records
22 and records.

23 In the EIR shows alterantives to PG&E's
24 pipeline burning natural gas. Something that is
25 waste to energy that the Solano County general

1 plan failed to do to protect our air, our water
2 and our public health.

3 It's my understanding that under the air
4 quality you have to buy credits. Who are you
5 going to buy credits from? My goodness, you've
6 got Solano Land Trust that needs to be shut down
7 because they want to only mitigate and buy credits
8 for you, but they get 125,000 if we find a
9 salamander here.

10 Michael Reagan, sitting right here, is
11 very knowledgeable of what I'm speaking of. Maybe
12 he would like to speak, too.

13 So, with this I end my letter, and I
14 submit Mr. Reustle's letter that the board of
15 supervisors neglected, but hid it in Vacaville's
16 general plan.

17 And I would like to see where the switch
18 station is going, if you would?

19 HEARING OFFICER RENAUD: Maybe Mr. Welch
20 can show you that quickly on your map.

21 MS. GUIDOTTI: And is it going to --

22 MR. WELCH: It's right there.

23 MS. GUIDOTTI: Yeah, but where does the
24 loop go to Peabody, and where does it go -- is it
25 going to Calpine?

1 MR. WELCH: These existing lines. We're
2 tying into the existing lines --

3 MS. GUIDOTTI: Right, and those existing
4 lines right now are feeding Calpine. And the
5 existing lines are feeding out on Peabody.

6 MR. WELCH: They're going to the
7 switching station in Peabody, which then, I
8 believe, goes to the distribution so the power can
9 be sent to people's homes and businesses.

10 MS. GUIDOTTI: To homes?

11 MR. WELCH: I'm not exactly sure what
12 happens --

13 MS. GUIDOTTI: Okay, I would like it --

14 MR. WELCH: I'm not familiar with the
15 Peabody station.

16 MS. GUIDOTTI: Okay, and I would like
17 for the Calpine's, because right over we have
18 Vision One. It's chomping at the bit right now
19 waiting for gas. They're trying to haul it in
20 because you have SMUD, for which the board of
21 supervisors, without our permission in the public,
22 appointed Mike Yankovich as the zone commissioner.

23 And if Mr. Samuels did not appeal it to
24 the board on Tuesday, we, the public, don't even
25 know that he's changed the land use on the land.

1 So I resent that our state and local government
2 that we can't speak.

3 So, I appreciate the time to speak, and
4 I do believe the Energy Commission will do what
5 the President of the United States says, and give
6 us more green energy.

7 Thank you.

8 HEARING OFFICER RENAUD: Thank you. And
9 we have your letter. It will be --

10 MS. GUIDOTTI: Okay, thank you.

11 HEARING OFFICER RENAUD: -- placed in
12 the record.

13 Sandy Person.

14 MS. PERSON: Hello. My name is Sandy
15 Person. I work for the Solano Economic
16 Development Corporation. I am also a resident of
17 Vacaville.

18 And I'm here tonight to convey my
19 enthusiastic support in celebration of this
20 innovative partnership. California is -- well,
21 the nation, the world is challenged with some
22 unique financial constraints. And many challenges
23 to overcome.

24 This project delves into the creation of
25 partnerships that can sustain us long term.

1 Solano County is uniquely blessed with an
2 incredible location for this. It is the trifecta,
3 many of these people have spoke to it before, but
4 it is the trifecta of infratructure.

5 We have access to natural gas supply;
6 it's close to the high-power transmission lines to
7 carry the electricity; and the treated water from
8 the wastewater treatment facility to cool the
9 generators.

10 One important component, I think, that
11 California is faced with is aging infrastructure.
12 And we won't always be able to erve our energy
13 needs. So the fact that we have a private company
14 partnering with a municipality at a wastewater
15 treatment facility to utilize grey water really
16 demonstrates the power of collaboration.

17 And the sun will not always shine; the
18 wind will not always blow; and it's important that
19 our aging infrastructure be modernized and reach
20 its highest potential. And this does that.

21 I know there's a lot of work ahead of
22 you and much analysis to be done. But this is a
23 high-functioning partnership and it's to be
24 celebrated. So we applaud it.

25 HEARING OFFICER RENAUD: Thank you.

1 PRESIDING MEMBER BYRON: Thank you, Ms.
2 Person.

3 HEARING OFFICER RENAUD: Heidi Spencer.

4 MS. SPENCER: Hello. I just have a
5 couple concerns. We own a small farm right near
6 the location. And first of all, my number one
7 concern is my family. The total health of their
8 well being. What kind -- I'm sorry, just a
9 second, let the train go by.

10 I hope the train is being considered in
11 the noise factor along with the garbage trucks
12 going to the landfill, Travis Air Force Base
13 revving up their engines and all the general
14 traffic. In total consideration along with the
15 wind that Terry brought up. So that's my little
16 thing on noise. It's got to be a cumualtive.

17 And if they are building 24/7 and
18 running this plant 24/7, as it is right now, the
19 lights that are coming off of this place go right
20 into my bedroom. It's not a pretty sight. Trees
21 aren't going to handle it. Trees aren't going to
22 handle the emissions. And they certainly, I don't
23 know of any 150-foot tree that's going to cover
24 these towers that they want to put in here.

25 Aesthetically the land out here is

1 beautiful. Like Rebecca said, it's a gorgeous
2 country. That's why we live here. That's why we
3 want to build our farms here, workign farms.
4 Raising our livestock on here could not be healthy
5 for them to be breathing this 24/7.

6 We raise livestock; our neighbors raise
7 hay. The hay gets into the livestock going down
8 the road. If that water that they're drinking
9 coming out of the ground is tainted from not only
10 the East Water Treatment Plant, but from this
11 power plant, it's going to make it all the way
12 into town where everybody thinks they're eating a
13 nice safe steak in a restaurant. And it's not
14 going to happen.

15 There's many factors including the
16 radar coming frmo the flight lines, from the Nut
17 Tree plant to Travis flight line. I just want to
18 make sure everything is being taken into
19 consideration with all these issues.

20 And then everybody talks about the
21 economy. The land's value is just going to
22 plummet. Nobody's going to want to live next to a
23 power plant.

24 So people like my husband and I who have
25 saved our entire lives to finally build a small

1 little piece of land worth garbage.

2 So, Rod, I hope you truly mean we can
3 put our issues in writing. And I hope we get
4 responses back to mitigate each one of those
5 issues. Because I'd really rather do it in
6 writing to make sure that I get every little
7 piece, because it's hard to stand up here and talk
8 about the train, the garbage trucks, the flight
9 line and all the cumulative factors that need to
10 be taken into consideration.

11 So I really appreciate --

12 MR. JONES: Here's my email address.

13 MS. SPENCER: Thank you so much. And,
14 as you might know, I'm against it.

15 HEARING OFFICER RENAUD: Thank you.

16 Bill Lozano.

17 MR. SPEAKER: He just left.

18 HEARING OFFICER RENAUD: All right.

19 Roberto Valdez.

20 MR. VALDEZ: Thank you. My name's
21 Roberto Valdez. I'm a concerned Vacaville
22 resident associated with a lot of local, societal
23 and environmental groups. Particularly on behalf
24 of the conservation plan, which I've been involved
25 with for about ten years. We're still trying to

1 put that thing together, Solano County.

2 And I want to say to you that first of
3 all that I do appreciate the remarks that were
4 said earlier by Ms. Loreen McMahon, excuse me if I
5 mispronounce, and Rod Jones, and of course, Andy
6 Welch. Thank you for that information.

7 But I'm here basically because I wanted,
8 there's two important issues that you may think
9 that are solved, but I don't think so.

10 And one is the lack of publicity process
11 that you're pursuing to get the necessary public
12 involvement for this project. I speak
13 particularly for the bilingual Spanish-speaking
14 community, majority, okay, which we are. But I
15 still consider myself first and foremost American.

16 And I will say this to you that -- and I
17 also want to address to you the issue about
18 adverse environmental impacts to both our local
19 communities, whether Dixon, Fairfield, wherever --
20 excuse me, Vacaville, particularly, and the
21 wildlife species, which I have a pretty good
22 understanding about, the scientific community.

23 Again, I'm not a scientist, but I am, I
24 think, learning or knowledgeable citizen and
25 stakeholder, I should tell you.

1 And first of all regarding publicity, I
2 don't think -- you know, I looked at the remarks
3 that were said earlier about this ten-day public
4 advanced notice. You know, I have to tell you,
5 I'm not sure you're aware, particularly the people
6 that are out of town, I don't think that that
7 process is being followed adequately.

8 To be honest with you, I heard about
9 this particular project and hearing today through
10 a very concerned local citizen who earlier spoke
11 to you.

12 And, you know, and I pursued it, and I
13 got the information from the city. They were very
14 cooperative. And I know the Mayor here, and I'm
15 familiar with a lot of people that are here. Seen
16 them before. They're very knowledgeable and very
17 honorable citizens, also.

18 But I am concerned about the process,
19 the lack of it, because, you know, it's a fact,
20 the newspapers are going down the drain. And our
21 Vacaville Reporter is no different.

22 I don't know, people get information
23 from all parts of life. I can tell you, I'm a
24 professional librarian. And I can tell you that
25 it's very important that you get the word out,

1 whether you do it electronically, online, or
2 putting it out in the paper. And that you give
3 people opportunity.

4 I will be honest with you, I didn't know
5 that you were doing a public tour, which I will
6 pursue later with one of your staff people.

7 So those are the things that we need to
8 kind of sort out if you want people to make a
9 rational informed decision.

10 And also I want to say, too, about the
11 environmental impact. That doesn't go away. The
12 laws are there. We need to follow them.

13 And, of course, the impact it has on
14 human beings is very important. I think a lot of
15 adults that were here, one of the persons I
16 responded to, I think they're speaking not only as
17 a citizen, but also a concerned parent. We have a
18 lot of children here, and we're growing, you know,
19 tremendously, exponentially, you know.

20 So my suggestion to you, the Commission,
21 and the CPV, is that you create some sort of a
22 citizen stakeholder or some sort of a group,
23 watchdog oversight committee, so that the public
24 feels that they're going to have an input here.

25 You know, I respect all the agencies and

1 all the scientists and all your experts, and the
2 panel and everybody, but you really have to give
3 the people a natural opportunity.

4 I sense in your timeline that your
5 process is kind of what I see in a lot of projects
6 that happen here, maybe because we're all
7 panicking. And I am concerned about where our
8 political economy is going. And I am very much
9 aware of it. And I will tell you that people need
10 to be given that opportunity to participate.

11 And what else can I tell you that I'm
12 not quite clear, and I again thank you for your
13 presentation, but I'm not quite clear when you
14 talk about 25, 30 permanent business employees,
15 you know, employees within your -- are you talking
16 about Vacaville Dixon, or are we talking about the
17 Solano County or what. Okay, that's one question.

18 The other thing I don't understand this
19 nomenclature that you use in -- good example like
20 the intervenors. You need to please clarify that
21 one. I sense, I don't know, maybe you need a
22 glossary, you know. Maybe you need also an index.
23 Very simple to do one, doesn't take much. You can
24 get one from one of the local library schools.
25 They're always doing that.

1 And I'm glad that you're publishing it
2 to the library, but, again, I have not seen a lot
3 of hte information with regard to this project,
4 you know, compared to other projects. And I won't
5 go into that.

6 But I will tell you that I don't
7 understand the role of your Public Adviser. That
8 needs to be clarified. And also I would suggest
9 that you use very simple, clear English terms to
10 publicize this project.

11 And pleaes clarify what is the actual
12 deadline. And, you know, so we all can agree or
13 disagree that we agree that we disagree. But at
14 least we have the opportunity to respond to this
15 and hopefully we'll all survive.

16 Thank you.

17 HEARING OFFICER RENAUD: We do have
18 thePublic Adviser here, Loreen McMahon. Would you
19 care to say anything? Her job is publicity
20 outreach, and you mentioned her name so you
21 obviously met.

22 PRESIDING MEMBER BYRON: Ms. McMahon,
23 before you start, let me also address this
24 concern, maybe in a different way. Mr. Valdez, we
25 very much want the public input to this. This is

1 just the beginning of this process. There will be
2 ample time, I believe, to receive that input.

3 In terms of notification, as Ms. McMahon
4 will indicate, it's very challenging for us. We
5 dno't have a budget, per se. We can't buy
6 advertising time on the radio. We really have to
7 count on local officials. And I appreciate the
8 city helping in this regard. We also look to you
9 to help get the word out, too.

10 But Ms. McMahon will address most of
11 your concerns, I hope, here. But we definitely
12 want the public input to this process. It's as
13 transparent as it can possibly be.

14 MS. McMAHON: I absolutely concur with
15 everything that he said. When we do our outreach,
16 as I indicated when I did my presentation at the
17 beginning, I mentioned that we do ours
18 independently.

19 So the outreach into the community is
20 actually being done from three sources. It's
21 being done by the staff; it's being done by the
22 applicant; and then it's being done by our office.

23 So, collectively, we all do our best to
24 focus on trying to get the word out. And I'm
25 really sorry that you feel that you didn't get the

1 word. That's part of what this is about today, is
2 to get people to come, get them to sign up on the
3 listserver, get them to sign up on our mailing
4 list so that they can continue to be involved and
5 informed.

6 And as I mentioned earlier, make sure
7 you tell your friends and your colleagues and your
8 community to get them here. We do rely on the
9 community, itself, to help us. Because, you know,
10 you're here and you know the challenges. You just
11 mentioned them.

12 I'd also like to mention in terms of the
13 Hispanic, we did do like an -- I don't want to say
14 analysis, it's the wrong word, but we have
15 demographic from the area to indicate the level of
16 other languages that are spoken in different
17 regions.

18 And we use that every time we do our
19 outreach. And in this instance we do have data
20 on the percentage of Hispanics. I did do the
21 brochure and the insert, I had this translated
22 specifically for this hearing.

23 We did look for Hispanic newspapers,
24 which we weren't able to locate any in your
25 community. So that would be a reason taht those

1 weren't identified.

2 MR. VALDEZ: You weren't able to find
3 what?

4 MS. McMAHON: A specific Hispanic
5 newspaper in Vacaville.

6 MR. VALDEZ: There are, The Hispanico is
7 one. I just got -- you can get that at El Padron
8 Restaurant downtown Vacaville on Main Street.

9 MS. McMAHON: And are they --

10 MR. VALDEZ: They're in Spanish.
11 They're all in Spanish, but you have other sources
12 I can tell you. You know, I appreciate your --
13 and I did see your pamphlet, that's great.

14 MS. McMAHON: Okay.

15 MR. VALDEZ: That's a start, you know.
16 But there's a lot of Spanish-speaking stations
17 here. You know, how you translate that
18 information is very important.

19 MS. McMAHON: And we do include that.
20 We don't always -- as the Commissioner mentioned,
21 we don't always -- we don't have an opportunity to
22 put paid advertisements on all the media. So what
23 we usually typically do is we'll call them and
24 we'll try to get them to offer. And we don't get
25 really far with that all the time.

1 And that was why we were with Vacaville,
2 the city and the chamber, we were very excited
3 that they -- which is a community-based
4 opportunity for us to advertise.

5 But we'll certainly take your
6 recommendations into consideration.

7 MR. VALDEZ: Yeah, I plan to follow up
8 with written comments. I'm sorry if I
9 misinterpreted your --

10 MS. McMAHON: We appreciate your
11 comments. We absolutely do not want to have
12 anybody left out. So, --

13 MR. VALDEZ: My suggestion, too, with
14 regards to the U.S. census data, as you know, the
15 census is being rebuilt right now, hopefully
16 strengthened. You know, that's a difficult
17 process, very difficult.

18 And, you know, I can only tell you from
19 a Spanish-speaking point of view, if you see the
20 numbers don't read too much into the numbers, but
21 you might try multiplying by three, three times as
22 much. That's the real story.

23 MS. McMAHON: Well, and --

24 MR. VALDEZ: Thank you.

25 MS. McMAHON: -- understandably.

1 MR. VALDEZ: Thank you for the
2 opportunity.

3 MS. McMAHON: Thank you.

4 MR. VALDEZ: Thank you, everybody.

5 MR. HUNGERFORD: Mr. Lopez, you raised
6 an issue which I think is very important. There's
7 a particular language that ends up being used in
8 these kinds of proceedings, acronyms and
9 terminology that is not used by the general
10 public.

11 And your request to get some of that
12 explained, that's precisely the Public Adviser's
13 role. If you try to read through these documents
14 and you don't understand them, or you find there
15 are elements of them that don't seem to make any
16 sense because you're unfamiliar with the language,
17 the Public Adviser is there to assist you in
18 understanding these things, and explaining these
19 things to you.

20 So, please take advantage of that
21 service that they provide.

22 MR. VALDEZ: I will, thank you.

23 MS. McMAHON: Yes. And I'm going to say
24 that, I should have reiterated that. That is what
25 we're there for, and anybody who needs to call us,

1 you know, we'd like to help.

2 MR. VALDEZ: Thank you.

3 MR. WELCH: Thank you. I just want to
4 comment that, you know, they say in the Energy
5 Commission processes that they notify within 1000
6 feet of a project and 500 feet of the linears. We
7 actually have taken that -- we sent at least
8 three, maybe four now, mailings to everybody
9 within a mile and a half of it, actually mailed
10 them.

11 We've had public meetings here. We're
12 trying to reach out. We actually had, we not only
13 sent the letters, but we put ads, full-page ad in
14 the newspaper for a meeting we had at the open
15 house at the Opera House. And actually I don't
16 think the turnout we were pleased with that.
17 We're actually having another meeting at the
18 firehouse in Elmira a week from today, which some
19 of the supervisors have been so kind to help set
20 up.

21 But I've also given presentations to
22 many groups here, and, you know, we've got our
23 website, you know, cpvvacastation.com. There's
24 also a phone number. I'm happy to come if any
25 group would like, to explain the project. It's

1 just a part of what we do. I've given many
2 presentations and kind of run out of people who
3 are willing to put up with me.

4 I think some interesting thing, if you
5 have any groups or anybody here have any groups
6 that you'd like me to speak, I'd be more than
7 happy to provide for, even more lengthy than I did
8 today. But I guess that might be a threat.

9 MR. VALDEZ: And I'd be happy to work
10 with you and I'd give you suggestions, too.

11 MR. WELCH: Right.

12 MR. VALDEZ: And the other thing is that
13 as regards to the species that I think was kind of
14 downplayed earlier, you know, you may not be aware
15 -- I think you are aware, that the environmental
16 species that's very clear as to what gets covered,
17 what doesn't.

18 The local Solano County Water District
19 understands that very well. I can tell you, I've
20 been -- but the thing I want to say to you, that I
21 think there's been a tampering with that law. And
22 it's being rectified hopefully by the Obama
23 Administration. And I'm not just talking about
24 the previous Administration.

25 Thank you for your time.

1 MR. WELCH: Okay, thank you, sir.

2 HEARING OFFICER RENAUD: Thank you.

3 PRESIDING MEMBER BYRON: Mr. Welch, did I
4 hear you say something about an opera house here
5 in Vacaville?

6 MR. WELCH: Yeah, the Vacaville Opera
7 House. It's a meeting room that they have. It's
8 not Carnegie Hall, but it's a --

9 PRESIDING MEMBER BYRON: And you're
10 bringing us to the wastewater treatment plant?

11 (Laughter.)

12 MR. WELCH: Kind of like this facility.
13 It's very nice. They're my landlords, come on.

14 HEARING OFFICER RENAUD: Let me try Bill
15 Lozano again. Okay, there you go.

16 MR. LOZANO: My name's Bill Lozano. I
17 represent Lozano and Sons. Excuse me if my
18 thoughts are scattered or I talk a little bit
19 weird sometimes, but I have two family members in
20 the hospital right now, and my concern is with
21 them right now.

22 But anyway, I'm your neighbor directly
23 to the north, east of the plant here. We bought
24 this ranch back in 1974. And we bought 258 acres
25 thinking that this ranch had possibilities, not

1 only as performing, but also for possibilities of
2 some kind of growth within the town of Elmira.

3 Twenty years ago or so the city of
4 Vacaville came in and condemned some property, 143
5 acres, I think she mentioned. And now I see that
6 the city of Vacaville has made arrangements, not
7 only with CPV, but also with the county and
8 they're getting lots of money. Good for them.

9 I also appreciate the people that are
10 looking for jobs, looking for the economy. But I
11 also am interested in what happens to me. As far
12 as the plant going up, I'm not smart enough, or
13 I'm not intelligent enough to know what is going
14 to come out of your turbines.

15 And the water you are using, most of it,
16 I assume, is going to be evaporated, is that true?

17 MR. WELCH: Right, that's consumption.

18 MR. LOZANO: I don't know if that's
19 going to change anything in the temperture or --
20 you can say no, but I've had people say no to me
21 for lots of htings, okay.

22 I'm cnocerned about a lot of things, but
23 I haven't read up, I haven't had the time
24 unfortunately. I'm also concerned about what's
25 going to happen to the remainder of my property,

1 the value. It's true it's only zoned farmland.

2 Twenty years ago where you want to build
3 yours was also farmland. It's not farmland
4 anymore. I was hoping that maybe some day we
5 could do something, especially on the north side
6 of the creek adjacent to the school. I can't see
7 anybody wanting to do anything out here, even the
8 county, to improve acreage for people who, people
9 come out here and buy 40 acres and build a house,
10 40 acres of farmland is out.

11 I would like to do something over there
12 with two-and-a-half-acre parcels. I don't think
13 the city would go for it, and I don't think the
14 county would go for it now because of a plant
15 going in there.

16 I do intend to continue coming to these
17 meetings until I'm satisfied enough to say yes or
18 no. Thank you.

19 PRESIDING MEMBER BYRON: Mr. Lozano,
20 thank you for coming. I'm sorry to hear about
21 your family members, but I appreciate your taking
22 the time to be here.

23 MR. LOZANO: Thank you.

24 HEARING OFFICER RENAUD: Thank you.

25 Thomas Moorhead.

1 MR. MOORHEAD: I'm a local businessman,
2 and also my family goes back in this county to
3 1935. A little history on Elmira here. A comment
4 somebody made earlier about all this talk about
5 water. From what I understand when I was around
6 here when the sewer plant came in, there was a big
7 ruckus even on dumping in this creek, the little
8 creek here was never meant to handle all that.
9 That's another issue.

10 The number one thing I have is that I
11 live just under one mile from this corner, south.
12 As we know in this area out here, I'm certain you
13 all know the wind studies, we got an ocean breeze
14 coming in from the corner of the foothills here
15 part of the time. The other time it's coming out
16 of due north, going south.

17 And I'm really concerned that I
18 purchased 40 acres, got two small homes on it. My
19 son, daughter-in-law and three lovely
20 grandchildren lived in one right next to me. My
21 wife and I's dream is that we can live there and
22 watch these kids grow up.

23 My son is also a businessman. They are
24 very successful, very proud of that. But, I have
25 a real problem, I deal with emissions, also. I'm

1 invested in a local business, we deal with smog
2 and emissions.

3 I know what credits are. I'm well
4 aware, but I really don't see how government
5 credits are going to help me being downwind from
6 this plant, because the plant, the first time it
7 emits too much, my grandchildren are sitting there
8 breathing this. Those credits are not going to
9 help me a bit, because they're not going to keep
10 my family well.

11 We have a lot of small acreage,
12 residential here -- by smaller in this area, 40,
13 80 acres. Most of this area is zoned 80 acres.
14 Which brings me to my secondary point which is
15 this is out of place for this area.

16 Those of you who live in town, I
17 understand your plight. Jobs, that's very
18 important. And I know the state of the economy
19 now. But, I'm not willing to sacrifice to give
20 you those jobs because I was able to purchase
21 this. Lifelong dream. My father had a ranch here
22 going way back into the early '50s, '60s. But
23 this is out of place.

24 There's quite a few homes around here.
25 You wouldn't want this same thing in the middle of

1 your town. You wouldn't want it a block from your
2 house in town. And that's how I feel about it out
3 here. I don't want it a block from me out here,
4 breathing it.

5 That's all I have to say. Thank you.

6 HEARING OFFICER RENAUD: Thank you.

7 PRESIDING MEMBER BYRON: Thank you, Mr.
8 Moorhead.

9 HEARING OFFICER RENAUD: All right.
10 John Murphy.

11 MR. MURPHY: Hello; my name is John
12 Murphy and I'm from Dixon, California. I live in
13 the rural area right outside the road down here.
14 And like the gentleman was talking about the wind
15 would be blowing right down to us down there.
16 That's not my concern.

17 My concern is where are you going to get
18 the water from that you need the water. That's
19 one issue that I want to ask, because the aquifer
20 has been hit so many times with the new VA
21 cemetery. Matter of fact I just got one today.
22 Now they're going to do a radio transmission. I
23 got to go to that. And there hitting the aquifer
24 so hard that they're just going to run us out of
25 water.

1 So, I want to ask where they're going to
2 get their water from.

3 MR. WELCH: All the water for the plant
4 is coming out of the effluent of this wastewater
5 treatment plant.

6 MR. MURPHY: Which they get from the
7 aquifer here, see, I didn't even know this was
8 here.

9 MR. WELCH: I mean they're getting from
10 the city's, you know, from the people in the city.

11 MR. MURPHY: Okay. And then what are
12 you going to power? Because out where I live, out
13 there in the area, the county's been trying to do
14 some stuff to my area. I live in the town of
15 Bataviaship, and our lawyer's been hearing some
16 stuff about some rails. They're going to bring
17 engines here, electric.

18 Yeah, I know. And they want to power
19 them up somehow for battery-operated.

20 MR. WELCH: We're looking to deliver our
21 power onto the grid connecting in here down at the
22 230 kV lines --

23 MR. MURPHY: Well, that's the grid that
24 runs past my --

25 MR. WELCH: -- and that's --

1 MR. MURPHY: Okay, past my home.

2 MR. WELCH: But, I mean, that goes --

3 MR. MURPHY: Okay.

4 MR. WELCH: -- you know, throughout
5 northern California.

6 MR. MURPHY: Well, because see right now
7 then there's a lawsuit with Mr. Warren Buffett and
8 the railroad for the fiberoptic lines. And that's
9 very close to opening up right now. And that's
10 what scares me, because all this is coming in at
11 one time. And as that lawsuit's ending, you know,
12 for the railroad, they took land from us, illegal.

13 And that's what's kind of my concern is,
14 you know, with that and the cemetery. My question
15 is with the people over here is the cemetery's not
16 even done yet, it's on its first phase. And
17 they've got three wells that I know of, two are
18 capped off. And to expand more. And they need to
19 do some kind of EIR or how much water theyr'e
20 actually drawing from up there.

21 And traffic control in that area.
22 Because it's, like I said, the rural area that we
23 live in. It's, I heard that what they've done
24 here is they've annexed land that was once, you
25 know, off Lewis Road that was actually in the

1 rural area. I'm not quite sure on that because I
2 don't come to Vacaville, but I live in that area,
3 just on the other side of Lewis Road. And that's
4 in the town of Batavia that I live in. And they
5 can't force me to change because we've been there
6 since 1903. So, well.

7 But, anyway, God bless you and thank
8 you.

9 HEARING OFFICER RENAUD: Thank you. All
10 right, that's all the blue cards. Before we
11 adjourn is there anyone else who wishes to speak
12 before we close out?

13 All right.

14 PRESIDING MEMBER BYRON: See, you don't
15 even need a blue card, you can speak without a
16 blue card.

17 (Laughter.)

18 MS. FOSTER: Got in a little late. Hi,
19 how are you? I'm Jamie Foster. I'm a fourth
20 generation Vacavillian. My grandparents have been
21 farming these flatlands for decades.

22 I even built my house; I have my own
23 here, 20 acres. So I can keep an eye on my
24 mother. So I live very close to her.

25 There's a couple points I want to bring

1 up that I guess wasn't really talked about. The
2 first thing is I don't know if you guys are
3 familiar with the accident rate here on Fry Road,
4 cross of Fry and Lewis.

5 But when the corn fields are planted
6 there, there were so many fatalities on that
7 corner. And you guys want to line that with nice
8 pretty trees to try to cover up the 150-foot tall
9 turbines, but, you know, that probably needs to be
10 rethought.

11 Another thing that I'm concerned about,
12 I have the pleasure of being a hazmat specialist,
13 and so I know the complications of methane. And
14 I'm concerned about if there were to be a leak,
15 you know, the health hazards associated with that.
16 It's long term. So that's another thing I'd like
17 to be addressed.

18 Also, in Solano County the asthma rate is
19 the highest in the country. And so with the
20 amount of emissions, how is that going to
21 contribute to the asthma rate going up.

22 My last point, you know, having turbines
23 out here it's really going to decrease the value
24 of our land exponentially. And I would just like
25 to know who's going to foot the bill for

1 compensation for all the families that are going
2 to be losing the value of their property.

3 So, thank you for letting me speak.

4 PRESIDING MEMBER BYRON: Would you wait
5 for a moment and see if anyone wants to answer any
6 of these issues. The traffic concerns, would you
7 like to address that?

8 MR. WELCH: The traffic concerns, well,
9 I mean specifically the lease has it that our land
10 doesn't start until the corner, and that the
11 control of where the trees are planted would be by
12 the city. And I'm certain that they're going to
13 follow, you know, the code for the road, as far as
14 the sidelines go.

15 I mean I don't have any specific details
16 beyond that.

17 MS. FOSTER: Okay.

18 MR. WELCH: And I mean, as far -- I mean
19 there's controls put in. You know, we don't store
20 any of our fuel. Basically we're taking it off
21 the pipeline and put it into our turbines.

22 In the event there were some type of
23 leak, there's monitoring equipment throughout that
24 would detect right away that, you know, the fuel
25 coming in wasn't ending up where it needed to be.

1 And we would shut the valves.

2 MS. FOSTER: Right.

3 MR. WELCH: So there's a major leak is,
4 you know, I mean this is in a matter of moments
5 that it would happen. So the major leak, it's not
6 like it's an LNG facility or something where you'd
7 get a cloud or hte like. It's a small, relatively
8 small pipeline compared to the one that's down the
9 street now.

10 MS. FOSTER: I understand the pipeline's
11 going to be coming from out off 113 near
12 Binghamton?

13 MR. WELCH: No, actually the pipeline is
14 almost exactly a mile down Fry Road, the existing
15 pipeline. You can see the, I forget if they're
16 orange or yellow panels that are there now.

17 MS. FOSTER: Is that on the north or the
18 south side of Fry?

19 MR. WELCH: Well, it crosses Fry.

20 MS. FOSTER: It crosses Fry.

21 MR. WELCH: It's a little bit of an
22 angle. You can actually, if you drive out there
23 you can see where there's some scoring in the land
24 from when it was put in initially.

25 MS. FOSTER: Okay.

1 MR. WELCH: And we would just connect
2 into that. That's a major, what PG&E calls their
3 backbone transmission lines. It's for providing,
4 you know, both from the northwest and Canada, as
5 well as Texas pipes. It connects both ends of the
6 state, runs through.

7 MS. FOSTER: Okay.

8 PRESIDING MEMBER BYRON: Ms. Foster,
9 thank you for coming.

10 MS. FOSTER: Great. Thank you very
11 much, gentlemen.

12 HEARING OFFICER RENAUD: Thank you very
13 much. All right, anyone else? Okay, please come
14 forward.

15 MS. FOSTER: I'm Jeanine Foster; I'm a
16 third generation Vacavillian, and our family's
17 been here forever.

18 PRESIDING MEMBER BYRON: Oh, you're the
19 woman that she's keeping an eye on.

20 MS. FOSTER: Yes, she's keeping an eye
21 on me.

22 (Laughter.)

23 MS. FOSTER: And my question is this is
24 going to devalue our property, am I correct in
25 saying that? Who's going to answer? Yes or no?

1 MR. WELCH: What I would say is that all
2 the studies --

3 MS. FOSTER: I just want a yes or no.

4 MR. WELCH: I would say no.

5 MS. FOSTER: It is not going to devalue
6 my property.

7 MR. WELCH: Not the information that we
8 have. We can find you some studies --

9 MS. FOSTER: You promise me that?

10 MR. WELCH: -- that have been done
11 elsewhere in the country. I can't promise
12 anything. I can't --

13 MS. FOSTER: Okay.

14 MR. WELCH: Your property's not as
15 valuable right now as it was a year ago probably.
16 That's what's happened to mine --

17 MS. FOSTER: That's not -- that's not
18 the question I asked you.

19 MR. WELCH: So I can't say that --

20 MS. FOSTER: Okay, if it devalues my
21 property will we be compensated.

22 MR. WELCH: There's --

23 MS. FOSTER: Yes or no.

24 MR. WELCH: No.

25 MS. FOSTER: Okay, thank you. I am

1 opposed to this project.

2 HEARING OFFICER RENAUD: Would you like
3 to leave your blue card with us or --

4 MS. FOSTER: Sure.

5 HEARING OFFICER RENAUD: -- so you'll
6 have your name here. Thank you. All right.

7 Anyone else?

8 PRESIDING MEMBER BYRON: Well, I'd like
9 to thank you all for coming. This is just the
10 beginning of this process. I hope you have a
11 better understanding of how it will work.

12 We're very interested in your input.
13 It's a public process, it's very transparent. The
14 applicant, I'm sure, will make themselves
15 available to you to answer questions.

16 And our staff will be available, as
17 well. We have an excellent staff. They do a very
18 thorough evaluation of these issues that you
19 brought up and many others that weren't even
20 discussed here today.

21 I guess I'd characterize it, if we were
22 in a baseball game, this would be the top of the
23 first inning. But we are obligated at the Energy
24 Commission to evaluate this application, and
25 that's what we'll do. We'll try and do it

1 according to the schedule because we owe that to
2 the citizens of this area, as well as the
3 applicant.

4 So, we will be back here I suspect,
5 right?

6 HEARING OFFICER RENAUD: Yes.

7 PRESIDING MEMBER BYRON: And all I can
8 say is thank you for having us here today in
9 Vacaville. It was a very nice day.

10 HEARING OFFICER RENAUD: Thank you.

11 MR. WELCH: If I could just say one
12 thing. Anybody who wasn't here earlier for the
13 tour, the waste treatment plant has been kind
14 enough to say that we can take some folks back to
15 take a quick look at the site now. Fortunately
16 with the time change we still have a little bit of
17 sunlight left.

18 HEARING OFFICER RENAUD: Good idea. All
19 right. Thank you, we're adjourned.

20 (Whereupon, at 6:47 p.m., the hearing
21 was adjourned.)

22 --o0o--

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CERTIFICATE OF REPORTER

I, PETER PETTY, an Electronic Reporter, do hereby certify that I am a disinterested person herein; that I recorded the foregoing California Energy Commission Hearing; 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 hearing, nor in any way interested in outcome of said hearing.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of March, 2009.

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