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CALIFORNIA ENERGY COMMISSION

In the Matter of:)
Site Visit, Environmental Scoping) Docket No. 02-AFC-1C
Meeting, and Informational Hearing)
_____)

BLYTHE CITY HALL COUNCIL CHAMBERS

235 NORTH BROADWAY

BLYTHE, CALIFORNIA

MONDAY, SEPTEMBER 28, 2015

5:30 P.M.

Reported by:

Martha L. Nelson

APPEARANCES

COMMISSIONERS

Janea Scott, Lead

Karen Douglas

HEARING OFFICER

Raoul Renaud

STAFF

Courtney Smith, Advisor to Commissioner Scott

Rhetta DeMesa, Advisor to Commissioner Scott

Le-Quyen Nguyen, Advisor to Commissioner Douglas

Mary Dyas, Compliance Project Manager

Elena Miller, Senior Staff Attorney

PUBLIC ADVISER

Shawn Pittard, Assistant Public Adviser

APPLICANT

Christopher Doyle, AltaGas, Vice President of Business
Production

Kristen Castanos, Stoel Rives, LLP

Kimberly Hellwig, Stoel Rives, LLP

PUBLIC COMMENT

Roseana Navarro-Brasington, Mojave Desert Air Pollution
District

Joey Deconinck, Mayor of Blythe

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P R O C E E D I N G S

5:30 P.M.

BLYTHE, CALIFORNIA, MONDAY, SEPTEMBER 28, 2015

(The meeting commenced at 5:29 p.m.)

COMMISSIONER SCOTT: This is a meeting of the California Energy Commission regarding the Petition to Amend the Sonoran Energy Project. It's great to see all of you here this evening at the proceeding.

The Energy Commission has assigned a Committee of two Commissioners to conduct these proceedings. My name is Janea Scott, and I am the presiding member on the Committee. To my left is Commissioner Karen Douglas, and she's the associate member on our Committee.

In addition, I would also like to introduce you to Courtney Smith and Rhetta DeMesa, who are to my right, and they are my advisors. To Le-Quyen Nguyen to Commissioner Douglas's left, yes, and she is Commissioner Douglas's advisor. And to Raoul Renaud who is our Hearing Advisor -- our Hearing Officer.

As the Energy Commission Committee Members for this -- for this proposed power plant application, Commissioner Douglas and I are here to listen to the applicant, to the public, and to the staff about the issues, questions, and concerns that you have about this project.

1 As you'll see in a few minutes, the Energy Commission's
2 review process contains many opportunities for public
3 participation. The documents related to this case are
4 readily available via our website.

5 The Energy Commission invites public participation
6 at all stages of the process. Public comment can help focus
7 Committee attention on important issues in the proceeding.
8 So hearing your concerns today as we begin the process helps
9 the Commission staff focus its analysis of the amendments.

10 With that, I will now ask the parties to please
11 introduce themselves and their representatives at this time,
12 and I will start with the applicant.

13 MR. DOYLE: Good evening. My name is Chris Doyle.
14 I'm the VP of Development for Alta Gas, the overall owner of
15 the project. We're representing tonight Sonoran Energy.

16 MS. CASTANOS: Good evening Kristen Castanos with
17 Stoel Rives, and I'm counsel for the applicant.

18 COMMISSIONER SCOTT: Okay. I will now ask the
19 staff to introduce themselves.

20 MS. DYAS: My name is Mary Dyas. I'm the
21 Compliance Project Manager for the Energy Commission.

22 MS. MILLER: And Elena Miller, Senior Staff
23 Attorney for the Energy Commission.

24 COMMISSIONER SCOTT: It's my understanding that we
25 don't have any interveners so far.

1 And then we will go to agencies. Do I have any
2 elected officials or representatives from the federal
3 government here tonight? Any -- do I have any on the phone?
4 Okay.

5 Hearing none, do I have any elected officials or
6 representatives from the State of California? How about on
7 the phone? Okay.

8 Do I have any members from Native American tribes
9 here in the audience? On the phone? Okay.

10 Do I have any one from the Mojave Desert Air
11 Pollution Control District in the room? Terrific. Can you
12 please come up to the mike and introduce yourself?

13 My name is Roseana Navarro-Brasington. I'm the
14 permit engineer assigned to Sonoran Energy Project.

15 COMMISSIONER SCOTT: Okay. Thank you for joining
16 us.

17 How about anyone from Riverside County? On the
18 phone?

19 City of Blythe or any of the nearby towns or
20 cities?

21 Come on up to the mike, please.

22 MAYOR DECONINCK: Yes. My name is Joey Deconinck.
23 I'm the Mayor of Blythe.

24 COMMISSIONER SCOTT: Oh, welcome.

25 Do I have any other agencies in the room or on the

1 phone?

2 MAYOR DECONINCK: Also, I serve on the Mojave Air
3 Quality Board too.

4 COMMISSIONER SCOTT: Oh, terrific. Great.

5 I would also like to introduce to you all our
6 Public Adviser. His name is Shawn Pittard, and you'll see
7 him. He's in the back of the room there, standing up,
8 waving at you. Please note that the Public Adviser has our
9 blue cards. Are blue cards are what you need to fill out so
10 that we know you'd like to make a comments. Fill those out
11 with Shawn. He'll make sure I get them. And that's how I
12 know that we have comments in the room.

13 And before we get started, I do have a public
14 comment from Joey DeConinck, the Mayor of City of Blythe.

15 So please feel free to come up and make your
16 comments.

17 MS. CASTANOS: Commissioner Scott, can I
18 interrupt?

19 COMMISSIONER SCOTT: Yes.

20 MS. CASTANOS: I also wanted to introduce Kim
21 Hellwig, also with Stoel Rives, who's with me here today.
22 Thank you.

23 MAYOR DECONINCK: I thought maybe I was going to
24 make my comments later, after the presentation or something.
25 But basically I've been in Blythe for many years. And the

1 solar -- the power plant that's been up there for many years
2 has been very good for our community. With all the other
3 solar coming on and the other thing, it's been very
4 beneficial for our community. And you can see our valley
5 out here, we've got a lot of room for growth. And we really
6 look forward to working with the applicant to make it
7 happen.

8 So also, it's great to see that so many people
9 come from Sacramento. And what we're -- we're having an
10 issue now with the State Resource Water Quality Board. We
11 asked them to come out here and they said, "No." So I'm
12 just saying it's blessed that, you know, you do have a
13 Commission that could come to where we have issues, because
14 they're putting us under rationing here. And we have enough
15 water down below here. That's one thing they will not have
16 a problem with, is with water. So -- but the state has
17 pushed our water rationing here, which there's no reason for
18 it.

19 So thank you.

20 COMMISSIONER SCOTT: Thank you for joining us.

21 At this time I will had the conduct of the hearing
22 over to our Hearing Advisor Raoul Renaud.

23 HEARING OFFICER RENAUD: Okay. Thank you,
24 Commissioner Scott.

25 Could I have the next slide please? Okay.

1 This Site Visit, Environmental Scoping Meeting,
2 and Information Hearing is designed to inform members of the
3 public about the proposed project and the Energy
4 Commission's siting process. The purpose of today's hearing
5 is to -- is to provide information about the proposed power
6 plant, describe the Commission's process in reviewing the
7 amendment, provide information on opportunities for the
8 public to participate in this process, and comment on any
9 aspect of the proposed project, to inform the Committee, the
10 parties and the community about the project, its progress to
11 date in the application process and perceived issues that
12 need resolution, and to meet and confer about the project
13 schedule.

14 Notice of today's events was mailed to all
15 parties, adjoining land owners, interested governmental
16 agencies, and other individuals. It was also posted on the
17 Commission's website.

18 So this is today's agenda. We've already had the
19 site visit. And now that we've begun the presentations and
20 discussion, I'm going to describe the Commission's role.
21 After that the applicant will describe the Sonoran Energy
22 Project. After that the Energy Commission staff will
23 explain the environmental review process, the issues they
24 have identified at this juncture, and their proposed
25 schedule for the licensing process. Following that the

1 public adviser will describe the services available from the
2 Public Adviser's Office to support public participation in
3 this process. And finally, we will take questions and
4 comments from the public and agencies present.

5 Next slide.

6 So the -- this is about the Energy Commission's
7 role. The California Energy Commission is a state agency
8 which has exclusive jurisdiction to license or certify power
9 plants that generate 50 megawatts of electricity or more.
10 The Commission is the lead energy agency for reviewing
11 compliance under the California Environmental Quality Act,
12 or CEQA.

13 Today's hearing is the first in a series of formal
14 Committee events that will extend over the next year or so.
15 This Committee will eventually hold evidentiary hearings and
16 issue a Presiding Members Proposed Decision containing
17 recommendations for the full five-member Commission to
18 either approve or deny the proposed project.

19 Next slide please.

20 The Energy Commission process is designed to be as
21 open and transparent and available to the public as
22 possible. It's important to emphasize that the Committee's
23 proposed decision is to be based solely on the evidence
24 contained in the public record.

25 To ensure that this happens and to preserve the

1 integrity and impartiality of the Commission's licensing
2 process, the Commission's Regulations and the California
3 Administrative Procedures Act expressly prohibit -- prohibit
4 private off-the-record contacts concerning substantive
5 matters between the participants in this proceeding and the
6 Commissioners, this Committee, their advisors, and me.

7 This prohibition against off-the-record
8 communications between the parties and the Committee is
9 known as the ex parte rule. This means that all contacts
10 with the interested parties and the Committee regarding any
11 substantive matter must occur in the context of a public
12 decision -- discussion, such as today's event, or in the
13 form of a written communication that is distributed to all
14 the parties and the public, in our case by posting on the
15 Commission's website via the docket. The purpose of the ex
16 parte rule is to provide full disclosure to all participants
17 and the public of any information that may be used as a
18 basis for the Committee's future recommended decision on
19 this project.

20 The Energy Commission staff is a party to these
21 proceedings in the same way that the applicant or any
22 intervener would be a party. Even though Staff and the
23 Committee Members are both part of the Energy Commission, we
24 are completely separate entities for purposes of these
25 proceedings. The ex parte rule is binding on the Energy

1 Commission staff in the same way that is binding on
2 applicants or interveners.

3 Additional opportunities for the parties and
4 governmental agencies to discuss such substantive issues
5 with the public will occur in public workshops that may be
6 held by the Commission staff in Blythe or at the Energy
7 Commission headquarters in Sacramento. The Committee will
8 not -- will not attend these workshops. Information
9 regarding other communications between the parties and
10 governmental agencies is contained in written reports or
11 letters that summarize such communications. These reports
12 or letters are posted on the website and made available to
13 the public in that manner. Information regarding hearing
14 dates and other events in this proceeding will also be
15 posted on the Commission's website.

16 The Petition to Amend process is a public process
17 in which members of the public and interested organizations
18 are encouraged to actively participate and express their
19 views on matters relevant to the proposed project. The
20 Committee is interested in hearing from the community on any
21 aspect of this project.

22 Members of the public may also ask to intervene in
23 this proceeding. We encourage you to make requests to
24 intervene as soon as possible to allow for your full
25 participation. The public adviser is available to assist

1 members of the public who would like to become interveners.

2 Next one.

3 Next on our agenda is the presentation by the
4 applicant, AltaGas Sonoran, and we'll start with those
5 slides next.

6 Thank you.

7 MR. DOYLE: Thank you. As I said earlier, I guess
8 for the record, my name is Chris Doyle. I'm the VP of
9 Business Development for AltaGas, tonight representing
10 Sonoran Energy.

11 As you saw in our rather fun tour this afternoon,
12 this is an overview of the proposed -- it's called Blythe
13 Energy II, but now it's being referred to officially, I
14 believe, as Sonoran Energy. It's located next to the
15 existing facility. They'll be sharing infrastructure, as I
16 said earlier, control room, staffing, some of the onsite
17 groundwater.

18 It's located -- go ahead. Next slide.

19 MS. HELLWIG: Sorry.

20 MR. DOYLE: No, it's -- go ahead, please.

21 As the Commission is well aware, this was
22 originally licensed under the name Blythe Energy II. We
23 acquired it back in April of last year. Thank you again for
24 approving the ownership change, a bit of embarrassment.

25 What we're looking at doing is as this project,

1 the technology was somewhat dated, we've taken a look and
2 saw, what is the -- the best available technology from a
3 natural gas combined-cycle perspective, and we selected --
4 and let's go to the next slide -- we selected working with
5 General Electric in the 7HA.02 combined-cycle plant. This
6 is a single shaft, which means most -- basically, the gas
7 turbine and the steam turbine are located on the same shaft.
8 So it's a single generator of 553 megawatts. It was
9 designed that way, one, because it's far more efficient in
10 design than the traditional two-in-one configuration.

11 It is approximately 80 percent more efficient than
12 the existing -- the proposed facility. As I said on the bus
13 for some of you, I think everybody that was on the bus is
14 here, but essentially, like I said, 80 percent more
15 efficient, higher heating values, about 6,400. So it's
16 probably one of -- at the time, right now, it will become
17 one of the most combined-cycle facilities in the world, at
18 least in the North American market.

19 We've, as it says here, we've gone the same
20 combined-cycle plant, condensing steam turbine is a single
21 heat recovery steam generation as opposed to two, as you'd
22 find in a normal configuration. We're looking at connecting
23 to the existing Blythe Transmission Substation, which is
24 less than a mile away from the facility. We're looking at
25 adding more wells to supply water from the groundwater

1 supply at the facility. And we're interconnecting with the
2 existing facility to help reduce overall consumption.

3 Consumption -- construction, and this is all stuff
4 everybody's seen before, 26 months onsite. We're looking at
5 approximately 325 workers at peak. And, of course, the
6 benefits to the state and the community of \$5.4 million
7 during the construction period. And then, you know, our
8 taxes help everybody when we start operating.

9 Benefits over the existing facility to post-
10 facility, more efficient, faster start, green energy
11 shaping. Essentially, one of the reasons that we chose this
12 technology, and it's been recently stated as early as -- or
13 as late as last week by the California ISO, there's going to
14 be a need for what they're calling FRAC-MOO, one of the
15 funnier acronyms that came out of the CAISO. But basically,
16 fast ramping combined-cycle high-efficiency technologies.
17 The reason we selected this is its ability to respond to
18 clouds, one of my favorites for solar, when the wind drops
19 off. This facility is capable of moving on the order of 50
20 megawatts a minute in response to changes in green
21 technologies, in response to, like I said, if a cloud goes
22 by, wind drops off. So we call it -- we're referring to it
23 as shaping. This helps provide the CAISO, the communities
24 with a consistent supply of energy.

25 The most economic by going to a combined-cycle

1 facility as opposed to the simple-cycle peakers, you know,
2 they're in the range of 9,500 to 9,000 heat rate order, and
3 as I said earlier, to 6,400. Even in our minimum load
4 operating heat rates, we're still on par with an existing
5 combined-cycle facility at baseload today. So it's a
6 significant economic savings to the -- to the consumers in
7 terms of producing power at a far lower cost.

8 Our WAPA will sharing infrastructure with the
9 existing Blythe facility. Integrates -- as a lot of the --
10 as the Mayor kindly pointed out, there's a lot of growth in
11 this area, solar. There's probably some wind around, as
12 well. This provides us the ability to provide a consistent
13 flow of power from the area into the CAISO grid.

14 And one of the things we'd like to point out is
15 that we aren't asking -- we're not requesting any changes
16 whatsoever as it relates to the proposed water consumption
17 of the facility, no more than previously authorized.

18 This was passed out on the bus. It's essentially
19 another overview of the facility. Okay.

20 Just for the people that are here today, myself,
21 Mike Ludwin who is -- there he is. Mike is the, was up
22 until recently, the General Manager of the existing
23 facility. He's since been promoted to Director of
24 Operations for California and a little plant we have in
25 Colorado. We're the primary contacts for the facility.

1 Our consultants are, as it says here, Jeremy
2 Salamy from CMH2 Hill who are handling most of the
3 environmental work for us. We've been working together.
4 I've been working off and on with CMH2 for probably a decade
5 at this point in California.

6 Jesus and Matt, whom most of you in this room
7 probably already know, from Advantage Consulting. Their
8 primary responsibility is to help us keep in touch with
9 Sacramento, help us provide and continue to enhance the
10 relationship that we've already built.

11
12 Project Counsel, Melissa, who is not here,
13 Kristen. And although not counsel but invaluable, is Ms.
14 Hellwig here. I wanted to just get that on the record for
15 the other attorneys here.

16 And that's pretty much a good summary.

17 We look forward to working with the Commission.
18 Although it wasn't in there, we're extremely pleased with
19 the schedule that's been proposed. We look forward to
20 working with you towards that end.

21 And thank you.

22 HEARING OFFICER RENAUD: Great. Thank you.

23 So our next item line is a presentation from the
24 Energy Commission staff regarding the review process and
25 issues they've identified, as well as the proposed schedule.

1 So we'll start with slide --

2 MS. DYAS: I think it's slide eight.

3 HEARING OFFICER RENAUD: -- eight.

4 MS. DYAS: Thank you. Good afternoon. My name is
5 Mary Dyas. I'm the Energy Commission's Compliance Project
6 Manager for the Sonoran Project, formerly the Blythe Energy
7 Project Phase II. My job is to facilitate the Sonoran
8 Project Petition to Amend through the Energy Commission's
9 amendment process. This presentation is an overview of that
10 process.

11 The purpose of the Energy Commission's review
12 process is to assess the impacts of this proposal on
13 environmental quality and public health and safety. The
14 review process includes an evaluation of the consistency of
15 the proposed changes with the Energy Commission's decision,
16 and a determination on whether the project as modified will
17 remain in compliance with the applicable laws, ordinances,
18 regulations and standards.

19 During the amendment review process, Staff's
20 review can be dependent upon input from the applicant,
21 agencies, formal interveners, and the public. The Public
22 Adviser's Office can provide assistance to interveners and
23 the public on how to participate in the overall siting and
24 permitting process, as well as the amendment process which
25 we're covering here.

1 Energy Commission staff will review the proposed
2 changes to determine -- and determine if additional data and
3 analysis is required beyond the analysis and mitigation and
4 Conditions of Certification in the existing Commission's
5 decision.

6 Staff in this technical area will do one of the
7 following, they'll confirm adequacy of current -- of the
8 current analysis. Staff will evaluate the proposed
9 modifications in the Petition to Amend against the current
10 approved project to determine that there is no change in
11 impacts or mitigation between then and now.

12 Staff will then -- or Staff will look at the
13 changes since the project was approved and update certain
14 areas of the analysis. Staff will also -- can also begin
15 preparing a full analysis to address the proposed changes.

16 During this process Staff facilitates public and
17 agency participation in the amendment process. The Energy
18 Commission staff will work closely with other local, state
19 and federal agencies. These agencies can include local
20 agencies, including the City of Blythe, regional agencies,
21 including Riverside County, the Mojave Desert Air Quality
22 Management District, and the Regional Water Quality Control
23 Board. State Agencies can include Department of Fish and
24 Wildlife or CAISO. And Federal agencies can include the
25 Environmental Protection Agency, Fish and Wildlife Service,

1 and the Federal Aviation Administration.

2 Staff conducts an independent engineering and
3 environmental review with proposed changes and determines if
4 additional data, mitigation, and Conditions of Certification
5 are needed. This process will include publishing two
6 environmental documents, the Preliminary and Final Staff
7 Assessments. Staff will prepare a Preliminary Staff
8 Assessment, or a PSA, that addresses what, if any,
9 additional analysis is needed to address the proposed
10 changes to the project. When the PSA is published we ask
11 that comments be submitted within 30 days to allow Staff
12 time to respond. Staff will make appropriate changes to the
13 PSA and finalize its analysis in the Final Staff Analysis,
14 or the FSA.

15 After the FSA is published the Committee will
16 begin evidentiary hearings that will include formal
17 testimony from the participants in our process. The
18 Committee will produce the Presiding Members Proposed
19 Decision, or a PMPD, which is a recommendation on the
20 proposed project changes. The PMPD contains findings
21 relating to environmental impacts, public health, and
22 engineering. The amendments complies with LORS,
23 recommendations -- recommends Condition of Certification,
24 makes findings of overriding consideration, if appropriate,
25 and recommends whether or not to approve the amendment.

1 The PMPD will go before the full Commission for a
2 final decision on the Petition to Amend. The Commission
3 then issues the final decision on -- on the petition.

4 Administrative appeals can be filed for
5 consideration by the full Commission or pursuant to the --
6 and/or pursuant to the Warren-Alquist Act, appeals to the
7 Energy Commission's decision can be filed with the
8 California Supreme Court.

9 Also, the Energy Commission monitors the
10 compliance with all of the Conditions of Certification from
11 construction of the project, through the life of the
12 project, through closure of the project.

13 And then this slide is just a flow chart of
14 basically the information that I just covered.

15 The purpose of the Issues Identification Report is
16 to inform participants of potentially significant issues
17 Staff believes it will encounter. The report provides an
18 early focus on important topics. The report is not
19 limiting. Staff, agencies -- staff, agencies and other
20 stakeholders may identify additional significant issues
21 going forward. Criteria for determining a significant issue
22 include impacts that might result from the proposed changes
23 that may be difficult to mitigate, the project as proposed
24 might not comply with applicable laws, ordinances,
25 regulations or standards, conflicts might arise between

1 parties about the appropriate findings of Conditions of
2 Certification, or resolution of an issue may be difficult
3 and/or effect the schedule.

4 Energy Commission staff has conducted an initial
5 review of the Petition to Amend and has found potential
6 major issues in the technical areas of soil, water
7 resources, traffic and transportation, and transmission
8 system engineering. Discovery is not yet complete and other
9 parties may identify other concerns.

10 In the technical area of soil and water resources,
11 Staff has identified the following issues. In the area of
12 water supply, Staff has noted that groundwater use by the
13 Sonoran Project would create a new and significant direct
14 environmental impact to the Palo Verdes Mesa Groundwater
15 Basin and, therefore, create a new indirect and adverse
16 environmental impact to the Colorado River.

17 In the area of alternative water supply, Staff
18 believes that dry cooling and recycled water could be better
19 alternatives to the use of 2,800 acre feet per year of
20 groundwater for the power plant cooling. Staff notes that
21 analysis and resolution of the issue could be contentious,
22 potentially lengthening the time needed to finalize Staff's
23 assessment of the amendment.

24 In the area of Water Conservation Offset Program,
25 Staff's preliminary conclusions regarding the availability

1 of offsets for the proposed project water use in the
2 Colorado River Basin is that they are limited and it will be
3 difficult to identify.

4 In the technical area of traffic and
5 transportation, Staff has identified the following issues.
6 Thermal plumes from the proposed Sonoran Energy Project,
7 combined with the plumes generated by the existing Blythe
8 Energy Project and the anticipated Irish Energy Project,
9 could have accumulatively significant impact on aviation
10 activities at the Blythe Airport. Staff -- I'm sorry.
11 Staff will be contacting the Federal Aviation Administration
12 and the Riverside County Land Use Commission for their input
13 regarding proposed changes to Condition of Certification
14 TRANS-9 and Runway 26.

15 In the technical area of transmission system
16 engineering, Staff has identified the following issues. The
17 Western System Impact Study, or SIS, indicates the project
18 owner has not decided on whether they will interconnect with
19 Western as a network resource or an energy resource. The
20 SIS also shows potential violations of neighboring systems.
21 Information on potential impacts is incomplete. And
22 obtaining complete information could delay the project
23 schedule.

24 And this slide shows Staff's proposed schedule.
25 Staff prepared and submitted this schedule in the Issues

1 Identification Report on September 21st, 2015. And I do
2 want to make note that this slide, it has Staff filing Data
3 Request Set 1 on October 1st. And it's correct in the
4 actual Issues Identification Report. It should be October
5 9th.

6 The proposed schedule is subject to several
7 external factors, including Staff's ability to meet schedule
8 deadlines, the applicant's timely response to information
9 requests, required actions or comments by the associated
10 agencies, and resolution of the identified issues.

11 The Committee will review this schedule and issue
12 a Scheduling Order, usually several weeks after the
13 informational hearing and site visit that will include the
14 official project schedule and additional instructions and
15 comments.

16 Again, this is an open public process. And any
17 workshops or hearings will be noticed at least ten days in
18 advance. We do have -- keep a post-certification mailing
19 list for amendments. If you want to be added to the mail
20 list you can always contact myself. My information is also
21 on this slide or available on the project's web page. And
22 you can also sign up on the Energy Commission's Listserv to
23 receive information on the project.

24 All of the documents for this amendment are
25 available on the Energy Commission's website, or you can

1 contact the Energy Commission's Docket Unit to obtain some
2 of the information, as well.

3 And again, my information is on there, phone
4 number and email address.

5 Thank you.

6 HEARING OFFICER RENAUD: Thank you.

7 And now we will hear from the Public Adviser Shawn
8 Pittard.

9 MR. PITTARD: Thank you. My name is Shawn
10 Pittard. I am the Assistant Public Adviser. Our Public
11 Adviser is Alana Matthews. And the public adviser is an
12 attorney and is appointed by the governor. Good time.

13 And what the Public Adviser's Office does is we
14 help the public understand the power plant licensing
15 process. And we recommend the most effective ways for you
16 to be involved and participate. That means assisting you in
17 having meaningful participation in all of our proceedings.
18 And proceedings takes in meetings, hearing, workshops, site
19 visits, all of these things.

20 Tonight the outreach we did for this hearing was
21 we sent out email blasts, made phone calls, sent letters to
22 local officials, school districts, etcetera. We ran an ad
23 in the Palo Verde Valley Times announcing this meeting
24 tonight.

25 What we most want to convey is that we want public

1 participation in these processes, that your comments help
2 the Commissioners and the staff know what your concerns are.
3 And it's our goal to establish the best possible record on
4 which this Committee -- this Committee and the Commission
5 can make their decisions, and we believe that public
6 participation helps with that.

7 Now public comments are not evidence. Earlier we
8 talked about there's evidentiary hearings and -- as part of
9 this process. But any comment that the public makes is
10 taken into consideration by the -- by the Commission.

11 So there are two levels at which a person can
12 participate. You can participate informally and formally.

13 If you participate informally, that means you come
14 to meetings like this and you make a comment. You can also
15 file a written comment electronically, or you can bring a
16 written comment and give it to a member of the Public
17 Adviser's Office and we'll docket it for you, get into
18 the -- into the Commission docket in this case, or you can
19 mail the hardcopy of the document. So we're here to help
20 you get your comments into the record, however you need that
21 help.

22 The second level of public participation is what
23 we call formal participation. That's when a person becomes
24 an intervener -- an intervener to the proceeding. Anyone
25 can file a Petition to Intervene. You don't have to have an

1 attorney to do this. Contact us at the Public Adviser's
2 Office and we can provide you with a sample petition. And
3 these petitions are taken under consideration by the
4 Committee and they'll make a decision in 30 days.

5 Now our office will help you with these things,
6 but will not act as a legal advocate for you. But we may
7 tell you when you should get a lawyer. Maybe that's good
8 part, right there.

9 So ways to participate and stay on top of what's
10 going on. Mary pointed this out, but here's a picture of
11 it. So you can go to our website, www.energy.ca.gov, and
12 this is what you'll see. And you see where it says "Power
13 Plants" on the tabs up there. When you hover over that
14 the -- all those menu items will come up. You'll click on
15 the alphabetical list of power plant projects that you see,
16 the second down in the first column.

17 Next slide please. Oh, cool. I didn't know we
18 had that feature.

19 So if you click -- if you hover and you get "Power
20 Plants," then you select that. So then here's where you'll
21 be taken. You'll be taken to the Sonoran Energy Project web
22 page. And if you look over at that arrow on the right side
23 of the image there, these -- this is all the information
24 that you can access online about this project. You see that
25 you can submit an e-comment, you can look at the documents

1 that have been placed into the -- into the docket, etcetera,
2 so a lot of information.

3 So the things that you can do are sign up for the
4 Sonoran Listserv. Mary mentioned that. You can do that
5 online, or on the table at the back I have a list, if you
6 can give me your email address I'll sign you up, or you can
7 submit written comments, hardcopies, or e-commenting,
8 provide oral comments at meetings like this.

9 If you can't make the meeting, these meetings are
10 often on WebEx, so you can join the conference, join through
11 the computer or make a conference call. We can also assist
12 you if you need any accommodations if you have -- for
13 persons with disabilities or if you need translation or
14 interpretation services, please call us and let us know.

15 And finally, here is our contact information.
16 And, of course, I have business cards in the back if you'd
17 like one.

18 Thank you.

19 COMMISSIONER SCOTT: Thank you. Okay.

20 I am going to -- I'm sorry, let me get closer. I
21 am going to turn to Commissioner Douglas, who I believe has
22 a few questions. And I want to remind you that if you'd
23 like to make a public comment, please be sure to get a blue
24 card and hand it to Shawn and he will bring it up to me.

25 But, Commissioner Douglas, please.

1 COMMISSIONER DOUGLAS: Thank you, Commissioner
2 Scott.

3 So this is less a question than a comment. But,
4 you know, obviously, we've heard the water issue teed up
5 pretty cleanly through the applicant and staff. And I just
6 wanted to share some perspective on this.

7 You know, we are looking at an amendment to a
8 decision that was approved about ten years ago. And it's --
9 it was approved in a different policy environment than the
10 one in which we find ourselves today. And I just wanted to
11 say a couple things about that.

12 You know, the Commission supported extending the
13 license two times, in large part because, of course, there
14 was an amendment coming, and the applicant was clear about
15 that and communicated about that with the staff, and that
16 made its way through the record. And at the same time, a
17 support for extending the license does not necessarily
18 constitute support for every single thing in the license.
19 We don't like to open and re-litigate issues. I think the
20 staff has raised a fair issue, however, with regard to wet
21 cooling versus dry cooling.

22 The -- I think that, you know, I heard the mayor,
23 and we may hear from you again, and we welcome you speaking
24 again to this issue, you know, in terms of the potential
25 that there is a local perception or strongly-held belief or

1 reality that the water supply picture is any different here
2 than what we face statewide, that was articulated by the
3 mayor in his comments. And at the same time, that's not
4 necessarily dispositive as we look at the facts that are
5 before us and the environment in which we find ourselves.

6 So I do want to suggest that as the staff analysis
7 moves forward and as the applicant works with staff on their
8 exchanges, that you consider articulating as clearly as you
9 can, analyzing and looking out what a dry-cooled alternative
10 would look like. And at the same time, I'm not saying that
11 you shouldn't make arguments for the project that you, you
12 know, would like to propose as you'd like to propose it.
13 But I do think it's important to have that analysis that is
14 well articulated.

15 So those are my comments. Thank you.

16 COMMISSIONER SCOTT: Thank you, Commissioner
17 Douglas.

18 Yes, Mr. Mayor, please come back up.

19 MAYOR DECONINCK: Can I make a comment to that?

20 COMMISSIONER SCOTT: We're about to go public
21 comment, so why don't we have you come. You can be our
22 first public commenter.

23 We typically do about three minutes per person.
24 If you've got any more blue cards for Shawn, please make
25 sure that he gives those to me, and then we'll turn to the

1 folks on the phone.

2 But, Mr. Mayor, please come on up.

3 MAYOR DECONINCK: Okay. I just want to -- she
4 made those comments, and I appreciate it.

5 One of the things right now, I believe it said
6 2,700 acre feet. Right -- right now that's roughly maybe
7 five acres of ground that will be farmed here. Right now
8 we're exporting 30,000 acres of water going to L.A. We're
9 exporting water through MWD. This what Sacramento, I don't
10 think, understands. We are exporting water.

11 And then it is hot here. I've experimented with
12 the dry cooling because I have a Coleman. Everybody that is
13 (inaudible) get a Coleman. That does not work efficiently
14 here because it's so hot. And all you're doing is putting
15 hot air against hot air. With the water, by using water, we
16 have power set up in our cooling system to help cool,
17 refrigerate our produce and other things.

18 So what I'm trying to say is that in other areas,
19 yes, that works. But here in the summertime it does not
20 work. It -- all the equipment runs longer, hotter. You
21 burn more energy. It does not cool efficiently. So I'm
22 just relating to you, some of the things.

23 Our water out here is under PVID, not Sonora or
24 whatever it is. We have 105,000 acres of water rights here,
25 16,000 acres up on the mesa. It's number one water rights

1 for the Colorado River, un-quantified. That's the way it
2 works, we're number one.

3 So I'm just saying, if there's any water issues
4 coming up, please get a hold of us. I can give you document
5 and other things, because we are elite here. We do not
6 waste no water. All the water that comes to the valley ends
7 up -- gets back in the river. Right now if I could drive a
8 pipe right here, we'd hit water in 15 feet. The water table
9 is shallow here.

10 I should have made -- made a comment as we were
11 driving from up there and back, we had to put drainage
12 ditches in years ago, and we've lowered them since then to
13 lower the water table here because of issues. We have a
14 problem of high water. So I'm just using that as, you know,
15 some things.

16 And then basically, you know, when you have
17 water -- put water in the air, it eventually gets -- and
18 goes out in the desert and hopefully helps some other -- you
19 know, your wildlife out there. The evaporation, it helps.
20 So I'm just relating to our situation here.

21 Thank you.

22 COMMISSIONER DOUGLAS: Thank you for your
23 comments. And I know that the staff will approach you and
24 get information from you and thoroughly outline this issue.

25 And, you know, as -- and I do hear what you're saying, that

1 in hot temperature summer regions like this one, dry-cooling
2 does result in a loss of efficiency, and that can be
3 quantified. That can be part of an analysis. So I
4 definitely hear what you're saying.

5 MAYOR DECONINCK: Thank you.

6 COMMISSIONER SCOTT: So I'm looking at Shawn. It
7 appears we do not have any other public comment here in the
8 room. Okay.

9 Let me turn to our WebEx and phone lines. Do we
10 have public comment on WebEx? Yes. Is everyone unmuted?
11 If you'd like to make a public comment from the phone line,
12 now is your opportunity please. Okay.

13 Well, I do think since we listed public comment at
14 6:30 we should wait to see if we hear anybody, or if
15 somebody comes into the room at 6:30, just to -- just to
16 make sure. But other than that, I think we are about done.

17 So what -- so what we're going to do, we are -- we
18 are essentially done, but the agenda that we put out said
19 that we would take public comment at 6:30. So we will wait
20 until 6:30 to make sure that we don't miss anybody who might
21 dial in on the phone or who might be coming over to the
22 hearing room. And around 6:35, if we don't see anybody
23 we'll -- we'll be officially adjourned. So maybe take a
24 little break until we get to 6:30.

25 HEARING OFFICER RENAUD: One thing I'll say is

1 that the -- the next thing that will come from the Committee
2 will be a Scheduling Order which will basically set --
3 establish the dates at which various milestones will occur
4 during this process. Staff submitted a proposed schedule
5 with their Issues Identification Report. The applicant has
6 indicated they're pleased with that proposed schedule. I do
7 want to double check with Staff and see if you want to make
8 any changes to that at this point. We noted a roughly 90-
9 day stretch before you do the -- the Preliminary Staff
10 Assessment. Is that still your --

11 MS. DYAS: Yeah. And that's the schedule that's
12 noted in the Issue ID Report, and that's what we're -- we're
13 looking at, at this point.

14 HEARING OFFICER RENAUD: All right. Thank you.

15 COMMISSIONER SCOTT: So we'll just pause until
16 6:30.

17 (Off the record at 6:13 p.m.)

18 (On the record at 6:30 p.m.)

19 COMMISSIONER SCOTT: So we're going to go back on
20 the record. It is 6:30.

21 I want to turn, I see her making her way up, just
22 for one moment to our Staff Attorney Mary Dyas. She'd like
23 to point out some schedule updates for you.

24 So, Mary, please go ahead.

25 MS. DYAS: I just wanted to make one -- one other

1 correction.

2 For the schedule that was issued in the Issues --
3 the Issue ID Report, it has the Data Request Set 1 date
4 which is 10/01, and that the applicant's response is 11/01.

5 And those should be changed to -- we're going to file the
6 data request by 10/09, and then the applicant will have 30
7 days which will take it, I believe, to November 6th. So
8 that's going to be the change.

9 COMMISSIONER SCOTT: Okay. Thank you.

10 MS. DYAS: Uh-huh.

11 COMMISSIONER SCOTT: I would now like to check and
12 see whether or not we've got any additional blue cards, or
13 is there anyone in the room who wanted to make a comment?
14 Okay.

15 Let me turn to the WebEx and the phone lines. If
16 you are on the WebEx or the phone line and you had called in
17 for public comment, please go ahead. Okay.

18 Hearing none, we are now adjourned.

19 (Whereupon the California Energy Commission meeting of the
20 Sonoran Energy Project adjourned at 6:32 p.m.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of October, 2015..



MARTHA L. NELSON

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



MARTHA L. NELSON, CERT**367

October 12, 2015