

DOCKETED

Docket Number:	15-AFC-01
Project Title:	Puente Power Project
TN #:	206522
Document Title:	Transcript of 8/27/15 Public Site Visit, Environmental Scoping Meeting and Informational Hearing
Description:	N/A
Filer:	Cody Goldthrite
Organization:	California Energy Commission
Submitter Role:	Committee
Submission Date:	11/6/2015 8:40:01 AM
Docketed Date:	11/6/2015

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Karen Douglas, Commissioner

For the Hearing Office

Raoul Renaud, Hearing Officer

Advisers to the Commissioners

Rhetta DeMesa, Adviser to Commissioner Scott
Jennifer Nelson, Adviser to Commissioner Douglas
Le-Quyen Nguyen, Adviser to Commissioner Douglas
Eileen Allen, Commissioners' Technical Adviser for
Facility Sitings

Staff Present

Jon Hilliard, Project Manager Puente Power Project
Carrie Willis, Staff Counsel
Matt Layton, Office Manager Engineering Unit
Amanda Stennick, Environmental Office
Shawn Pittard, Public Adviser's Office
Alana Mathews, Public Adviser's Office

For the Applicant

Mike Carroll, Latham & Watkins
Dawn Gleiter, Director of Sustainable Development for NRG
Energy, Director Puente Power Project
George Piantka, Senior Director of Environmental Affairs
for NRG Energy.
Anne Connell, Project Manager AECOM

For the Intervenors Sierra Club Los Padres Chapter,
Environmental Coalition, and Environmental Defense Center

Carmen Ramirez, Mayor Pro Tem, City of Oxnard
Chris Williamson, Principal Planner City of Oxnard
Linda Krop, Chief Counsel of the Environmental Defense
Center
Owen Bailey, Executive Director Environmental
Defense Center
Cameron Goodman, Law Fellow, Environmental Defense
Center

APPEARANCES (Continued)

Elected Officials

Brad Hudson, Senior Field Representative for U.S.
Congresswoman Julia Brownley
Supervisor John Zaragoza, Fifth District, County of
Ventura
Carla Castilla, District Director for Senator Hannah-Beth
Jackson
Mike Villegas, Air Pollution Control Officer, Ventura
County

Public Comment

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Paul Hullar
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Jay Trini Mendoza
Jessica Torres
Lizbeth Naja
Alexis Juarez
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Chris Collier
Greg Sefain
Martin Kaplan
Zack Schultz
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Manuel Munoz
Mark Spellman
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I N D E X

	Page
Introductions	6
Presentations	32
Public Comment	81
Adjournment	219
Reporter's Certificate	221
Transcriber's Certificate	222

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
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P R O C E E D I N G S

AUGUST 27, 2015 6:00 P.M.

COMMISSIONER SCOTT: Welcome everyone. We're going to go ahead and get started.

I want to say -- welcome everyone here today for our informational hearing. It's great to see such a strong showing of public interest in this proceeding.

This is the Informational Hearing, Environmental Scoping, Issues Identification, and Scheduling Conference conducted by a committee of the California Energy Commission regarding the proposed Puente Power Project.

The Energy Commission Chairman has assigned a committee of two commissioners to conduct these proceedings.

My name is Janea Scott, and I am the Presiding Member of the committee. And Commissioner Karen Douglas is the Associate Member of this committee, and she is here to my left.

In addition, I would also like to introduce you to Rhetta DeMesa, who is my adviser and is here on my right, Jennifer Nelson and Le-Quyen Nguyen, who are Commissioner Douglas' advisers and to her left, to Eileen Allen, who is the Commissioners' Technical Adviser for

1 Facility Siting, and Raoul Renaud, our Hearing Officer,
2 to my left.

3 As the Energy Commission Committee Members for
4 this proposed power plant application, Commissioner
5 Douglas and I are here to listen to the Applicant, to the
6 public, and the staff about the issues, questions, and
7 concerns that you have with the proposed application.

8 We then weigh the evidence and issues at hand
9 to issue a determination to certify or to not certify the
10 proposed power plant and to pursue mitigation of impacts
11 if necessary.

12 Through this process, we work to strike balance
13 between the need to ensure a reliable electricity supply
14 for the residences and businesses that call California
15 home and the need to prevent an unreasonably
16 disproportionate burden being placed on any one community
17 or environment as a result of increased energy
18 generation. So your comments, concerns, and input are
19 very important, and they help us make the most informed
20 decision possible.

21 With that information, I will now ask the
22 parties to please introduce themselves and their
23 representatives at this time, starting with the
24 Applicant.

25 The Applicant is over here.

1 MR. CARROLL: Good evening. My name is Mike
2 Carroll. I'm with Latham & Watkins. We are the outside
3 counsel for the Applicant.

4 To my left is Dawn Gleiter, Director of
5 Sustainable Development for NRG Energy and also the
6 Director for the Puente Power Project.

7 To her left is George Piantka, Senior Director
8 of Environmental Affairs for NRG Energy.

9 And to Mr. Piantka's left is Anne Connell, the
10 Project Manager with AECOM, which is the Applicant's
11 environmental consultant.

12 COMMISSIONER SCOTT: Great. Thank you very
13 much.

14 I'd like to have the staff introduce
15 themselves, please.

16 MR. HILLIARD: Okay. Thank you.

17 My name is Jon Hilliard. I'm with the Siting
18 Unit in the Staff Division of the Energy Commission. I'm
19 the Project Manager for the siting case for the
20 Puente Power Project.

21 To my right is Carrie Willis. She's Staff
22 Counsel.

23 To my left on the first is Matt Layton. He's
24 the Office Manager for the Engineering Unit within the
25 Division.

1 And to his left is Amanda Stennick. She's
2 actually representing the Environmental Office today.

3 COMMISSIONER SCOTT: Great.

4 I would like to ask the Intervenors to
5 introduce themselves. We'll start with the City of
6 Oxnard.

7 MS. RAMIREZ: Good afternoon and welcome.
8 Carmen Ramirez, Mayor Pro Tem for the City of Oxnard.

9 (Cheering.)

10 MR. WILLIAMSON: Good afternoon. Chris
11 Williamson, Principal Planner of the city, and we
12 apologize for the heat.

13 COMMISSIONER SCOTT: Thank you.

14 Environmental Defense Center, Environmental
15 Coalition, Sierra Club Los Padres Chapter.

16 MS. KROP: Good evening. Linda Krop, Chief
17 Counsel of the Environmental Defense Center, joined up
18 here to my left, Owen Bailey, our Executive Director of
19 the Environmental Defense Center, and Cameron Goodman,
20 Law Fellow at the Environmental Defense Center. We
21 represent the Sierra Club Los Padres Chapter,
22 Environmental Coalition, and Environmental Defense
23 Center.

24 COMMISSIONER SCOTT: Great.

25 (Applause.)

1 COMMISSIONER SCOTT: Do we have any agencies
2 here?

3 Do we have elected officials or representatives
4 from the federal government that would like to introduce
5 themselves at this time?

6 MS. RAMIREZ: We do have one.

7 COMMISSIONER SCOTT: Okay.

8 Any from the State of California?

9 MS. RAMIREZ: We do have an official from --

10 COMMISSIONER SCOTT: Oh, I'm sorry.

11 MS. RAMIREZ: -- a Congressional
12 Representative.

13 COMMISSIONER SCOTT: Would you like to
14 introduce yourself at this time?

15 MR. HUDSON: No. When I speak.

16 COMMISSIONER SCOTT: Okay. Great.

17 Native American tribes?

18 (No audible response.)

19 COMMISSIONER SCOTT: Okay.

20 Any folks from the Ventura County Air Pollution
21 Control District?

22 (No audible response.)

23 COMMISSIONER SCOTT: Ventura County?

24 Please, come on up.

25 MR. ZARAGOZA: Thank you.

1 My name is Supervisor John Zaragoza from the
2 Fifth District here in the County of Ventura.

3 (Applause.)

4 COMMISSIONER SCOTT: Great.

5 MR. ZARAGOZA: And I want to welcome you to
6 Oxnard and to Ventura County on behalf of the 840,000
7 residents of the County of Ventura. And I'm here to
8 testify, you know, here in front of the Commission.

9 COMMISSIONER SCOTT: Okay.

10 MR. ZARAGOZA: Thank you so much.

11 COMMISSIONER SCOTT: Thank you very much.

12 Any other folks from the City of Oxnard or any
13 other nearby towns or cities?

14 Yes, please.

15 MR. VILLEGAS: I'm Mike Villegas, the Air
16 Pollution Control Officer for Ventura County.

17 COMMISSIONER SCOTT: Oh, terrific. Thank you.

18 Okay. All right. And then I'd also like to
19 introduce to you our Public Advisers, who are Alana
20 Mathews and Shawn Pittard. I'm going to have them --
21 they're right here in the corner -- wave at you all so
22 that you see who they are and can find them.

23 If you would like to make a public comment,
24 they are the ones who are taking down everyone's names,
25 making sure those get up here to me, so when we get to

1 the public comment section, that's how I know that you
2 would like to say something.

3 So if you haven't had a chance to sign up yet
4 and would like to say something, please do go and speak
5 with our Public Advisers.

6 I also understand that Mayor Pro Tem of the
7 City of Oxnard is present and would like to make some
8 opening remarks.

9 So, Mayor Pro Tem Carmen Ramirez, please,
10 proceed.

11 MS. RAMIREZ: Thank you very much.

12 I really do appreciate you coming down to our
13 beautiful city. It's known, according to some, that
14 Ventura County is the best place to live in the
15 United States of America.

16 (Applause.)

17 MS. RAMIREZ: And we want Oxnard to be
18 considered part of that great place to live. So I
19 welcome you on behalf of the City Council, the City
20 Staff.

21 Our Mayor, Tim Flynn, is a teacher. Tonight is
22 the first night of back-to-school, otherwise, he would be
23 here.

24 These are some remarks; and, later,
25 Dr. Williamson will make a PowerPoint presentation to

1 you.

2 So Dear Commissioners Scott and Douglas, all
3 the staff, all the community, the Applicant, and the
4 other parties, welcome to Oxnard and Ventura County. We
5 appreciate your service, and the fact that you're here to
6 visit us to see the proposed site of the NRG proposal,
7 and listening to our public. We are familiar,
8 unfortunately, with this kind of a proceeding. About
9 12 years ago, we were in this same room, the performing
10 arts center, for a public hearing on the proposed
11 Cabrillo LNG terminal project. They told us we needed
12 it; it turns out nobody needed it. And we defeated that.

13 Several years after that, we were at the
14 Coastal Commission hearings opposing the 45-megawatt
15 Southern California Edison peaker plant, the McGrath
16 Peaker, which you saw tonight probably, that is not
17 coastal dependent, yet was being built on the coast. We
18 had to suck it up and put up with that one.

19 Now, we are here again expressing our opinions,
20 the City's opinion, the residents', regarding yet another
21 energy facility proposed on our otherwise beautiful
22 coastline with no plans to remove either of the
23 soon-to-be obsolete existing NRG power plants.

24 About a month ago, the City Council adopted a
25 letter of opposition to the NRG project. The letter was

1 sent to Dr. Weisenmiller, Chair of your Commission, and
2 is attached for the record.

3 The issues and concerns are probably familiar
4 to you. Rather than repeat them now, let me just share
5 with you my and our community vision for our coastline.

6 I start with Ormond Beach, the other NRG
7 coastal power plant at the south end of Oxnard, which, in
8 2009, the Coastal Conservancy and Cal Poly Pomona created
9 the Ormond Beach Wetlands restoration vision:
10 1,000 acres of lagoons, tidal wetlands, upland habitat,
11 and the visitors' center, a unique last-remaining coastal
12 wetlands in Southern California and part of the very
13 important western hemisphere flyway for the birds from
14 North and South America.

15 Ormond Beach would be a world-class ecotourism
16 destination, and already is with over 2,000 visitors a
17 month, many of whom are professional birders.

18 The University of California Division of
19 Agriculture and Natural Resources is also interested in
20 the Ormond Beach area for a new research facility.

21 But in the middle of Ormond Beach is the NRG
22 Ormond Generating Station, 50 years' old, with no plans
23 to remove it after it is decommissioned.

24 Then at the other end of our beautiful coast is
25 the Mandalay Generating Station, wedged between McGrath

1 State Beach and a freshwater lake and wetlands, sensitive
2 beach nesting sites for two federally-endangered species,
3 an undeveloped portion of McGrath State Beach, and 292
4 new housing units.

5 Our vision is the removal and remediation of
6 the Mandalay facility after it closes in 2020, protection
7 of wetlands and bird nesting areas, and possible
8 redevelopment that is consistent with the protection of
9 the area's natural resources and the goals of the Coastal
10 Act to promote affordable coastal access and
11 coastal-dependent recreation. But, instead, here we are
12 considering a third power plant, for a total of four
13 coastal power plants: Two to be closed, and two that do
14 not need ocean water for cooling.

15 Oxnard is now working on a comprehensive update
16 to our Local Coastal Plan that includes reconsideration
17 of the land use designation for both NRG power plants.

18 How sad it would be if the Energy Commission
19 acts to approve a third power plant at Mandalay, just
20 because of decisions made 50 years ago, precluding our
21 hopes and visions to protect our natural resources and
22 provide affordable coastal access for our large
23 underserved population.

24 Our staff presentation later in this hearing
25 will provide more specific information. And thank you

1 for this opportunity.

2 I would like to defer to Supervisor Zaragoza,
3 who's here actually on vacation, and his wife wants him
4 home. But he's a very important representative for our
5 city, so I would like to ask him to participate in this
6 welcome.

7 Thank you.

8 (Applause.)

9 COMMISSIONER SCOTT: Thank you.

10 MR. ZARAGOZA: Commissioners, as I mentioned
11 before, my name is John C. Zaragoza, and I represent the
12 Fifth District.

13 (Indiscernible off-mic comment.)

14 MR. ZARAGOZA: Can you hear me?

15 And I am here today as a resident of Oxnard and
16 also as a citizen of Oxnard. I've been here all my life.
17 I'm not here representing the county, but I just want to
18 share with you that we make policy for the entire county
19 even though I represent the Fifth District, which is
20 840,000 people.

21 Commissioner Janea and Commissioner Karen
22 Douglas, welcome to Ventura County and welcome to Oxnard.

23 One of the concerns that I have, and I want to
24 share this a little later, is a concern, what we are now
25 going to **build** or potentially going to **build** here in

1 Oxnard. We've had numerous, numerous facilities that
2 have been built here to -- in Oxnard that have been
3 detrimental to the community. And I'll share some more
4 about that when I make my testimony.

5 But, at this time, I want to thank all of you:
6 I want to thank the NRG; I want to thank you, the
7 Commissioners; and thank also the people from the
8 environmental community; and also from the City of
9 Oxnard.

10 And, again, welcome on behalf of myself and on
11 behalf of 840,000 people in Ventura County.

12 Thank you.

13 (Applause.)

14 COMMISSIONER SCOTT: Thank you.

15 So thank you so very much Mayor Pro Tem Ramirez
16 and County Supervisor Zaragoza.

17 At this time, I would like to hand over the
18 conduct of this hearing to the Hearing Adviser.

19 Do you want to go now? You can.

20 I believe I have Brad Hudson here from
21 Congresswoman Julia Brownley's office.

22 Did you want to make remarks now?

23 Well, welcome.

24 MR. HUDSON: Thank you.

25 My name is Brad Hudson. I'm a Senior Field

1 Representative for U.S. Congresswoman Julia Brownley.

2 She's asked me to deliver the following statement to you
3 on her behalf:

4 "Good evening. I would like to thank the
5 California Energy Commission for holding this public
6 hearing. I hope it demonstrates just how concerned
7 the local community is about the proposal to build a
8 fourth power plant along the City of Oxnard's
9 coastline.

10 "Like all Californians, Oxnard's residents are
11 entitled to clean water, clean air, clean beaches,
12 and access to the shore. Yet, for decades, Oxnard's
13 beautiful coast has been blighted by pollution from
14 three existing power plants and the Halaco Superfund
15 Site.

16 "Roughly 85 percent of the residents of Oxnard
17 are people of color, with 17 percent of the
18 community earning below the federal poverty level.

19 "Oxnard is a community that is enriched by a
20 diverse population of hardworking people who are
21 looking for a good life for their families. That is
22 why it is so concerning to me that this community is
23 being targeted for a fourth power plant.

24 "Siting yet another power plant on the Oxnard
25 coast will further degrade our air quality and

1 environment. It also ignores the very real threat
2 of sea-level rise.

3 "We should not permit new power plants or other
4 types of industrial development along coastal areas
5 that could be inundated with seawater over the next
6 century.

7 "The Oxnard coastline and Ormond Beach include
8 the last remaining wetlands in Southern California.
9 Ormond Beach is home to many endangered and
10 threatened species, including, the
11 Western Snowy Plover and the Least Tern.

12 "Restoration of the Oxnard coastline would
13 bring new jobs and opportunities to the area and
14 improve the public health of neighboring communities
15 in Ventura County.

16 "This proposal will further harm Ventura
17 County's fragile coastal ecosystem and deny the
18 people of Oxnard the environmental justice they
19 deserve.

20 "For all of these reasons and for the reasons
21 outlined by community leaders, I urge the Commission
22 to reject this project."

23 Thank you.

24 (Applause.)

25 COMMISSIONER SCOTT: Thank you.

1 I'd like to also call up Carla Castilla, who is
2 the District Director for Senator Hannah-Beth Jackson.

3 MS. CASTILLA: Good afternoon, Commissioner and
4 guests.

5 "First and foremost, I want to express my
6 continued support for the moratorium prohibiting the
7 expansion of existing or development of new
8 electrical generating facilities within the Oxnard
9 Coastal Zone.

10 "I remain deeply concerned that
11 Southern California Edison has an application
12 pending before the California Energy Commission for
13 approval of a contract with NRG for a new
14 262-megawatt generating facility to be located
15 adjacent to an existing NRG Mandalay Generating
16 Station.

17 "Despite the serious concerns of those who
18 would most be negatively affected by these projects,
19 including the City of Oxnard, numerous local
20 residents and organizations, and stand in opposition
21 to this approval.

22 "The California Environmental Protection Agency
23 has identified Oxnard as a community
24 disproportionately burdened by multiple sources of
25 pollution.

1 "The Office of Environmental Health Hazard
2 Assessment has categorized much of Oxnard, including
3 the location of this proposed project, in the top
4 ten percent of zip codes most negatively impacted by
5 pollution in the state.

6 "The proposal to locate another power plant,
7 which impacts the health and safety of its residents
8 in Oxnard, a California city with the most number of
9 coastal power plants and a relatively high
10 proportion of immigrants and people of color, raises
11 concern about our state's codified commitment to the
12 principles of environmental justice.

13 "As a longstanding supporter of reducing
14 greenhouse gas emissions to address issues of
15 climate change, I believe we must shift our reliance
16 away from using peaker power plants and transition
17 to securing our energy from carbon-neutral, clean
18 power production.

19 "While SEC and NRG have made significant
20 strides in renewable generation projects, I remain
21 concerned with the location of this project on the
22 coastline and the impacts to the surrounding
23 population and sensitive habitats.

24 "The proposed power plant contributes to our
25 existing reliance on fossil fuels at a time when the

1 State of California is moving forward and toward
2 clean, renewable energy.

3 "Moreover, I echo the Oxnard City Council's
4 unanimous concern about the project's potential
5 negative environmental impacts on the area's
6 wetlands' endangered species, habitat, aesthetics,
7 and tourism, as cited in the City's Petition to
8 Intervene in the CEC Application for
9 Certification Process, dated June 22nd, 2015.

10 "Having Chaired the Joint Legislative Committee
11 on Emergency Management, I appreciate energy
12 production and transmission challenges we face in
13 our state and realize we must seize opportunities to
14 create more resilient and dependable infrastructure
15 that will, among other things, move us away from
16 coastal power plants, which are vulnerable to
17 sea-level rise.

18 "One of the CEC's core responsibilities is to
19 plan for and direct state response to energy
20 emergencies. I share the City of Oxnard's concern
21 about NRG's facility exposure to current and future
22 coastal storms, shoreline erosion, nearby earthquake
23 fault lines, and tsunami hazards.

24 "It is my hope and expectation that we can work
25 together to protect our public health, our

1 environment, and meet our energy needs locally and
2 across our great state in a reliable and responsible
3 manner.

4 "Thank you.

5 "Sincerely, Senator Hannah-Beth Jackson."

6 (Applause and cheering.)

7 COMMISSIONER SCOTT: Thank you.

8 Okay. I think I got everybody.

9 At this time, now, I would like to hand the
10 conduct of the hearing over to Hearing Officer --

11 (Indiscernible off-mic comment.)

12 COMMISSIONER SCOTT: Oh, sure.

13 MR. ZARAGOZA: I want to thank you, Madam
14 Chair. You know I -- as I mentioned before, I wanted to
15 make my testimony, but I wanted to follow protocol
16 because, normally, you know, the senators and the
17 assembly persons are -- in protocol, we've -- I'm just a
18 little supervisor here in the County of Ventura.

19 COMMISSIONER SCOTT: No. My apologies. I
20 didn't realize you wanted to be welcomed and comment, so,
21 please.

22 MR. ZARAGOZA: But I want to thank you again,
23 and I just want to read my testimony here. I just:

24 "Good evening to the CEC and you,
25 Commissioner Janea Scott, and also Karen Douglas.

1 "Again, my name is John Zaragoza, County
2 Supervisor for the Fifth District. And I'm here
3 tonight to speak as a Supervisor for the Fifth
4 District and also as a resident and citizen that's
5 been living here all my life.

6 "I believe that energy [sic] proposed is going
7 to be in my district. I do not want and will not
8 support the development of any new electrical
9 engineering facility in the City of Oxnard Coastal
10 Zone.

11 "Commissioner, for far too long, the City of
12 Oxnard has been a dumping ground for landfills,
13 waste facilities, undesirable industrial uses, for
14 example, Halaco -- Halaco is over in Ormond,
15 Ormond Beach site -- and it's been an environmental
16 disaster for the community.

17 "In my opinion, the energy power plant is just
18 another undesirable industrial use that should be
19 located somewhere else.

20 "I have four points I'd like to share with you:
21 One is conservation and restoration of the Oxnard
22 unique and valuable coastline; Number two, safety
23 concerns; three, alternative sites; and, four,
24 Oxnard has already contributed its fair share, as I
25 mentioned before.

1 "Our coastline is unique and valuable. The
2 Santa Clara is to the north -- River -- Ormond Beach
3 to the south. And between the Santa Clara to the
4 north and also to the south, we have some beautiful
5 beaches that are pristine beaches that we want to
6 take care of. The NRG facility would be located
7 right in the middle of our scenic coastline, which
8 is home to many important biological communities,
9 residential areas, world-class surfing. And what a
10 waste, ladies and gentlemen, to continue to destroy
11 this valuable resource that we have here in Ventura
12 County.

13 "Safety concerns. There are numerous safety
14 concerns when it comes to developing another power
15 plant in a coastal area. Potentially, we're
16 confronting Mother Nature with coastal storms and
17 flooding, tsunamis, tidal waves, liquefaction by
18 earthquakes, and sea-level rise. I say we shouldn't
19 have to deal with another hazard of contaminations
20 in our coastline. There's alternative sites and
21 other sites in Ventura County.

22 "As I mentioned before, we have provided our
23 fair share. We have an over 70-percent Latino
24 community here in Oxnard, and we've been dumped on
25 year after year after year, decade after decade.

1 Oxnard has provided its fair share.

2 "Commissioners, enough is enough. And I want
3 to share this again: Enough is enough. Please do
4 not site this plant here in Oxnard. No more dumping
5 in Oxnard. No more dumping in Oxnard. It's
6 extremely important. And I'm sure that other people
7 are going to share that with you today. We simply
8 do not need another plant. We have three plants
9 here already, and a fourth one is really, really
10 detrimental to the community.

11 "We need a break. We need you to help us. We
12 need you to help us -- you to protect us, to protect
13 our shore, and restore our unique environmentally
14 sensitive coastline. Deny any and all permits for
15 the proposed energy facility here in Oxnard."

16 I want to share something else with you. And I
17 have a lot of people here that need work. They're labor
18 people that I work with. And one of the things I told
19 them, "Let's agree to disagree." There's going to be a
20 lot of work. And I support those people in their work.
21 And I believe there's other places that we can put this
22 plant other than in the coastline.

23 And I want to thank you again, Commissioner
24 Scott and Commissioner Douglas, and all of you, for being
25 here today and listening to us.

1 Thank you so much.

2 (Applause and cheering.)

3 COMMISSIONER SCOTT: Thank you.

4 MR. ZARAGOZA: Uh-huh.

5 COMMISSIONER SCOTT: I don't believe -- have I
6 missed any other federal or state senate or county
7 supervisors?

8 (No audible response.)

9 My apologies again. I didn't mean to miss you.

10 Okay. Now, I will turn the conduct of the
11 hearing over to Hearing Officer Raoul Renaud.

12 HEARING OFFICER RENAUD: Okay. Thank you,
13 Commissioner Scott.

14 I'm the Hearing Officer appointed to assist the
15 Committee members in conducting the review of this
16 project and preparing a decision for Commission's
17 consideration.

18 We're here today to provide information for the
19 public about the proposed power plant, to describe the
20 Commission's process in reviewing the application,
21 provide information for you, the public, on opportunities
22 to participate in the review process and to comment to
23 the Committee on any aspects of the proposed project.

24 We'll also meet and confer just to discuss the
25 proposed schedule for the review of the project, and, as

1 I said, provide the public comment period at the end.

2 Notice of today's proceeding was provided by
3 U.S. mail, by e-mail, and it was also posted on the
4 Energy Commission's website.

5 This proceeding is being recorded and will be
6 transcribed into a printed format, which will be posted
7 on the Commission website and, thus, become part of the
8 public record.

9 (Pause in the proceeding.)

10 HEARING OFFICER RENAUD: So I have to hold this
11 up?

12 Do we have the next slide? There it goes.

13 Okay. So you've all -- the agenda's been
14 posted behind me for a long time, and so you've already
15 seen this. We've already had the site visit and the
16 opportunity to view the information stations over here.

17 I'm now going to describe the Commission's
18 role, briefly, I hope, and then we'll go into
19 presentations by the parties, starting with the
20 Applicant, then the staff, and then the intervenors. We
21 will also have a presentation from the Commission's
22 Public Adviser, who will give you information on how to
23 participate in the Commission's review process, and we
24 will then have an opportunity for members of the public
25 to comment.

1 This is the first public hearing in a series of
2 Committee events that will extend over the next many
3 months. Eventually, the Committee will hold evidentiary
4 hearings and will produce a Presiding Member's Proposed
5 Decision -- we call it a "PMPD" -- which will then be
6 available for public comment and for consideration by the
7 full Commission and, basically, will constitute the
8 Commission's decision as to whether to grant or deny the
9 requested license for the project.

10 Okay. So the Energy Commission is a state
11 agency and has exclusive jurisdiction to license or
12 certify new power plants that generate 50 megawatts or
13 more of electricity. The Energy Commission is the lead
14 agency for review and compliance under the California
15 Environmental Quality Act, or CEQA.

16 All right. Let me move to the next slide here.

17 Okay. The Presiding Member's Proposed Decision
18 must be based entirely on the evidentiary record, and not
19 on any information or material that is not in the public
20 record.

21 So, to ensure that that happens and to preserve
22 the integrity and impartiality of the Commission
23 licensing processing, Commission's Regulations and the
24 California Administrative Procedure Act prohibit private,
25 off-the-record contacts concerning substantive matters

1 between the participants in the proceeding and the
2 Commissioners, this Committee, their advisers, and me.

3 (Indiscernible off-mic comment.)

4 HEARING OFFICER RENAUD: Oh, okay. There we
5 go. Pushing the wrong bottom.

6 All right. This prohibition against
7 off-the-record communications between the parties and the
8 Committee is known as the "Ex Parte Rule." And this
9 simply means that all contacts between interested parties
10 and the Committee regarding any substantive matter must
11 occur in the context of a public discussion, such as,
12 today's event, or in the form of a written communication
13 that is distributed to all the parties, or in a duly
14 noticed closed session.

15 The purpose of that Rule is simply to make --
16 to provide full disclosure to all participants of any
17 information that may be used as a basis for the
18 Committee's decision on the project.

19 Okay. The Energy Commission's staff is a party
20 to these proceedings in the same way that the Applicant
21 or the intervenors are parties. Even though the staff
22 and the Committee members are both a part of the Energy
23 Commission, they are completely separate entities for
24 purposes of these proceedings.

25 The Ex Parte Rule is binding on the Energy

1 Commission staff in the same way that it is binding on
2 the Applicant or the intervenors.

3 Additional opportunities for the parties and
4 governmental agencies to discuss substantive issues with
5 the public will occur in public workshops that will be
6 held by the Commission's staff at locations near the site
7 or at the Energy Commission headquarters in Sacramento.
8 The Committee will not attend the staff workshops.

9 Information regarding other communications
10 between the parties and governmental agencies is
11 contained in written reports or letters that summarize
12 such communications, and these reports and letters are
13 also posted on the Commission website to be made
14 available to the public.

15 The Application for Certification, or AFC,
16 process is a public proceeding in which members of the
17 public and interested organizations are encouraged to
18 actively participate and express their views on matters
19 relevant to the proposed project.

20 The Committee is very interested in hearing
21 from the community on any aspect of the project.

22 Members of the public may also be eligible to
23 intervene in the proceedings. And, if you wish to
24 intervene, we encourage you to do so early on in the
25 process in order to ensure that you have the opportunity

1 for a full participation.

2 The Public Adviser can assist those who wish to
3 intervene in the proceeding.

4 And, as Commissioner Scott mentioned, by the
5 way, if you want to make a public comment at the end of
6 this -- after the presentations, the best way to be heard
7 is to obtain a blue card from the Public Adviser, fill
8 that out, those will be brought up here, and then we'll
9 call you up to the microphone in order.

10 Okay. So we'll now proceed to the
11 presentations by the parties. We'll start first with the
12 Applicant, NRG Oxnard Energy Center, LLC. So I think
13 we'll --

14 UNIDENTIFIED FEMALE SPEAKER: They need the
15 clicker.

16 HEARING OFFICER RENAUD: They need the clicker.
17 Okay.

18 MS. GLEITER: Okay. Good evening and welcome.

19 As a reminder, my name is Dawn Gleiter, and I'm
20 the Director of Sustainable Development for NRG's western
21 region and I'm also the Director of the
22 Puente Power Project.

23 So myself and George Piantka are going to go
24 through a few -- just a high-level presentation of what
25 the project is and some of our existing environmental

1 analysis.

2 But before I start that, let me start with who
3 NRG is. So NRG is a diversified, independent, wholesale
4 power company that has operated local generating stations
5 here in Oxnard for 17 years. NRG has a portfolio of
6 generating resources here in California, including
7 traditional fuels, as well as, sustainable options like
8 solar and wind.

9 The Puente Power Project is planned on
10 approximately three acres of previously disturbed vacant
11 brownfield land within the existing boundaries of the NRG
12 Mandalay Generating Station.

13 The Mandalay Generating Station is located on
14 Harbor Boulevard in an area zoned currently for power
15 generation. The location has been a site of a power
16 generating facility for approximately 60 years.

17 The California Transmission Operator, or CAISO,
18 has recognized the importance of the Mandalay location in
19 providing energy and contingency reserve for the Moorpark
20 subarea of the Big Creek/Ventura local reliability area.
21 Really, what that means is the Oxnard regional area.

22 Specifically, this location provides essential
23 electric services to the existing
24 Southern California Edison Switchyard via an existing
25 220-volt transmission connection.

1 Puente will ensure the long-term viability of
2 this location and its essential electric services to the
3 residents of Oxnard and the Ventura County.

4 The land use immediately surrounding the site
5 are primarily open space and industrial. The SCE-owned
6 McGrath power facility, for example, and the Rincon-owned
7 oil processing facility are directly south of the
8 Mandalay Generating Station.

9 Puente will replace two aging fire
10 steam-generating Units 1 and 2. What you see in front of
11 you is the site diagram, and I'm going to talk a little
12 bit about the actual project description now at this
13 point.

14 The existing Mandalay Generating Station, Units
15 1 and 2, will be replaced with a new state-of-the-art GE
16 Frame 7HA.01 combustion turbine that will generate
17 approximately 262 megawatts of power. That's about
18 approximately enough power to power 130,000 homes.

19 You can see on this map, although it may be a
20 bit small for you, that all of the construction and
21 laydown and parking area will also be within the existing
22 Mandalay site.

23 To minimize the environmental impacts
24 associated with the construction of the new operations,
25 we're going to repurpose as much of the existing

1 infrastructure as possible. For example, we'll repurpose
2 our maintenance, warehouse, and transmission
3 interconnections, as well as, as many of the existing
4 ancillary structures as possible.

5 P3 will use natural gas supplied via an
6 existing Southern California Gas Company line.

7 The project will use dry-cooling technology,
8 which means that it eliminates the large water supply
9 required by wet-cooled power generating projects.

10 Sanitary water will be discharged to the
11 existing Mandalay septic system. And the process water,
12 or water that's not used for sanitary purposes, will be
13 discharged via an existing outfall.

14 Every aspect of this project has been
15 thoughtfully designed with a particular project
16 philosophy in mind. We're trying to design a project
17 that will give the power we need in this region while
18 minimizing any local impacts. In fact, we've actually
19 implemented a philosophy that I want to talk just a
20 little bit about right now. I won't spend much time on
21 this, but I think it's important for the public and all
22 of those participating in this proceeding to understand
23 the way NRG is approaching this project.

24 The name "Puente" in Spanish, "bridge,"
25 signifies to NRG how we believe that this project really

1 is a bridge to California's clean energy future.

2 Operating on a limited as-need basis to ensure
3 reliability, Puente will act as a bridge from the current
4 electrical mix of electric generation that relies heavily
5 on fossil fuels to one that relies more heavily on
6 renewable energy. This philosophy has led to the use of
7 the dry-cool technology, which, as I mentioned before,
8 reduces the potable water. In fact, it reduces it up to
9 80 percent of the existing Mandalay site. George will
10 talk more about that later.

11 The project will also integrate Leadership in
12 Energy and Environmental Design concepts, or LEED
13 concepts. You may have heard of that. The LEED
14 certification program is nationally accepted as a
15 benchmark for high performance of green buildings, and
16 the project is currently anticipated to seek LEED's
17 Silver Certification.

18 So, now, I'd like to hand it over to George
19 Piantka, who I mentioned before is our Senior Director of
20 Environmental for our western region, and he's going to
21 talk to you about the environmental analysis and aspects
22 of the Puente Power Project.

23 MR. PIANTKA: Thank you, Dawn.

24 And, good evening. I'm George Piantka.

25 And, in my role as Senior Director of

1 Environmental Services, I also have a responsibility to
2 the compliance of our operating facilities like Mandalay.
3 And for this Application for Certification, I'm on the
4 lead, and, in turn, manage the number of consultants that
5 we have on our program. And this is a role I have
6 throughout the CEC licensing program, and if the
7 project's successful, it would also be through the
8 compliance of the Puente Power Project.

9 The environmental analysis encompasses numerous
10 topics. And to anybody that have seen the Application
11 for Certification thus far, you know, it's quite a
12 volume. But, tonight, I'm just going to touch base on a
13 few options -- a few topics, in particular: Water
14 resources, air quality, noise, and sea-level rise.

15 With a severe drought, now more than ever is
16 the time to look at opportunities to reduce freshwater
17 consumption. And the Puente Project, as an air-cooled
18 project, is consistent with that objective.

19 Dawn already mentioned, you know, this project
20 would reduce water consumption, freshwater consumption,
21 by 80 percent as compared to the Mandalay Generating
22 Station. Mandalay uses, you know, city water in a boiler
23 application. It also has more waste discharge associated
24 with it as compared to the Puente Project. So when you
25 look at the project of Mandalay, both as a once-through

1 cooled power plant that relies on ocean water for cooling
2 and the use of purified city water for boiler chemistry
3 and -- or boiler steam generation, this project, the
4 Puente Project, will also reduce significantly the amount
5 of wastewater discharged that will come through this
6 facility.

7 So next topic we'll talk about is air quality.
8 The Puente Power Project includes significant air quality
9 benefits. First, we'll be replacing sixty-year-old steam
10 boiler units with new, cleaner, efficient technology.
11 Puente will start up and reach full load in as little as
12 10 minutes, as compared to 8 to 12 hours that a steam
13 plant like Mandalay Units 1 and 2. Puente will run --
14 will be permitted to run less than 30 percent of the
15 time, but we anticipate it will likely run less than 10
16 percent of the time. In other words, Puente will be
17 operating, you know, specifically, you know, as needed,
18 focused to deliver power when it's needed. And a second
19 point on air quality is that they'll have lower hourly
20 emissions. Puente will be equipped with Best Available
21 Control Technology to meet very stringent hourly
22 emissions limits.

23 And, on this figure here, I've depicted that
24 Puente will produce fewer total emissions of nitrous
25 oxides, sulfur oxides, reactive organic compounds, PM,

1 and GHG, greenhouse gases, per hour as compared to
2 Mandalay Units 1 and 2. Puente emissions have been
3 modeled following the latest CARVE guidance and will be
4 well below significance levels.

5 Following Ventura County Air Pollution Control
6 District's new source review for the replacement of
7 Mandalay, Puente will offset annual NOx emissions --
8 that's nitrous oxides -- through emission reduction
9 credits secured at a level of 30 percent greater than the
10 potential annual emissions.

11 So when we look at air quality, air quality
12 impacts will be fully mitigated through a combination of
13 emission reductions from the shutdown of Mandalay Units 1
14 and 2, the purchase of NOx emission reduction credits,
15 and through work with the air district in CARVE on
16 funding mitigation programs locally and through the
17 state. But I think it's also important to note that
18 Puente will be fully mitigated at the potential to emit.
19 That's that up to 30 percent of available hours.
20 However, again, we feel that this project will likely run
21 about 10 percent.

22 So next topic I want to cover is noise. So, in
23 looking at the environmental analysis for noise, we
24 looked at both the construction and operational impact,
25 potential impacts. And so the construction schedule for

1 this project will be from 7:00 to 6:00 a.m. [sic], five
2 days a week. Including some site preparation and then
3 the construction itself, we anticipate construction over
4 an 18-month period. So, our analysis, we looked at, you
5 know, impact associated with -- construction impacts
6 associated with noise, and found that there's no
7 significant impacts anticipated. You look at
8 residential, consider residential receptors, commercial,
9 industrial, and also biological receptors as part of that
10 analysis. So once constructed and operational, we also
11 looked at the operational impacts, potential impacts, due
12 to noise. And so Puente will be capable -- or may be
13 dispatched at any time during the day or night. So you
14 look at the noise signature, the noise contours, if you
15 will. And that's what I'm depicting here in this figure.
16 And you look at the noise ordinances, both daytime,
17 nighttime. And, you know, we found that the noise from
18 the Puente Project will be substantially meeting the
19 limits within the property itself. And then looking at
20 the future receptors, residential receptors, both the
21 North Shore Project at Mandalay and also the Oxnard
22 Shores Park, that the levels at that location, as
23 modeled, would be well below the limits that are within
24 the city and county ordinances.

25 In the licensing of the project, the Energy

1 Commission has numerous conditions of certification.
2 They incorporate mitigation measures, and then, you know,
3 these measures will also consider biological impacts.
4 There was a discussion about endangered species and Least
5 Tern and Snowy Plover of particular, so the programs will
6 be developed to look at the construction-related impacts
7 and the monitoring of it and looking, in particular, at
8 those sensitive species. And, also, there will be a
9 hotline that will be established, and that's where
10 comments and, you know, noise complaints can be voiced.
11 And there's a, you know, very prescriptive
12 complaint-resolution process that the project owner and
13 the Energy Commission Compliance Manager would work
14 together on. So, rest assured, there's ability to reach
15 out during the construction operation.

16 So the next topic I want to cover is sea-level
17 rise. Basically looking at the potential coastal changes
18 and associated potential impacts to the
19 Puente Power Project. And we looked at both flooding and
20 sea-level rise during the anticipated 30-year life of
21 Puente. And the picture that we have here is looking
22 at sea-level rise, you know, in particular. And it looks
23 -- we're looking at high tides plus a predicted
24 worst-case sea-level rise elevations. It's about
25 25 inches, a couple of feet. And looking at it through

1 the life of the project -- and this is 2050 -- 2020, if
2 the project license and online you're looking at 30-year
3 life, so we looked at the 2050 planning horizon in this
4 graph. And, essentially, what we're showing is that the
5 water levels are predicted to be below the elevation of
6 the site; and for anyone that was at the site tour, that
7 elevation being 14 feet. And that elevation is also
8 below the bottom of the sand dunes that are on the west
9 side of the Mandalay Generating Station and, therefore,
10 that are protective of the facility. Those sand dunes
11 were about -- elevations about 20 to 34 feet. And, if
12 any of the sources of flooding occurs over the life of
13 the project, in combination with sea-level rise, the
14 estimated wave runup -- that's what we're depicting in
15 here -- is still anticipated to be below the top of the
16 beach sand dunes.

17 And Mandalay has been there for, you know,
18 60 years. We have a long history of different
19 storm events. And, you know, looking at January 1983, El
20 Nino storm, and other large events that have occurred
21 that resulted in waves and storm surges, and, you know,
22 we had no impacts to the Mandalay Generating Station.
23 And our analysis is that we anticipate as well from
24 sea-level rise and these type of wave runup that we would
25 not have impacts to the Puente Project. So that our

1 conclusion there is that the beach dunes will be
2 protective, looking at, you know, the data, historical
3 records --

4 If you could just go ahead for me.

5 -- historical records and, you know, looking
6 overall at the beach.

7 So, in this figure, what we're showing is, you
8 know, how the beach has changed since 1947. And we see a
9 beach that has grown, aggregated. But, over this period
10 of time since 1947, it's grown by about 30 feet in
11 width -- 300 feet in width, until really what we're also
12 seeing is that the tide line is further away from the
13 Puente Project today than it was, you know, back in the
14 earlier construction of the project -- of Mandalay, I
15 should say.

16 And the sources of this sand accumulation would
17 be the Santa Clara River, and to the north, the Ventura
18 Harbor. And that's what, you know, our studies show,
19 that particular growth.

20 You look, you know, further at the other beach
21 areas to the south. You know, the dynamics are much
22 different at Mandalay Beach as compared to, you know,
23 perhaps the beach south of Port Hueneme. You know,
24 Mandalay Beach has, you know -- faces to the west, has
25 sediment from the north and the Ventura Harbor and Santa

1 Clara River, is unobstructed and conducive to sand
2 accumulation, whereas, the beach area south of Port
3 Hueneme faces to the south and sediment is obstructed by
4 a harbor jetty and, therefore, the accumulation in that
5 area is quite different.

6 You know, we also looked at flood, flooding
7 hazards. We looked at both, from FEMA, the 100-year --
8 we looked at the 100-year Coastal Flood Zone as well as
9 the 500-year Riverine Flood Zone. And the Puente Project
10 is just outside that 500-year flood area. So it's
11 another part of the analysis that we did.

12 So, you know, as Commissioner and the Hearing
13 Officer has indicated today, you know, workshops are part
14 of the public process, and we do anticipate sea-level
15 rise, in particular, will be discussed as part of a
16 future workshop.

17 So, with that, I'll send it back to Dawn.

18 MS. GLEITER: All right. Thank you, George.

19 So, now, I'd like to just spend a brief moment
20 talking about some other impacts of the project. Not
21 only will the project allow us to continue to be a
22 supportive business community member of Oxnard in
23 providing local jobs, but it also allows us the
24 opportunity to provide direct financial resources to the
25 regional area and the city.

1 So Oxnard, via property tax, should receive an
2 additional \$2.8 million in property tax from the
3 Puente Power Project. Well, actually, I'm sorry. That's
4 the property tax we anticipate. And if you break that
5 down into the amount that Oxnard itself will receive, we
6 estimate that it will be about 60 percent, with the
7 remainder going to county programs supporting Oxnard and
8 education. Additionally, the project is estimated to
9 produce an additional \$5 million in sales tax directly,
10 and, during the construction, will also have indirect
11 impacts from workers and supplies purchased in the area.
12 Those impacts, which we call "indirect and induced
13 impacts," are expected to be an additional \$12.4 million
14 annually.

15 So we'll wrap up with a quick schedule. George
16 mentioned some of this throughout his presentation. But
17 construction of the Puente Project is expected to occur
18 over an 18- to 21-month period. Around October of 2018
19 is when we anticipate beginning, so that we can be
20 commercially operable, which really just means the date
21 in which the power generating station will begin
22 delivering electricity to the electric grid, by June 1st
23 of 2020.

24 So, with that, we'll wrap up. And I'd like to
25 thank you for your time and we look forward to working

1 with the Commissioners and staff.

2 MR. PIANTKA: I'm sorry. George Piantka. And
3 there is one point that perhaps it wasn't really clear.
4 And I know Dawn discussed it during the construction
5 schedule. But, you know, construction is 7:00 a.m. to
6 6:00 p.m. You know, that's the construction schedule,
7 and that's covered in, you know, generally the ordinances
8 of work schedule, and that's five days a week. So I hope
9 I wasn't misleading on that, so...

10 MS. GLEITER: So thank you very much. We look
11 forward to working both with the community and the staff,
12 the city, and any other interested parties in the
13 proceeding.

14 (Applause.)

15 HEARING OFFICER RENAUD: Thank you.

16 And now we'll hear from the Energy Commission
17 staff regarding its role in reviewing the project and its
18 discussion of its Issues Identification Report.

19 MR. HILLIARD: Okay. Thank you very much.

20 Again, I'm John Hilliard. I'm the Siting Case
21 Manager for the project. And the Energy Commission's
22 license review process is actually a functional
23 equivalent to a California Environmental Quality Act
24 process under state law.

25 This slide provides an overview of the

1 licensing process. It's broken down into three basic
2 phases. The first phase is Data Adequacy. And you'll
3 notice a date on there. This project, the AFC, the
4 Application for Certification, was found data adequate on
5 June 10th.

6 That simply means that the Applicant has
7 provided all of the information and studies required to
8 complete an application. It's not a determination on the
9 quality or the accuracy of those studies and information.
10 When the application is accepted as data adequate, then
11 we go into what's called the "discovery and analysis
12 process." This actually is circled here on this slide
13 under Item 2. And there is what's called a "discovery
14 period" that can last up to 180 days, when staff, the
15 intervenors, can ask for information from the Applicant.
16 The Applicant can also make similar requests from us.

17 In -- excuse me -- the discovery and analysis
18 phase, activities take place that, basically, allow the
19 Commission staff to obtain the information they require
20 to prepare a complete analysis.

21 We conduct an independent engineering and
22 environmental analysis of the project that covers 22
23 different technical areas of review. It covers the
24 standard environmental topical reviews that you find
25 under a CEQA process, but we also include an engineering

1 analysis, a reliability analysis, and an efficiency
2 analysis as part of that review.

3 Staff's discovery and analysis process examines
4 the AFC and the supplemental information that's provided
5 and determines if the project complies with applicable
6 LORS -- those were explained by the Hearing Officer just
7 in the first couple of slides; the Laws, Ordinances,
8 Regulations, and Standards -- and identifies measures
9 that could possibly mitigate or reduce potentially
10 significant impacts, meaning avoiding, minimizing, or
11 mitigating environmental impacts.

12 Ultimately, at the end of the analysis process,
13 it informs staff's recommended conditions of
14 certification that would govern the development and the
15 operation of the power plant, should it be approved.

16 Let's see. Oh, there you go.

17 This slides actually illustrates the various
18 participants that contribute to the discovery and
19 analysis process. I touched a little bit on it earlier,
20 but staff analysis relies on the input from the
21 Applicant, from outside agencies, from intervenors, and
22 from the public. And the Public Advisers' office can
23 play a key role in facilitating those avenues of
24 information delivery.

25 Upon completion of staff's analysis, we publish

1 what's called a "preliminary staff assessment." It's
2 circulated to agencies, libraries, intervenors, the
3 project mail list, and any other interested parties, for
4 a review and comment period for a minimum of 30 days.
5 And the PSA is actually similar to what's called a "Draft
6 EIR" distributed to public agencies and to interested
7 parties during a CEQA process that many of you might be
8 familiar with at the local level.

9 After the circulation period, staff reviews the
10 comments received and makes any warranted changes to the
11 analysis and conditions of certification and then
12 publishes a final staff assessment.

13 As I mentioned, we also seek the input and we
14 seek the involvement of other state agencies during this
15 process. We will seek agencies at the local, state, and
16 [federal](#) level. Several examples are noted on this
17 particular slide, including fellow state agencies like
18 the Coastal Commission and the California Fish and
19 Wildlife Department. We also seek the input of regional
20 stakeholders, like the Ventura County Air Pollution
21 Control District, the State Regional Water Quality
22 Control Board, and then, at the local level, the City of
23 Oxnard and the County of Ventura.

24 Participation of these agencies plays a key
25 role in helping us to identify issues and environmental

1 impacts, as well as, project alternatives and potential
2 mitigation measures.

3 Okay. So after the final staff assessment is
4 published, the Committee will conduct what are called
5 "evidentiary hearings." And these include formal
6 testimony from all participants in the siting process:
7 Staff, the Applicant, all of the intervenors can offer
8 written, verbal, formal testimony that is entered as
9 evidence in the project record. The public is also
10 invited to submit written and verbal comments as part of
11 the evidentiary hearing. And this interaction is
12 illustrated on this following slide that shows, again,
13 the different avenues of participation and inputs, the
14 role that the Public Adviser can play in facilitating
15 that process, and then, obviously, ultimately, we get to
16 what is called the "PMPD" or "Presiding Member's Proposed
17 Decision," and that proposed decision goes to the full
18 Energy Commission.

19 Okay. Now, moving back, we're currently in the
20 phase of discovery and analysis; and part of that process
21 involves generation of an Issues Identification Report.
22 This was published on August 10th and distributed on the
23 dockets and the Energy Commission's web page for the
24 project.

25 The purpose of the report is to inform the

1 Applicant and the project participants, as well as, the
2 Committee, of potential issues that staff finds regarding
3 the project. In addition, the Issues I.D. Report
4 provides focus on the important topics that may affect
5 the project, staff's analysis of the project, and may
6 become the subject of future workshops.

7 The main criteria that we use for determining
8 whether something is identified as an issue in that
9 Issues I.D. Report have to do with the potential for
10 significant impacts that it might generate and be
11 difficult to mitigate, the potential for noncompliance
12 with LORS, and then also if there's a conflict within the
13 design of the project or its impacts that would impact
14 the project's schedule.

15 Now, on the Issues I.D. Report that staff had
16 published on August 10th, we identified issues in the
17 following areas: In Air Quality; in Alternatives; in
18 Biologic Resources; Land Use and, in particular,
19 consistency with land-use LORS; and then Water,
20 Hydrology; Sea-Level Rise; and Coastal Hazard.

21 This discovery process, as I mentioned, is a
22 six-month process. It's not completed yet. There may be
23 other things that get raised that rise to the same level
24 of importance as the things that were brought up in the
25 Issues I.D. Report.

1 These next slides actually go into some great
2 detail on the issues regarding air quality and the other
3 areas that we tagged in the Issues I.D. I'm not going to
4 go read through those verbatim; but, in summary, the air
5 quality issues dealt with the sufficiency of the analysis
6 of potential emissions and appropriate mitigations and
7 included requested quantification that was more in-depth
8 on the project's generation of suspended particulate.

9 Also, the Applicant's air quality modeling
10 needed to gauge the project emissions or close to
11 threshold of USEPA's requirement for a Prevention of
12 Significant Deterioration Program process. And that's
13 actually a process that's outlined in U.S. Code.

14 With regard to alternatives, the Applicant's
15 AFC did not analyze alternative sites. And we think the
16 analysis of alternative project locations that may avoid
17 or are less in potential environmental impacts associated
18 with it are definitely warranted in this case.

19 In terms of biologic resources, there is the
20 potential for presence of what might be Coastal
21 Commission-designated wetlands on the property due to the
22 present [sic] of Seablite plant and other special
23 species. And then, also, there is the potential
24 identified with the remaining Mandalay Units 1 and 2, if
25 the structures remain in place, of those becoming a

1 nesting place for avian species that regularly prey on
2 the nearby special status bird species, the Snowy Plover
3 and Least Terns that populate that area.

4 In terms of land use, as you're aware, there is
5 the current moratorium that the City of Oxnard has as far
6 as power projects within the Coastal Zone. And then it's
7 our understanding, I think, their intent has been stated,
8 that they will be looking at updating their Local Coastal
9 Program, which might preclude projects such as this one
10 in the Local Coastal Zone. That would create the
11 potential for a LORS inconsistency between the project
12 and local code.

13 The last issue has to do with water, hydrology,
14 coastal hazard and this includes sea-level rise, tsunami
15 risk, and associated potential flooding of the site,
16 which would impact the power plant's reliability. We'll
17 be reviewing this issue, plus assessing whether the
18 Puente Project facility is critical infrastructure and
19 how the effects of potential flooding figure into the
20 project design.

21 This is where I put a gap in here for
22 Mr. Williamson's presentation from the City of Oxnard.

23 (Applause.)

24 MR. WILLIAMSON: Chairs Scott -- or
25 Commissioners Scott and Douglas, thank you. Staff, thank

1 you. Thank you for this opportunity for the City to
2 present some remarks. Some of these have been discussed
3 somewhat, so I won't belabor, given everyone's comfort
4 level here. I do need to figure out this remote control.
5 And do I point it?

6 UNIDENTIFIED MALE SPEAKER: It's the big green
7 button --

8 MR. WILLIAMSON: I got it.

9 UNIDENTIFIED MALE SPEAKER: -- the arrow.

10 MR. WILLIAMSON: Yes. Thank you.

11 Let me start -- I have about 15 slides; and
12 some of them will go faster -- on several topics.

13 One, to start by, the City recognizes and
14 agrees that a replacement power is needed. We just think
15 it just shouldn't be at this location. The same number
16 of jobs would be somewhere else, the same power supply
17 would be at somewhere else, at a better, different
18 location, and we don't mind the taxes if it's in the city
19 limits. Right?

20 So I'll go through first with what I think is
21 an inaccurate description of the surrounding area, and
22 then go through these seven topics, ending with several
23 feasible inland alternative sites to be considered.

24 First, the City just sort of fundamentally
25 disagrees with the characterization of the area. If you

1 draw a larger circle, which is what we would do, we would
2 not state that this is an industrial use -- industrial
3 uses to the north, south, and the west, or the east.
4 Instead, it's surrounded by resources.

5 It's surrounded by, on the west, one sand
6 dune -- singular -- state tideland properties on the
7 Pacific Ocean.

8 To the north are 28 acres owned by the City and
9 permanent wetlands restoration and the McGrath State
10 Beach. Now, as you were out there today, after four
11 years of drought, it doesn't look too vibrant in some
12 places and it doesn't look like a wetland; but when it
13 rains, that area, it flourishes. And I'm sure many
14 people have been here during those periods.

15 To the south of the site are 16 acres owned by
16 Southern California Edison where they have their peaker
17 plant; about one-and-a-half acres owned by McGrath Farms.
18 These are those little fenced areas of oil service units.
19 They're actually on leased land from McGrath, the
20 original owners. And then all the way down to 5th
21 Street, 292 acres of McGrath State Beach. It's just not
22 built yet. And that is to be a dune habitat and resource
23 area.

24 And then to the east, across harbor, are
25 37 acres of sensitive, or potentially sensitive, habitat,

1 with an one-and-a-half acre Edison substation in a fence
2 and the Edison canal that has a potential for recreation
3 reuse.

4 So what the Applicant sees as an industrial use
5 surrounded by other industrial uses, well, if you draw a
6 larger circle, we see, and would hope you see also, that
7 what we have is an industrial use -- an isolated
8 industrial use wedged in between parks, wetlands,
9 beaches, potential additional recreation to the south,
10 and homes to the southeast of the site.

11 (Applause.)

12 MR. WILLIAMSON: And we would just question
13 whether the Energy Commission would consider a power
14 plant here if this were raw land. I don't -- I would
15 hope not.

16 Moving on to the issues themselves, I'll start
17 with the coastal hazards and sea-level rise question on
18 the reliability of the power plant to continue to operate
19 during all circumstances. And you have covered some of
20 these already. I believe, now, you have a section called
21 "sea-level rise." I didn't quite find it initially.

22 We argue that the Puente plant should be
23 evaluated as a critical public infrastructure under the
24 worst-case coastal hazard scenarios and note in their
25 testimony to the PUC how they cite several times critical

1 contingencies, critical services, and NRG's testimony
2 itself says they are an existing critical generating
3 location.

4 The Applicant's sea-level rise analysis did not
5 really go into erosion modeling. It looks at pictures of
6 the beach, which did get wider, but it doesn't do
7 modeling that the City has done through our expert
8 consultants that try to imitate storms or a series of
9 storms where the waves are eroding the beach and eroding
10 the dune.

11 So one way to think of this is, if you approve
12 this for 30 years, you're making two assumptions: One is
13 that there's no series of significant coastal storms that
14 progressively erode away the sand and then the dune, and
15 then there's no more dune; that could happen; just
16 because it didn't happen, it could. And, secondly, that
17 up coast that the U.S. Army Corps. Of Engineers will
18 continue to dredge the Ventura Harbor, which supplies the
19 sand for the beach continuously for the next 30 years,
20 and that should be somehow noted in the project
21 description. You're relying on another agency's work to
22 provide the sand to protect the plant.

23 Does the CEC permit -- could it include -- this
24 is a question -- if the dune or the sand are eroded and
25 leave the plant exposed, will the permit allow them to go

1 out and bulldoze sand and rebuild the dune and do things
2 on what are potentially state tidelands to protect the
3 power plant? That's a question.

4 Okay. I'm on the next one. There. Okay.
5 We're here. Sorry. Did I skip one? No -- yes, I
6 skipped one. Sorry.

7 I think everyone's aware in the newspapers only
8 a week or two ago of new information regarding tsunami
9 risks from offshore earthquakes, so I won't go into the
10 details. Obviously, we would urge you to use the most
11 available and recent science regarding the Ventura fault
12 just offshore and its potential for waves higher than
13 previously projected.

14 Issue 3, we really can't find a reason to
15 understand why adding another 180-foot stack out there is
16 not considered a view impact. Incredibly, this is not
17 identified as an issue. And common sense would say that
18 doubling of an already impacted view is doubling the
19 impact. It's already bad, suggests never trying to
20 improve the view. And that can't be an argument. And
21 it clearly, the existing plant, is intended to remain
22 after 2020, and we'll have two stacks out there.

23 In addition to that, on the beach is the
24 outfall concrete ditch that will remain in place open to
25 the public as a potential hazard on the beach, and,

1 eventually, as the state trust lands move in with the
2 sea-level rise, could actually end up on state land. Is
3 that an issue?

4 So we'll take a moment for some humor.

5 (Applause and laughter.)

6 MR. WILLIAMSON: I am waiting for the
7 PowerPoint on the television to change. I've got one
8 slide on the screen and a different one on the
9 television. Sorry. I'll try again. The television's
10 not changing. Well, perhaps if you turn around,
11 Commissioners and staff. This is our humor break here;
12 thought we could use one.

13 If approved, Oxnard would have four beachfront
14 power plants. We don't want to become Jurassic World
15 Amusement Park for obsolete power plants or a Hollywood
16 location shoot for Arnold Schwarzenegger running through
17 a power plant. We're trying to improve our city.

18 Next slide is -- okay -- Number 4. Biology and
19 habitat. I won't repeat what's already been said. We do
20 have an early mapping for our Coastal Plan update that
21 designates a lot of the area around the power plant as
22 environmentally sensitive habitat or potential. And you
23 do acknowledge, and we thank you for the acknowledgment,
24 of the predatory bird threat to nesting sites on the
25 beach.

1 We're on Number 5, Fire and Police. It's not
2 certain during certain flood events that we might get our
3 fire trucks and police cars out there. If there's an
4 emergency at the plant during a significant storm event,
5 we ask you to contact our police and fire, just don't
6 assume that Harbor Boulevard is always open or the
7 bridges are still there. And it's somewhat at the edge
8 of the city. Talk to the County as well, because Harbor
9 Boulevard is also a county road. However, it goes across
10 the Santa Clara River on a bridge that sometimes is
11 almost flooded. So there are some questions about, over
12 the course of 30 years, can we get emergency equipment to
13 the site.

14 Number 6. Again, this has been discussed
15 already that this city is a designated area in
16 CalEnviroScreen for various types of hazards,
17 unfortunately. And we do have the three power plants,
18 landfills, and an EPA superfund site.

19 Finally -- I do say "finally" -- we've got some
20 feasible alternative sites. What we did was look for
21 sites in the Oxnard area close to high pressure gas lines
22 and Edison transmission lines. Two are within city
23 limits that are already zoned industrial, and they're
24 vacant. Two are very close to the city, could be
25 annexed, they're vacant and would not need voter

1 approval. I don't have pictures for these today, but we
2 will provide information for them. And the fifth is the
3 Calpine site, that was proposed and in the newspaper,
4 near Santa Paula.

5 So these are the maps from the Web of where the
6 high pressure gas lines are in the area. And the stars
7 you see are the locations of potential alternative sites.
8 This is also a similar -- this is the Edison transmission
9 lines and the sites of the potential alternative sites.

10 The first is in the northeast corner of the
11 city near the freeway just off of Del Norte. It's the
12 power machinery property, 27 acres of vacant land within
13 city limits, zoned industrial, right underneath the
14 Edison transmission line. It is in the distant flight
15 path of the Camarillo Airport, but I think smaller stacks
16 of under 60 or 70, 80 feet would be allowed. It's pretty
17 distant from the takeoff of the airport. And high
18 pressure gas is available about a mile away straight
19 across open fields, making that connection pretty simple.
20 That's one site.

21 Just down the road is the northeast corner --
22 yes -- of Del Norte and 5th Street. There's heavy
23 industrial; 12.7 acres; the transmission lines are just
24 not too far away, you could connect to them through open
25 fields; and across the street is the City's Regional

1 Materials Recovery Center, recycling center, where the
2 City's already begun feasibility studies for
3 cogeneration, waste energy, production of natural -- or
4 methane gas, which could easily feed into the power plant
5 across the street and create a real synergistic regional
6 energy park, if you will, where we take agricultural
7 waste from -- 90,000 acres of Ag waste, turn it into
8 methane, and then, essentially, sell it or give it to NRG
9 right across the street and they can produce power for
10 the entire region. That's an opportunity worth
11 exploring.

12 And, finally, this is a [site](#) that -- actually
13 proposed on this entire Edison proposal, out near Santa
14 Paula, technically, in the county. It's ten miles
15 inland. It has industrial zoning. It's about ten acres.
16 They proposed a series of smaller turbines, none of which
17 have more than an 80-foot stack. Easements have been
18 obtained for the gas lines and the power lines over
19 adjoining properties. They will be using treated
20 recycled water. And they're surrounded by compatible
21 uses. This information is provided with the permission
22 of the Calpine Company.

23 So, in conclusion -- I'll just make a few
24 concluding remarks -- the California Coastline is not
25 just another piece of industrial property. It's special.

1 There was an initiative in 1972 by the People of
2 California to state that. There was a coastal Act. Our
3 tourism and economy is heavily dependent on the
4 coastline. So it's not just another industrial site.
5 We, the City, are implementing federal and state law with
6 regards to endangered species, affordable coastal
7 recreation, and adaptation to sea-level rise.

8 This is not a personal animosity with NRG.
9 We're just doing our job here. If NRG wants to build
10 somewhere else in the city that's a good [site](#), that's
11 fine. But we're just doing our job.

12 Over 50 years ago when this plant was put in,
13 many other regrettable local land use decisions were
14 made: Landfills; untreated sewage. Just go down a long,
15 long list. It's time for new direction. And as we
16 update our Local Coastal Program, which we are, per state
17 guidelines, we're doing the state's bidding here, we will
18 revisit these two sites to coastal power plant sights.

19 In the meantime, do not -- "condemn" might be a
20 strong word here -- to another 30 years of coastal power
21 plants because, basically, NRG gets to make a good return
22 on investment. Nothing wrong with that. That's American
23 corporate world, and that's fine. But, in a way, Edison,
24 perhaps, didn't have a lot of good choices to pick from,
25 and this was one that had the lowest cost. You know, is

1 that really what you want to do for the next 30 years
2 based only on those two criteria?

3 There are feasible, safer, more reliable, and
4 community-supported alternative sites that appear to meet
5 Edison's criteria.

6 And thank you. That's the end of my comment.

7 (Applause and cheering.)

8 HEARING OFFICER RENAUD: All right. Thank you
9 for that.

10 We also have, as a party to the proceeding, the
11 Environmental Defense Center, the Environmental
12 Coalition, and Sierra Club Los Padres Chapter. They are
13 going to provide some remarks as well.

14 Please, go ahead.

15 MR. BAILEY: Thank you very much, Commissioner
16 Scott, Commissioner Douglas, and the rest of the
17 Committee. I also want to thank the Applicant, the City
18 of Oxnard, and, of course, such a great showing from the
19 public. Thank you all for being here this evening.

20 My name is Owen Bailey, and I am the Executive
21 Director of the Environmental Defense Center. And I'm
22 going to speak briefly, and then I'm going to turn it
23 over to our Chief Counsel, Linda Krop, and to our Law
24 Fellow Cameron Goodman.

25 The Environmental Defense Center is a public

1 interest law firm dedicated to environmental issues and
2 serving the counties of Ventura, Santa Barbara, and
3 San Luis Obispo. We are here, as has been stated,
4 representing Sierra Club Los Padres Chapter, the
5 Environmental Coalition of Ventura County, and EDC. And
6 we strongly oppose the NRG -- excuse me -- the NRG
7 proposal to put a fourth fossil fuel power plant along
8 Oxnard's coast.

9 (Applause and cheering.)

10 MR. BAILEY: It is clear that this community is
11 undergoing a thoughtful, comprehensive process to adopt
12 Local Coastal Plan policies which would address
13 sea-level rise, prohibit additional polluting energy
14 facilities in the Coastal Zone, and promote the
15 decommissioning of existing power plants.

16 The Oxnard City Council has spoken clearly,
17 passing a moratorium prohibiting new and expanded coastal
18 power plant construction.

19 Enough is enough. NRG's project --

20 (Applause.)

21 NRG's project should not be allowed in this
22 environmentally sensitive area vulnerable to sea-level
23 rise. This area is home to hundreds of migratory birds,
24 as has been said, and a popular recreational area for the
25 community. And, of course, our invaluable Ormond Beach

1 Wetlands, which is now being restored to one of the
2 largest coastal wetlands in Southern California.

3 This vital community has done enough carrying
4 the burden of polluting projects for our region. Looking
5 around this room at the passionate community I see here,
6 I am again reminded of a day when this community stood
7 firm and defeated a different fossil fuel project which
8 was threatening the environment and our future. Oxnard's
9 successful effort to stop a massive LNG terminal is still
10 an inspiration to this day. And I applaud the City of
11 Oxnard --

12 (Applause and cheering.)

13 MR. BAILEY: -- and I applaud this community
14 for standing together to fight for clean energy and a
15 healthy future.

16 Please, Energy Commission, follow their lead
17 and deny this project.

18 (Applause and cheering.)

19 MS. KROP: Good evening. Good Evening,
20 Commissioners. I am Linda Krop, Chief Counsel, with the
21 Environmental Defense Center, speaking on behalf of our
22 clients, the Sierra Club Los Padres Chapter, the
23 Environmental Coalition of Ventura County, and EDC.

24 We are formal intervenors before the California
25 Energy Commission in its consideration of the Puente

1 plant, and we look forward to participating in that
2 process. In the meantime, we thank the Energy Commission
3 for holding this public scoping hearing as part of its
4 role as lead agency under the California Environmental
5 Quality Act. And I think you can see the tremendous
6 interest from the community, so thank you for holding
7 this public hearing.

8 (Applause.)

9 MS. KROP: I am here tonight to voice our
10 strong opposition to NRG's proposal to construct a fourth
11 fossil fuel power plant on Oxnard's beaches. This
12 project would result in land use incompatibility impacts
13 that cannot be mitigated.

14 EDC and our clients actively supported the
15 City's General Plan update process that sought to
16 de-industrialize the coast and restore it. And that is
17 what lead to the work on the update for the Local Coastal
18 Program. I point this out because we're not talking
19 about a future plan that the City's going to adopt. The
20 City already decided as part of its General Plan update
21 process that they wanted to phase out the existing power
22 plants and not allow any new power plants. So this is
23 existing policy, not future policy of the City.

24 (Applause.)

25 MS. KROP: The proposed Puente power plant is

1 directly contrary to the wishes of the people and elected
2 officials of the City of Oxnard, which has recently
3 extended an urgency moratorium on the approval of any
4 discretionary permits for fossil fuel power plants within
5 Oxnard's Coastal Zone.

6 As stated in its preamble, the moratorium is
7 necessary in order to allow the City to implement
8 Oxnard's 2030 General Plan, which clearly states the
9 City's intention to prohibit new power plants in the
10 Coastal Zone to follow California Coastal Commission
11 sea-level rise evaluation policies, and to protect the
12 public health, safety, and welfare of its residents.

13 The California Coastal Commission has approved
14 the work program for the City's Local Coastal Program
15 Update, and the City will soon initiate the public
16 outreach component of that process.

17 We respectfully urge the Energy Commission to
18 recognize the City's efforts to deny the project or at
19 least to delay this proceeding in order to allow the City
20 to complete the Local Coastal Program Update.

21 Given that we are here as part of a scoping
22 hearing, we would also like to comment on the analysis
23 that should be included in the environmental review for
24 the project. I have focused mainly on the land use
25 incompatibility impacts of this project regarding the

1 City's policies for this [site](#), as well as, the
2 surrounding area.

3 The City -- the issue is not what is there now
4 as presented by the Applicant in its comparison, but what
5 the City envisions for the future, as you have heard so
6 aptly described.

7 Cameron Goodman, EDC's Law Fellow, will address
8 some of the other impacts and issues that we would like
9 the Commission to address in its environmental review.

10 (Applause.)

11 MR. GOODMAN: Good evening, Commissioners. My
12 name is Cameron Goodman, Law Fellow at the Environmental
13 Defense Center. I am here to address the specific issues
14 that should be analyzed in the environmental review for
15 the Puente Project.

16 In addition to running roughshod over local
17 government and residents, the proposed Puente Project
18 would trigger several significant environmental impacts
19 that likely cannot be mitigated. These impacts include:
20 Increased emissions of volatile organic compounds and
21 other air pollutants, this is especially important
22 because Ventura County does not meet ozone standards;
23 greenhouse gas emissions that will contribute to global
24 climate change; potential construction impacts to
25 California Coastal Commission designated wetlands; and

1 impacts to the wildlife and other natural resources of
2 the adjacent Mandalay Bay -- Mandalay State Beach and
3 McGrath State Beach, including the federally protected
4 Western Snowy Plover and the California Least Tern;
5 impairment of the recreational use and enjoyment of the
6 area; significant demand for fresh water, as well as,
7 water quality impacts from plant discharges; continuing
8 visual and aesthetic impacts from treating Oxnard's
9 coastline like an industrial zone; and flooding related
10 to sea-level rise and tsunamis.

11 Finally, the Applicant and Regulators have
12 failed to conduct an adequate examination of alternatives
13 to the proposed Puente Project, including greater
14 reliance on renewable energy sources as required by the
15 CEQA.

16 Such alternatives must be analyzed in adequate
17 detail to provide the Commission with meaningful options.

18 Thank you for your time and consideration.

19 (Applause.)

20 HEARING OFFICER RENAUD: All right. Thank you.

21 And now we'll move into staff's proposed schedule.

22 MR. HILLIARD: Thank you. Let me get this a
23 little bit closer and go over a little bit where we're at
24 right now within the process.

25 Along with publication of the August 10th

1 Issues I.D. Report, we had proposed a schedule that shows
2 this through at least getting up to pre-hearing
3 conferences.

4 At this stage, what will happen is, after this
5 meeting, normally in one or two weeks, the Committee will
6 issue a scheduling order, taking into account what we
7 have proposed plus the other information that's available
8 to them. That will be normally docketed as a Hearing
9 Scheduling Order. So if you're interested in staying
10 abreast of when that comes out, please stay involved with
11 checking the web sites and getting on the LISTSERV for
12 the project web page that's maintained at the Energy
13 Commission.

14 This is just a continuation of the schedule.
15 Again, noting those dates in gray. Those are very
16 tentative and subject to, really, the discretion of the
17 Committee.

18 Now, one last thing I wanted to bring up is
19 what's called "postlicensing." If the project were to
20 be approved, there would also be the attachment of
21 numerous Conditions of Certification. These are very
22 similar in nature to what are known as mitigation and
23 monitoring program criteria that you see in a CEQA
24 process. These are conditions that would have to be
25 satisfied through all phases of the project's lifecycle,

1 meaning, in pre-construction, during construction, post
2 construction, and then the ultimate operating of the
3 plant. And, in addition, the Conditions of Certification
4 would have to address decommissioning of the project, and
5 that includes ultimate disposition of the project
6 buildings and improvements.

7 It's the responsibility of the Compliance
8 Project Manager to work closely with the Applicant to
9 ensure these conditions are met and satisfied once the
10 project has been approved. And it's an ongoing,
11 continuous monitoring process that occurs throughout the
12 life of the project.

13 The Compliance Project Manager also oversees
14 the work of the Commission's delegated Chief Building
15 Official, who uses their expertise in approving plans and
16 doing all project inspections.

17 So with that, this is the conclusion of siting
18 staff's presentation on the project. Ms. Alana Mathews,
19 our Public Adviser, is here, and she will be providing
20 some information on how her office and the various
21 parties are going to have their participation in the
22 project.

23 Thank you.

24 MS. MATHEWS: Good afternoon. My name is Alana
25 Mathews, and I am the Public Adviser for the California

1 Energy Commission. And what that means is I am an
2 independently appointed attorney to have three main
3 responsibilities:

4 (Indiscernible off-mic comment.)

5 MS. MATHEWS: Oh, there we.

6 And those are to help the public understand the
7 process; recommend the best ways to be involved, and to
8 assist successful participation in all of our
9 proceedings, which includes the hearings, the workshops
10 and then, lastly, at the evidentiary hearing, or if you
11 ever want to attend or participate in business meeting
12 [sic].

13 So part of that responsibility in helping
14 assist the public is to do outreach. And we do that by
15 reaching out to local city officials, as well as,
16 community groups; and we do that by using media, sending
17 e-mail. A lot of you have responded and you're here
18 because of letters or e-mails that you received from our
19 office.

20 Public participation and assistance with that
21 does not mean public advocacy. So my office does not
22 give legal advice or any technical advice. So we
23 strictly stick to procedural matters, and we're happy to
24 help you with that.

25 So I mentioned earlier that we're involved in

1 public outreach, or community outreach. So what is that?
2 Well, there's actually two ways that we do community
3 outreach, but one of the most effective ways is
4 encouraging public participation through public comment.
5 And public comment is very important because, one, it's
6 considered by our Commissioners. It helps inform the
7 Commissioners and staff, as well as, all interested
8 parties of the concerns that you as members of the public
9 have. And then, lastly, they're necessary to understand
10 those concerns of residents. And they are not considered
11 evidence, but they are a part of the official record.

12 So why do we do outreach? That's another
13 question -- or there are two ways of doing it. One is an
14 informal way to participate, that's using the public
15 comment, as I just mentioned. You can give verbal
16 comments today. Many of you have signed up on our list.
17 You have an opportunity to do that. You can also submit
18 written comments, and I have my iPad back there. I've
19 shown a couple of people how to submit that through our
20 e-commenting, and I'll go through the actual screens in a
21 few minutes. And then you can submit written comments.
22 So some of you have written your comments today. You can
23 provide them to me, and I will docket them, and they will
24 go into, again, our record, or you can mail them in. So
25 you can hand deliver it to me, or you can mail them in.

1 The address is there.

2 The second level of participation is more
3 formal. That's when you are an intervenor, as these two
4 tables down on the lower platform represent.

5 An intervenor is a party to the proceeding, and
6 so they have special duties and responsibilities that
7 they are required to have, such as, the other parties.
8 Anyone may file a Petition to Intervene. You do not have
9 to be an attorney or have an attorney. The Public
10 Advisers office can assist you by providing a sample of a
11 Petition to Intervene; and once you file a petition, if
12 that's what you decide to do, just, generally, it is
13 considered by the assigned committee and a determination
14 is made within 30 days.

15 So going to our website, if you want to look at
16 documents or anything that's been submitted, if you go to
17 www.energy.ca.gov, we have a tabs at the top. You see
18 "Power Plants." You would simple click on that tab, and
19 then you'll get a drop-down menu that says "Power Plant
20 Cases Under Review." You can simply select that, and it
21 will give you an alphabetical listing. I know you cannot
22 read that, but it's just for demonstration purposes. You
23 will see the Puente Power Project. Once you click on
24 that, there is a little area to the right of the screen
25 that has "submit comments." So that's how you can submit

1 your written comments. And there are also a number of
2 other menu options. So if you want to look at all the
3 documents, you want to look at the documents filed by the
4 Applicant or staff, that's where you would go to receive
5 that.

6 So how you can participate. Again, you can
7 simply just go to the website and click on that. And
8 there is my information, if you want to contact me. I
9 also have cards at the back of the room. And I just
10 wanted to explain, because a lot of people have come up
11 to me and asked for blue cards, originally, we used to
12 always have blue cards. I'm trying to pilot a new
13 process so that we can have an e-sign up, an electronic
14 sign up. And that's for three reasons: One, we want to
15 have an accurate account of your name and your position
16 or organization you're from. That way, we can provide it
17 to court reporter so you're accurately reflected in the
18 record. And, second, if you say something that is
19 meaningful, it provides an opportunity for staff or
20 Applicant or someone to follow-up with you. And then,
21 third, we just want to be able to -- if we do additional
22 outreach, we have a binder back there of organizations
23 that we've already reached out to. You're welcome to
24 give me another name or contact, if there's someone here
25 who is not here you think should be here; but it also

1 helps us, the Public Adviser, my office, know if we're
2 reaching all of the interested parties.

3 Thank you.

4 (Applause.)

5 HEARING OFFICER RENAUD: Okay. Thank you,
6 Alana.

7 We are -- that concludes the presentations, and
8 we are now going to move into the public comment period.

9 Before we actually start calling people up to
10 speak. I'm going to ask the Commissioners -- all right.

11 I'm going to ask the Commissioners if they wish
12 to make any remarks before we go into the public comment
13 period. And, actually, it looks like -- you'll be
14 pleased to hear this, I'm sure -- we're going to take a
15 very short break before we do that.

16 Commissioners?

17 COMMISSIONER DOUGLAS: So just briefly before
18 we take a break, I just wanted to thank everyone for your
19 patience. I know that it's been a lot to sit through and
20 I hear and see a lot of interest and passion in the room.
21 So we're definitely here to listen to the public. We're
22 here to listen to people with -- I think we'll hear from
23 people of diverse perspectives. We want to hear from
24 everybody who wants to speak. And we appreciate your
25 time being here tonight. So I just want to ask, as we

1 move into public comment -- we'll move through as
2 efficiently as we can. Sometimes if -- you know, if
3 you're here with young kids or something like that and
4 you're really concerned about how long you'll able to
5 hold out, talk to the Public Adviser. No guarantees, but
6 we'll see if there's anything we can do.

7 I want to ask, you know, that as people speak,
8 there has been some applause during the day, and that's
9 okay to a level. I definitely don't want to get into a
10 situation that sometimes occurs where people feel like
11 the loudest cheering is going to prevail. And that just
12 makes us all tired and makes it last longer. So,
13 definitely, we appreciate your passion. We have no
14 objection to kind of polite applause on either side. But
15 if -- if it gets to be more than that, we'll speak up
16 just so that everyone is not even more tired tomorrow
17 morning than we otherwise will be.

18 So with that, we'll take a -- Commissioner
19 Scott?

20 COMMISSIONER SCOTT: I think I have a couple of
21 questions on the presentations that I wanted to ask
22 before we go to the break. I had one for staff and one
23 for NRG.

24 For NRG, I'm wondering, with respect to the
25 technology alternatives, will you be considering addition

1 of a brake to the turbines, which would enable the
2 facility to function as a synchronous condenser when the
3 power demand is not at a peak?

4 MS. GLEITER: Thank you, Commissioner Scott.
5 I'll take that one.

6 So, again, Dawn Gleiter, the Director of the
7 Puente Power Project.

8 So we have looked at that in our initial
9 analysis in compiling the technical aspects of the
10 project. We understand the importance of voltage
11 regulations, and we want to do our part to help support
12 that.

13 This unit is a very large H-class unit. And so
14 a clutch on this type of unit actually doesn't exist
15 anywhere. We can't find an operating example. We have
16 asked our engineering team if it is possible, even though
17 it's not been done before, and they have told us maybe.
18 So we really look forward to working with staff in the
19 future to further analyze that, but we've also been told
20 that there may be some other alternatives that would
21 function, essentially, like a clutch, but would be
22 different. You know, either leaving one of the existing
23 units as a pony motor or something else that can function
24 as a synchronous condenser. And that's all the
25 information we have right now.

1 So we look forward to kind of discussing that
2 in full detail with the staff.

3 COMMISSIONER SCOTT: Okay. Thank you.

4 My other question is for the staff. And I'm
5 wondering whether the staff will be addressing the
6 potential for greater or more frequent storms leading to
7 coastal dune erosion with the dunes currently acting as a
8 flood barrier?

9 MR. HILLIARD: I mean, the simple answer is
10 yes. The more, I guess, lengthy answer is that there's
11 already been discussions about trying to workshop this
12 particular topic, coastal hazard, the flooding, and the
13 potential impacts to the facilitator's design.

14 COMMISSIONER SCOTT: Uh-huh. Sedimentation and
15 things like that?

16 MR. HILLIARD: Yes, exactly.

17 So we've taken the information that was
18 provided by the City of Oxnard. We are reviewing the
19 updated study that was just published and publicized in
20 the *Ventura County Star* last week. So that's still a
21 process that's ongoing.

22 COMMISSIONER SCOTT: Thank you.

23 And, with that, I'll just underscore the
24 comments Commissioner Douglas made right before I asked
25 my questions. If you have small children, please talk to

1 the Public Adviser and we'll see what we can do to
2 accommodate you. We've got about 82 folks who want to
3 comment, so I'll also echo her note about maybe just some
4 polite applause here and there. But we'll want to make
5 sure that we have a chance to hear from all of you. So
6 thank you very much. Please come back in five minutes.

7 (Off the record at 7:43 p.m.)

8 (On the record at 7:52 p.m.)

9 COMMISSIONER SCOTT: We're going to let
10 everybody have about three minutes, and we will ask you
11 to very kindly try to respect that amount of time. There
12 are 82 of you who would like to comment. We want to make
13 sure that we get to hear from all of you.

14 I have, I believe, Jim Hensley, Council Member
15 from Port Hueneme City Council. So I'd like to call
16 Mr. Hensley up to give the first comment, if he's back in
17 the room.

18 (Indiscernible off-mic comment.)

19 COMMISSIONER SCOTT: Okay. Councilman, I'm
20 going to skip you, and go to Dennis O'Leary, who is from
21 the Oxnard School District Board of Trustees.

22 Dennis O'Leary, are you here to give a public
23 comment?

24 THE AUDIENCE: He left.

25 COMMISSIONER SCOTT: He left?

1 THE AUDIENCE he did.

2 COMMISSIONER SCOTT: Okay. Next, I was asked
3 if Dr. Delton Johnson could please come up. Dr. Delton
4 Johnson. I see him making his way.

5 And just so you know who will be after him, we
6 will have our Public Adviser Alana Mathews on behalf of
7 Supervisor Kathy Long. So she'll be next after
8 Dr. Johnson.

9 Thank you.

10 DR. JOHNSON: Thank you. When the three
11 minutes are up, please raise your hand because I don't
12 want to run over. I probably would.

13 COMMISSIONER SCOTT: We got a (indiscernible).

14 DR. JOHNSON: First, I want to say to the
15 Commissioners and all of you who are here, including the
16 Applicant, thanks for being here.

17 And we're trying to do our best in Ventura
18 County. I think someone else mentioned, recently, our
19 Council -- our county was selected by a national magazine
20 as the most livable county in the United States. It's
21 great, and we want to keep it that way. And one thing we
22 definitely do not need are more of these power lines that
23 run across and make the place ugly. So let's keep that
24 in mind. It's an important thing.

25 Thank you for hearing us. I start out by

1 telling you, I've owned a business for 31 years. And I
2 receive the Pacific Coast Business Times. The editor
3 recently wrote that he was -- he's been supporting this
4 LNG -- this NRG -- excuse me, got that mixed up -- NRG
5 company's construction here of this plant, but on
6 July 24th, 30 Issue, he wrote, "I was a bit surprised
7 when my phone rang July 22nd from Jim Tovas. The
8 two-term Santa Paula council member called to say he
9 would support locating it in the unincorporated area just
10 downwind of Santa Paula."

11 If the editor was a bit surprised, we're
12 appalled. We never heard of such a thing. If this was
13 ever discussed by our council, I heard nothing. I've
14 spoke to this, and everybody just sat there dumbfounded.
15 I don't believe anyone knew about it. If he was just
16 speaking as a private citizen, I guess so, but he needs
17 to at least let that known. And, if so, he needs to
18 raise such issue publicly in Santa Paula and obtain
19 council approval before lobbying an editor and others to
20 support bringing us a plant that every community in the
21 state seeks to avoid.

22 And People of Oxnard will also be surprised.
23 Their past councils, the current council, and ordinary
24 citizens have spent the last half century trying to rid
25 themselves of these plants. The level of support of NRG

1 and its plants are, again, evident here tonight.

2 I wanted to mention to you that in today's
3 *Los Angeles Times* there's an editorial. I hope that the
4 Commission Members, all of you, will read it.

5 What it's talking about -- I'm afraid I'll get
6 some of the numbers wrong -- but I believe it's AB 32.
7 And it's legislation to use funds that were set aside for
8 getting away from fossil fuels. What a wonderful time.
9 We've got money. Let's do it. Let's put solar on top of
10 every public building. Let's put it on top of private
11 buildings. I'll do my part. I'm saying. We've got to
12 do our part. And, certainly, that's a place. It's an
13 easy place, and we could collect a lot of sunshine there.
14 We won't need this plant.

15 And if we need a peaking plant, it should not
16 be put in a populated area, certainly not downwind of
17 one.

18 COMMISSIONER SCOTT: Let me --

19 DR. JOHNSON: The --

20 COMMISSIONER SCOTT: -- your three minutes have
21 run out.

22 DR. JOHNSON: All right. I'll stop. And thank
23 you for coming here and, please, consider what we have to
24 say. And, by the way, I gave a copy of this. I hope
25 you'll get it.

1 Thank you very much.

2 COMMISSIONER SCOTT: Oh, thank you. Thank you
3 for that.

4 DR. JOHNSON: Bye. Thank you.

5 (Applause.)

6 COMMISSIONER SCOTT: Our next speaker is Alana
7 Mathews, and she is here on behalf of Supervisor Kathy
8 Long.

9 MS. MATHEWS: Supervisor Kathy Long,
10 representing the Third District, wanted the Committee to
11 know that she submitted a letter, and thanks you in
12 advance for your attention and consideration of her
13 comments.

14 And if the Committee will indulge me, we had
15 one comment e-mailed to us that they would like read from
16 the Ventura Audubon Society. They stated:

17 "The mitigation outlined in the Application for
18 Certification is insufficient to protect nesting
19 Western Snowy Plovers and California Least Terns for
20 the Puente Project. Raptors and corvids are
21 predatory birds that have been documented to kill
22 nesting adults, the young, and the eggs of these
23 species. Corvids in particular have been a serious
24 problem at McGrath beach. Abandoned structures
25 serve as nesting and roosting places for these

1 predators. Measures need to be included that would
2 reduce the Raptors and corvids are predatory birds
3 that have been documented to kill nesting adults,
4 the young and the eggs of these species. Corvids in
5 particular have been a serious problem at McGrath
6 beach. Abandoned structures serve as nesting and
7 roosting places for these predators. Measures need
8 to be included that would reduce the possibility
9 that the decommissioned Units 1 and 2 would not be
10 used for nesting or roosting sites. The most
11 effective solutions would be the complete removal of
12 Units 1 and 2."

13 There are a couple more, but we will docket
14 this. And it was already -- I'm sorry -- it was already
15 docketed.

16 I just wanted to remind everyone that if your
17 three minutes are up, you can always write your comments
18 and we will make sure that they are docketed.

19 COMMISSIONER SCOTT: Yes. That's an excellent
20 reminder. Thank you for that.

21 Let me just check again to see if maybe Jim
22 Hensley from the Hueneme City Council has come back.

23 He is here. Hello. And, for you all, the
24 timer is right up here behind us.

25 MR. HENSLEY: Yeah. I see it. Thanks a lot.

1 Good evening, everybody.

2 COMMISSIONER SCOTT: Good evening.

3 MR. HENSLEY: Mrs. Chair, Staff, Commissioners,
4 we really appreciate you coming down here. And I want to
5 congratulate you and congratulate NRG and Edison. They
6 are good friends. They are good people. However --
7 however -- we want our beaches back. Okay?

8 If NRG can go out -- and I know they like to
9 work by the ocean, which is cool -- but I like to go by
10 the ocean also. A lot of our population likes to go by
11 the ocean. I'm Jim Hensley. I'm a City Councilman for
12 the City of Port Hueneme, I'm a former Board of Directors
13 for the League of United Latin American Citizens, Sierra
14 Club, and Wishtoyo, and we have to take care of our
15 people. We're not taking care of our people. We're not
16 taking care of our environment. And we want -- we
17 need -- we need energy. But let's move them out where
18 there's -- somewhere's else. There's been some other
19 locations that's been offered, and it's beautiful.

20 We have been dumped on -- dumped on -- here in
21 greater Oxnard. We've had Halaco. We've had dumps.
22 We've had the LNG projects come in here, try to take
23 over. Why? Because we're a low-income, minority
24 community and they think they can take advantage of us.
25 You don't see it in Malibu. You don't see it in

1 Santa Barbara, Laguna Beach. But we do here, don't we?

2 So, please, consider us. You see a lot of
3 younger people here. We have pride in this community,
4 and we want to keep this community a good environmental
5 and social justice place to live.

6 Thank you so much.

7 (Applause.)

8 COMMISSIONER SCOTT: Thank you.

9 I have the Vice Mayor, Carmen Ramirez.

10 Did you want to speak again?

11 I don't see her.

12 COMMISSIONER DOUGLAS: No.

13 COMMISSIONER SCOTT: All right. Let's go on to
14 Maury Navarro; and followed by Maury, will be Thomas
15 Di -- let's see -- Ciolli.

16 So do I have Maury Navarro here?

17 (No audible response.)

18 COMMISSIONER SCOTT: No.

19 Do I have Thomas DiCiolli? Oh, I see you.

20 After Thomas DiCiolli is Paul Mattesich.

21 MR. DICIOILLI: Good evening, Commission.

22 The plants are a key electrical resource and
23 they're part of the infrastructure and part of this
24 city's economy and a part of our community. And all of
25 us should agree that whoever resides in a community must

1 be responsible and supportive.

2 Now, we've heard why the proposed plant
3 location works and makes sense. And practicality and
4 sensibility doesn't often meet with emotions and
5 passions. We know that. The proposal is reasonable, and
6 it's good for the consumer and it's good for the
7 ratepayer -- every one of us in this room.

8 The community has the benefit of a responsible,
9 competent power generator in the community supporting
10 electrical needs.

11 I'll share a little bit about the culture of
12 the NRG power plant employees. With over 20 years of
13 supporting coastal cleanup, sponsoring those events, I
14 could list various agencies we support, but I really
15 don't think that's necessary to do here. But we support
16 multiple community events, both in financial ways and
17 volunteer service. We sponsor numerous plant tours.
18 We've conducted a number of educational meetings and
19 student tours. Our plant employees and the associated
20 contractors supporting our plants support Oxnard
21 businesses and establishments. The community benefits
22 from this economic impact. And our employees are part of
23 the community. Their families and friends are part of
24 the community. And does it appear like we're someone
25 that does not care about the community?

1 The protests and arguments against the project
2 are valiant. I believe they're misplaced and misguided.
3 There's talk of dumping and waste accumulation. And that
4 should not be on the beach. And there's talk about
5 moving the plant somewhere else. But dumping and waste
6 accumulation, that's not acceptable on the beach or any
7 place else. So a review of the facts will support the
8 proposed Puente Project.

9 Thank you.

10 (Applause.)

11 COMMISSIONER SCOTT: Thank you.

12 Do we have Paul Mattesich? Okay.

13 And, after Paul, we have Lupe Anguiano.

14 MR. MATTESICH: Good evening. I'm Paul
15 Mattesich, Operations Manager at the Mandalay Generating
16 Station.

17 I'd like to believe that I am representing some
18 of the other individuals that are not -- it's not
19 reflective of the entire community of Oxnard. We employ
20 several local residents, their families, their extended
21 families. We are part of the community as well.

22 On August 5th, of California Independent System
23 Operator, the CAISO, filed a brief with the California
24 Public Utilities Commission that reaffirms the need in
25 this area for new generation.

1 Utilizing the Mandalay location makes sense for
2 several reasons: The infrastructure is already in place;
3 the area itself is surrounded by existing industry; we,
4 the employees, work hard to operate safely and in an
5 environmentally responsible manner.

6 The station's employed many people who,
7 themselves, volunteer their time for community events.
8 And while Tom didn't want to expand on that, I do. We
9 sponsor the Strawberry Festival, Santa to the Sea, the
10 Ventura County Fair, Earth Day, annual beach cleanup
11 events at our locations. We care.

12 All of these things are done by employees --
13 sorry about that -- all of these things are done in their
14 free time. I encourage the officials of Oxnard to
15 reconsider their current position. The facts are the
16 facts. A new plant utilizing current technology will
17 bring long-term financial benefit to the city while at
18 the same time meeting the local electric capacity and
19 quick-serve requirements of the area as identified. We
20 are good neighbors who are engaged.

21 And, in closing, I support the Puente Project.

22 (Applause.)

23 COMMISSIONER SCOTT: Thank you.

24 I have Lupe Anguiano.

25 UNIDENTIFIED FEMALE SPEAKER: Hello. I'm here

1 to read on behalf of Lupe:

2 "I urge Commissioners to follow recommendations
3 given by our public elected officials, Mayor Pro Tem
4 Carmen Ramirez, Supervisor John Zaragoza,
5 Congresswoman Julia Brownley, and State Senator
6 Hannah-Beth Jackson.

7 "Oxnard's Senior Planner presented excellent
8 recommendations. It would be wise for Commissioners
9 to follow his recommendations. Please listen to our
10 community instead of financial and lobby interests."

11 Thank you very much.

12 (Applause and cheering.)

13 COMMISSIONER SCOTT: Thank you.

14 I'm going to try to call up more people up
15 together just to make sure that we get to hear from
16 everyone again.

17 So Lauraine Effress is next. Lauraine Effress.

18 If I could have Kurt Oliver come behind her.

19 After Kurt Oliver let's have Eileen Tracy.

20 UNIDENTIFIED FEMALE SPEAKER: She's gone.

21 COMMISSIONER SCOTT: I'm sorry? Eileen Tracy's
22 gone? Okay.

23 So after Kurt Oliver then would be Steve Nash.

24 So Lauraine Effress, please -- we'll make sure
25 that that can reach you.

1 (Laughter.)

2 UNIDENTIFIED MALE SPEAKER: It's coming loose.

3 MS. EFFRESS: We need this for midgets here.

4 Thank you.

5 Good evening, my name is Lauraine Effress, and
6 I would like to draw your attention, first of all, to the
7 fact that Chris Williamson has mentioned that NRG
8 itself -- and we do love NRG. They do do many wonderful
9 things in the community. And we've gotten to know some
10 of the people; they're quite nice. And we'd like them to
11 stay around, but not in Oxnard's beaches.

12 They have indicated that they consider the
13 plant that's proposed to be critical infrastructure and
14 if the peaker plant is critical infrastructure, then it
15 should not be built on the peach.

16 This is today's LA Times, August 17th, 2015,
17 the California section, it says: "Rising Sea, it's not
18 going to stop."

19 And this reflects a new study by NASA and the
20 JPL about the fact that the sea-level rise in the Pacific
21 is going to be catching up with what's happened in the
22 rest of the world, and I would like to read the second to
23 the last paragraph, which says:

24 "What are we supposed to do about rising sea
25 levels?

1 "The keyword stressed by scientists is
2 'planning.'

3 "Tom Wagner, Cryosphere Program Manager for
4 NASA, said: 'Communities along coastal zones should
5 factor in the increase in sea-level rise when
6 considering major infrastructure projects, such as,
7 a water treatment plant or power plant. Rising sea
8 level should mean more erosion or flooding
9 associated with storm surge.'"

10 April 21st, 2015, the LA Times and national TV
11 highlighted a new study about the Pitas Point fault that
12 runs under the city of Ventura into the ocean and is
13 connected to other major faults. The Times states the
14 fault was previously deemed incapable of a large
15 earthquake but now could be seen to produce a magnitude 8
16 and that would create a tsunami.

17 In the newspaper last week, April 20th, the LA
18 Times ran a full-page article about the tsunami risk to
19 Ventura and Oxnard, stating that the underwater terrain
20 and the flat coastline of Oxnard and Ventura means that
21 the way the wave did come in if we did have a 7.7 or 8.0
22 earthquake, it would turn back on itself and could
23 inundate the coast for up to a mile inland in both Oxnard
24 and Ventura because we are so flat.

25 So I was surprised to hear -- I've forgotten

1 his name; Paul, I don't know your last name -- talk about
2 sea-level rise with historical information. As we know
3 with the stock market, the past is no predictor of the
4 future. The planet is warming. No one denies it
5 anymore. There is sea-level rise. There is erosion,
6 storm surge, the possibility of a tsunami.

7 And the city councilman from Santa Paula did
8 [submit](#) a letter to the PUC at the time of their hearing
9 stating that Santa Paula would like the plant in their
10 area.

11 So to Dr. Johnson, that has gone on the record.

12 Thank you very much.

13 (Applause.)

14 COMMISSIONER SCOTT: Thank you.

15 So next is Kurt Oliver. After Kurt, we have
16 Steve Nash and then Tony Skinner.

17 MR. OLIVER: Good evening, everyone. My name
18 is Kurt Oliver. I'm a business representative for the
19 International Union of Operating Engineers, Local 12,
20 here in Ventura.

21 On behalf of our workers and their families
22 residing in Oxnard and the immediate surrounding areas,
23 we fully support the Puente Power Project, or P3,
24 proposed for construction at the Mandalay Generating
25 site.

1 For more than 50 years, NRG has consistently,
2 reliably, and responsibly operated the power generating
3 station at Mandalay, thus, providing needed electricity
4 to Oxnard and beyond. Now, because of the expected
5 retirement of thousands of megawatts from once-through
6 cooling generators, a critical need for reliable power is
7 quickly approaching.

8 We support NRG's P3 facility at the Mandalay
9 [site](#) for many reasons. The new facility would be a
10 flexible, efficient, fast-start plant, as opposed to the
11 current one, which takes hours to get up to speed. The
12 new facility can operate with minimal environmental
13 impact by utilizing and repurposing the existing
14 infrastructure -- natural gas delivery lines, power
15 grids, et cetera -- while at the same time reducing the
16 cost of the project.

17 NRG is open to discussing a CBA, or a Community
18 Benefits Agreement, with the City of Oxnard with regard
19 to the demolition of two existing Mandalay units, which
20 would drastically improve the visual presence of the
21 [site](#).

22 The proposed P3 facility would keep high-paying
23 jobs in Oxnard, adding a much needed boost to the local
24 economy. During the recent economic downturn, our
25 members were confronted with a lack of sustained

1 employment. This is cause for our workers to travel far
2 and wide for any gainful employment. Obviously, working
3 from home puts an extra burden -- working far from home
4 puts an extra burden on an already financially strained
5 worker. And that cost associated with travel comes out
6 of wages earned, thus, reducing overall weekly take-home
7 pay. Another burden is on the family unit. With one
8 parent away from home, the other is left to cover the
9 bases. Good paying, local jobs have a tremendous effect
10 on the local -- on the community as a whole. Local
11 employees put their wages back into the local economy;
12 their sales taxes on goods and services.

13 The NRG project would inject 2.8 million in
14 property tax revenue and over 5 million in sales tax
15 revenue into the City of Oxnard, resulting in a direct
16 benefit to its residents.

17 In closing, our workers support NRG's proposed
18 P3 state-of-the-art facility at Mandalay and look forward
19 to its implementation.

20 Thank you.

21 (Applause.)

22 COMMISSIONER SCOTT: Thank you.

23 I have Steve Nash.

24 Steve's not here? Okay. So Steve Nash I'm
25 hearing isn't here. So then next would be Tony Skinner

1 and then Ernest Stein.

2 MR. SKINNER: Good evening. My name is Tony
3 Skinner, and I'm the Executive Secretary/Treasurer of the
4 Tri County Building and Construction Trades Council. I
5 represent over 7,000 union tradespeople in the Ventura,
6 Santa Barbara, and San Luis Obispo counties, and I am
7 here tonight in support of the project.

8 The construction sector of the labor market in
9 Ventura County has never recovered from the '08 crash.
10 In fact, in the most recent report provided by the
11 Economic Development Collaborative of Ventura County, it
12 was reported for the month of July 2, 2015, construction
13 in Ventura County actually was down nearly 1 percent
14 compared to a rise of 7.7 percent statewide over a
15 year-to-year comparison. And this is with two major
16 hospital projects under construction.

17 The men and women I represent need this
18 project. The Puente Power Plant will be covered under a
19 project labor agreement with the building trades that
20 will promote local hire for the residents of Oxnard and
21 all of Ventura County, as I believe it is more cost
22 effective for contractors to hire local people rather
23 than pay the extra expense of lodging and food for a
24 project of this duration.

25 This could be seen by what happened when we

1 built the peaker plant at the same location for
2 Southern California Edison a few years ago.

3 Unlike other areas of the state, a project of
4 this size will really impact the local economy by putting
5 highly trained, well paid union tradesmen and women to
6 work. We are ready to man this project for NRG, and I
7 ask for your approval of the project.

8 Thank you.

9 (Applause.)

10 COMMISSIONER SCOTT: Thank you.

11 I have -- do I have Ernest Stein? Okay. I
12 don't see Ernest Stein.

13 Next is Tom -- oh, I'm sorry. Sorry.

14 After you will be Tom McCormick and then Inez
15 Tuddle.

16 MR. STEIN: No worries.

17 Commissioners, staff, members of the public,
18 fellow residents, the reason why I'm here tonight is to
19 advocate for the possibility of this Commission to sort
20 of change some of its hearing procedures, in that, having
21 the final vote on this application being held here in
22 Oxnard. The reason why is, as you know, I believe you
23 guys meet in San Francisco when you meet as a general
24 commission. If I'm wrong, I'm wrong. But I believe --

25 COMMISSIONER SCOTT: Sacramento.

1 MR. STEIN: Oh, my bad. Okay Sacramento. But
2 it's still far up north. There's lot of folks here in
3 Oxnard, obviously, that can't afford to go up north to
4 listen in on the hearing or participate if you still
5 allow public comment during that time.

6 As you know in past projects here, we've come
7 accustomed to having state commissions, state bodies come
8 here and hear from the public before final decisions are
9 made on applications. We've had that with NLG [sic]. We
10 had that with the peaker plant. And so I hope that this
11 Commission will consider the community's request on
12 having the final decision of this application be held in
13 Oxnard so that the entire community on both sides will be
14 able to participate in the democratic process.

15 Thank you.

16 (Applause.)

17 COMMISSIONER SCOTT: Thank you.

18 I've got Tom McCormick. Tom McCormick.

19 After him is Inez Tuddle and then Fred Maine.

20 MR. MCCORMICK: There we go.

21 Commissioners, staff members, of the many
22 facets of NRG's involvement in the local community, I
23 would like to mention their consistent support of local
24 environmental grassroots efforts.

25 NRG has supported many such efforts, and I

1 would like to focus on work at Ormond Beach. Ormond
2 Beach is a remnant of a coastal lagoon and wetland system
3 that once extended more than 15 miles from Mugu Lagoon to
4 Ventura River.

5 Today, only remnants of this habitat remain.
6 It is important to retain these remnants as a refuge for
7 plants and animals that live only in this habitat. These
8 native populations are reservoirs of genetic information
9 unique to the area. They will be instrumental in
10 re-wilding hundreds of acres at Ormond Beach envisioned
11 by the Coastal Conservancy, Nature Conservancy, and local
12 conservation groups.

13 Native dune vegetation provides a living
14 adaptable barrier that protects both natural and human
15 habitats against storm events.

16 For more than ten years, NRG has provided
17 assistance to grassroots organizations working to make
18 Oxnard Beach a more resilient habitat.

19 With the help of NRG, one non-profit group, the
20 Channel Islands Marine Resource Institute, teamed up with
21 Oxnard College to provide unique educational
22 opportunities for college students.

23 In the early years, hundreds of college
24 students and thousands -- I kid you not -- of elementary
25 school, high school students were able to learn about

1 marine science at San Marie's (phonetic) facility in Port
2 Hueneme.

3 Some of the more recent activities at Ormond
4 Beach have included, in 2012, elementary and college
5 students from Oxnard College gained 1,300 hours of
6 experiential education at Ormond Beach learning field
7 biology. 5.5 acres of non-vegetation and lagoon on the
8 back beach and habitat were removed and replanted with
9 native species was accomplished. And the area now
10 harbors a robust native plant and animal community.
11 Students learned the concept of restoration,
12 conservation, and the fundamentals of wetlands
13 delineation and function. They also learned habitat
14 mapping, native plant identification, native plant
15 cultivation and planting techniques, and documentary
16 production.

17 In 2013, 340 elementary school teachers from
18 Oxnard and Ventura and 60 college students from Oxnard
19 College and COCCI (phonetic) went to the beach to learn
20 about lagoon and seasonal marsh ecology. Youth from the
21 Oxnard City Corps. Were trained in native plant
22 identification and participated in basic plant removal.

23 In 2014, 250 elementary and high school
24 students from Oxnard College and Fillmore learned about
25 beach and seasonal marsh ecology and helped remove

1 non-native cobweb (indiscernible).

2 Annually for the past 20 years, NRG power
3 stations have been local sponsors of Coast Cleanup Day,
4 encouraging public to visit the beaches and to care for
5 them.

6 In sum, NRG has been a good neighbor and
7 strives to work with the community to help improve the
8 local environment. I believe that they will continue to
9 do so.

10 Thank you.

11 COMMISSIONER SCOTT: Thank you.

12 (Applause.)

13 COMMISSIONER SCOTT: I have Inez Tuddle
14 followed by Fred Maine and then Matt Guthrie.

15 MS. TUDDLE: (Indiscernible) comes up next. It
16 would be a lot of work for nothing.

17 UNIDENTIFIED MALE SPEAKER: Ready?

18 MS. TUDDLE: Ready.

19 Good evening, Commissioners. Thank you for
20 coming to Oxnard. And I want to thank Mayor Pro Tem
21 Carmen Ramirez and Superintendent John Zaragoza for
22 coming. I wish more of our city officials had come, but
23 they didn't.

24 So I'm going to begin speaking for Eileen Tracy
25 that left. She wasn't feeling well. And, basically,

1 what she feels is happening in Oxnard is that NRG is
2 putting profit before the welfare and well-being of the
3 residents of this city of Oxnard. They have been a good
4 neighbor. They can be a good neighbor elsewhere in
5 Oxnard.

6 Speaking for me, Ventura County has 840,000
7 people and limited beach space. We want it back. We
8 have wetlands. We have a very densely populated city,
9 and we need the beach for recreation for our children.
10 There were mistakes made in the past, and we would like
11 to rectify them now and leave a safer healthier
12 environment for the young that follow us and for those
13 that remain.

14 I think that may be it, except for my -- NRG is
15 there is no good reason to put a plant on the beach. NRG
16 can continue to be good neighbors elsewhere in this city.

17 Thank you.

18 COMMISSIONER SCOTT: Thank you.

19 (Applause.)

20 COMMISSIONER SCOTT: We have Fred Maine
21 followed by Matt Guthrie and then Paul Huh letter.

22 MR. MAINE: Commissioners, I'm Fred Maine.
23 I'm, today, appearing on behalf of the Chambers of
24 Commerce Alliance of Ventura and Santa Barbara Counties.

25 The Chamber Alliance is a regional group of 12

1 chambers of commerce, including many in Ventura County,
2 the Oxnard Chamber, Ventura Chamber, Camarillo Chamber of
3 Commerce.

4 The Alliance strongly supports the application
5 of NRG to construct and operate the Puente Power Project
6 at Mandalay.

7 The benefits, the business, in the region from
8 the Puente Project include reliable power that is needed
9 when renewables or other sources are not available or
10 online.

11 Keep in mind that the diverse economy of
12 Ventura County, including tourism, manufacturing,
13 agriculture, all depend on the lights being on. Your
14 tourists don't enjoy not being able to have electricity
15 in their rooms.

16 Provides clean natural gas for energy for --
17 the businesses can rely on. The power from the Puente
18 Project, as mentioned, will provide 262 megawatts of
19 power. And it has a significant increased economic
20 activity in Oxnard and Ventura County -- 64 million of
21 economic activity generating jobs with \$60 million of
22 payroll and increased sales and property taxes -- all of
23 which go to the benefit of the community in Oxnard and
24 Ventura County and helps continue to strengthen the
25 economy of the local area.

1 For these reasons, the Alliance is glad to
2 support the application and encourages your positive
3 support

4 COMMISSIONER SCOTT: Thank you.

5 (Applause.)

6 COMMISSIONER SCOTT: I have Matt Guthrie.
7 Going to have Paul Heller and then Dan Smith.

8 MR. GUTHRIE: Good evening. My name is Matt
9 Guthrie. I hope I can get this to stick back where it
10 was. I think I ruined it.

11 COMMISSIONER SCOTT: It has a mind of its own.

12 MR. GUTHRIE: My name is Matt Guthrie. I'm
13 here this evening representing the Ventura County
14 Coalition of Labor Agriculture and Business. We have
15 about 400 members in those industries and various
16 industries whose interest that we're representing
17 tonight.

18 As a policy, CoLAB does not take positions on
19 specific projects, and we're not going to do so tonight.
20 We're here -- we do weigh in on fairness in the process
21 and with a focus on promoting friendly regulatory
22 environment for businesses as a way to maintain and
23 enhance the local quality of life.

24 We're here to speak tonight in favor of
25 regional energy security and reliability. This is

1 critical for homes and businesses in Oxnard and all
2 throughout the west county. A reliable source of power
3 should be a priority for this region. And I think,
4 whatever the solution ends up being -- maybe I'll hold
5 it -- whatever the solution ends up being, we believe it
6 should include a few things. One of those things is
7 protection for ratepayers. And I know -- I think the
8 bids are sealed and we don't know exactly what the costs
9 are. I don't know what the cost would be associated with
10 moving it to a different location. But, inevitably,
11 those things get transferred onto ratepayers.

12 So I think when you look at cost and cost
13 savings or profits, it goes beyond just what the
14 companies involved are dealing with it and it trickles
15 down to the ratepayer and fairness there. So that's one
16 consideration.

17 The other thing is that the demolition of both
18 existing power plants. And I know in the meeting that
19 I've been involved in and the presentations that I've
20 seen, I know NRG has a plan to do that. I don't know
21 that anybody else does. I haven't heard those or don't
22 know that that's been explored, but I know that that's
23 been something that been a -- that they've tried to
24 negotiate and actively pursued. So I think that's an
25 important thing to consider.

1 The environmental impacts of any competing
2 options; obviously, that needs to be taken into
3 consideration. And a solution for the channel there,
4 also. I don't know exactly -- I've heard a few people
5 say that the channel there could become stagnant and be
6 an issue for the residents there as well. So keeping
7 that flow -- or taking that into consideration.

8 So, overall, I think it's just important that
9 the decision be based on facts. I know there is a lot of
10 emotion involved here. I would imagine if this gets
11 sited somewhere else, or there's plans to site it
12 somewhere else, it's not just, "Great, we didn't get it
13 here," and everything is smooth sailing. I'm sure there
14 would be more meetings like this in those places as well.

15 So I just think that as you consider this,
16 energy security, reliability for homes and businesses
17 here is critical.

18 So thank you.

19 (Applause.)

20 COMMISSIONER SCOTT: Thank you.

21 We have Paul Heller, Dan Smith. And then our
22 Public Adviser has given me a group of students who
23 wanted to come up and speak together. So, students, I'm
24 not sure which one of you is going to be speaker. Let me
25 just read off all six your names together and then come

1 up together, which is, Evelyn Garcia, Jessica Torres,
2 Lizbeth Naja, Alexis Juarez, Jose Villafonia (phonetic),
3 Juan Carillo, Maybel del Aguila, and Alma del Aguila. So
4 you guys will be after Dan Smith. So please get together
5 and whoever is going to be the speaker can speak then.

6 All right. Are you on the list of the
7 students? I might not have gotten to you yet. We've got
8 about 80 folks, so I'm working my way through.

9 Okay. So Paul Heller.

10 MR. HULLAR. Good evening. My name is Paul
11 Hullar. I'm founder of Brightwave Energy. We're an
12 energy consulting firm from Ventura County. And I'd like
13 to be clear: Our firm is not involved in this project,
14 but we've been watching it very carefully. And I have to
15 say that I'm actually pretty impressed by the work that's
16 been done.

17 So we've got clients from as far down as
18 Long Beach up to San Francisco, Oxnard out to New York,
19 we do a lot of work in Mexico and in Canada as well. And
20 the work that's being planned here for this plant is
21 going to be some of the cleanest electricity in the
22 country, and I think that's worth noting. With the
23 regulatory issues that we have in California and the way
24 that this plant is being addressed, this power will be
25 cleaner than most of the country's power from other

1 facilities.

2 You know, as I've watched and listened, the
3 things that really jumped out at me are that it does
4 comply with the OTC; it's more efficient than what we
5 have today; it's got a smaller carbon footprint than what
6 we have today; it has a smaller physical footprint than
7 what we have today; it's local, which is great for
8 reliability; it's designed to be interactive with
9 alternative forms of other power generation, which is
10 very important, which most power plants don't have; it's
11 going to produce power for 130,000 homes; and it's about
12 an 80-percent water reduction from what's being done
13 today.

14 We fully endorse it. I think it's a great
15 project. So I'd recommend your approval.

16 COMMISSIONER SCOTT: Thank you.

17 (Applause.)

18 COMMISSIONER SCOTT: I have next is Dan Smith
19 then the students.

20 So, students, I'm not sure who wants to come
21 up, but you're after Dan Smith.

22 And after Dan Smith is Jay Trini Mendoza.

23 Go ahead, Dan.

24 MR. SMITH: Good evening. My name is Dan
25 Smith. I'm the Treasurer for IBW Local 952.

1 I'm here in support of this project. I believe
2 this project's going to keep some of my brothers and
3 sisters working. I did want to make some points. First
4 of all, I heard a lot of talk about Oxnard being a
5 majority Latino and being dumped on. So the IBW Local
6 592 is about 40 percent Latino. I don't know what
7 percentage of them live in Oxnard. But this project
8 means high-paying jobs for those people. They're no
9 longer traveling or out of work.

10 Also, something else, I heard discussions
11 about, before this started was, you know, solar, you know
12 putting solar on every rooftop. And the thing that we
13 need to keep in mind by solar is on a rooftop it's fixed.
14 It can't track the sun. So that solar is only viable for
15 a few hours a day. You know, I'd love to see solar
16 become more prevalent, but that's going to take a long
17 time to do. This is immediately available, clean energy.

18 The other thing I want to point out is, you
19 know, I love the beaches, too. If this is, you know, our
20 only alternative, to take down the other two dinosaurs,
21 as they were called, to me, it makes sense. I'm not very
22 good at math, but help me out here, I think 4 minus 2
23 equals 2. So, to me, it makes sense. I think we should
24 support it.

25 And, lastly, I want to say about the tsunami,

1 if we have this huge tsunami that takes out the power
2 plant, we got much bigger issues. We got -- you know,
3 Oxnard is a very low-lying area. And, you know, whether
4 we put it where we grow our food as it's been suggested,
5 the other location there by Victoria or 5th Avenue or
6 whatever, that's probably going to be underwater, too. I
7 would assume. I'm not an expert in that field, but...

8 To me, it doesn't make sense to build it where
9 we grow our food. You know, to me, it makes sense to
10 build it in an area that's already designated for power
11 plants, tear the other two down, and keep some of our
12 local men and women working.

13 Thank you.

14 (Applause.)

15 COMMISSIONER SCOTT: Thank you.

16 So now we have the students.

17 After the students, we have Jay Trini Mendoza
18 and then Fred Ferro.

19 MS. GARCIA: In regards to the youth, there was
20 a mistake. We're all speaking separately.

21 COMMISSIONER SCOTT: Oh, okay.

22 MS. GARCIA: Yeah, sorry about that.

23 COMMISSIONER SCOTT: That's okay. I'm sorry.
24 Go ahead.

25 MS. GARCIA: My name is Evelyn Garcia. I am

1 16 years old and going to be a senior at Hueneme High
2 School. I am fighting to stop this power plant from
3 being built because I grew up in this city. My family
4 lives in the city. I have a little cousin that is eight
5 months. This is his future. This will affect him
6 directly. The thought of my city being even more
7 polluted than it already is breaks my heart.

8 The city over and over has been taken advantage
9 of and been used as a dumping ground for toxic waste and
10 power plants. We already have three power plants. Do we
11 really need another one?

12 If you allow them to [build](#) this power plant,
13 they will step all over us again. We cannot trust this
14 irresponsible company who has threatened to abandon their
15 two old power plants when the environmental regulations
16 shut them off in 2020. We fought too hard for the best
17 to be given the worst, to be treated like nothing. It is
18 time for Oxnard to have the beautiful coastline it
19 deserves, not approve new power plants that will run for
20 decades.

21 Our city deserves to be cleaner, not more
22 polluted or more toxic to us. Enough is enough. We
23 already have multiple problems to deal with, why should
24 we make breathing one of them. Enough is enough. This
25 city is sick and tired of being used by corporations for

1 their profits. This is environmental racism and needs to
2 stop now.

3 We need to listen to the people of this
4 community, and this generation will not let what the past
5 generation did. We're not going to give up and we're not
6 going let this environmental hazard be built on our
7 beach.

8 Thank you.

9 (Applause and cheering.)

10 COMMISSIONER SCOTT: Thank you.

11 Did -- Jessica Torres?

12 MS. TORRES: Yeah. Thank you. Good evening.

13 My name is Jessica, and I am a senior at Hueneme High
14 School.

15 Now, I can stand here and state the obvious,
16 which would be that adding another power plant on our
17 coast would pollute our beautiful beaches, or I can stand
18 here and ask you to let this power plant be built so this
19 company can make more money. It's not like these
20 low-income community members would do anything to stop
21 it, right? But that's where they're wrong.

22 I ask you to take a look at the amount of
23 people here against the power plant versus those for it.
24 This is ridiculous. Enough is enough.

25 When people picture the beach, they see warm,

1 clean sand with crystal clear water, not a dirty coast
2 with a power plant as the main attraction.

3 Thank you.

4 (Applause.)

5 COMMISSIONER SCOTT: Thank you.

6 Lizbeth Naja is next.

7 MS. NAJA: Hello. My name is Lizbeth, and I'm
8 going to be a senior at Hueneme High School.

9 It amazes me that NRG would try to place a
10 fourth power plant here in Oxnard, but why wouldn't they?
11 They obviously just care about the money they'll be
12 making. But we, the community of Oxnard, are ready to
13 put an end to this and speak up against NRG.

14 Our city is beautiful and we care about it. We
15 don't want this power plant here because it will affect
16 us tremendously.

17 NRG states that this power plant will bring
18 more jobs to the city of Oxnard, but if the cost for
19 these jobs is dirty energy and pollution, then we don't
20 want them. There are more opportunities for jobs with
21 clean energy besides the dirty energy NRG will provide us
22 with.

23 All of my family resides here in Oxnard. My
24 niece is barely six months, and I don't want her to grow
25 up in this type of environment.

1 Enough is enough. We want clean air, and we
2 want it now.

3 (Applause.)

4 COMMISSIONER SCOTT: Thank you.

5 Next Alexis Juarez.

6 MS. JUAREZ: Good evening. My name is Alexis
7 Juarez, and I'm a senior at Hueneme High School.

8 And, honestly, it's ridiculous to me that this
9 issue is still being up to debate. I mean, it's obvious
10 that the residents of Oxnard do not want a fourth power
11 plant. Other than being an obvious blight on our coast,
12 it releases pollutants to -- and it -- it releases
13 pollutants in close proximity to our residents.

14 And I think it's a sad day when my little
15 cousin, who is six years old, he can, like, quickly
16 identify these power plants when he -- when he's
17 oblivious to the fact that he lives right next to, like,
18 some beautiful wetlands and they're just right in his
19 back yard.

20 Instead of making these wetlands a dumping
21 ground, we should be preserving them, instead of building
22 power plants on them.

23 And when I go to college, I would -- when I go
24 to college, I want to be proud to tell people that I'm
25 from Oxnard rather than being ashamed that we're a

1 corporation's doormat.

2 Thank you.

3 COMMISSIONER SCOTT: Thank you.

4 (Applause.)

5 COMMISSIONER SCOTT: Next is Jose Villafonia.

6 MR. VILLAFONIA: Hello. My name is Jose
7 Villafonia, I'm incoming senior at (indiscernible) High
8 School.

9 And officials and most adults always say that
10 teens and young adults shouldn't get involved in
11 environmental issues. We owe it to ourselves and -- to
12 address this topic, not only for ourselves, but also for
13 our hardworking parents who most of the time are unaware
14 of these issues. And we also owe it to our brothers and
15 sisters who aren't old enough to understand these issues
16 and can't address these issues for themselves. It is our
17 right, if not our obligation, to speak up against
18 corporations that think they can harm our home.

19 Building a greener power plant is not a good
20 thing. A power plant is still a power plant. It's still
21 going to contribute to what the other three are still
22 doing. We don't want the city to let NRG contribute to
23 the mess that they have already made.

24 Thank you.

25 COMMISSIONER SCOTT: Thank you.

1 (Applause.)

2 COMMISSIONER SCOTT: Juan Carillo is next.

3 Mr. CARILLO: All right. My name is Juan
4 Carillo.

5 And having lived in Oxnard for most of my life,
6 I've grown to care and love our city of Oxnard.
7 Pollution has grown already in this city, and by bringing
8 another power plant, we're just bringing pollution up to
9 a size (indiscernible). I mean, how many power plants
10 are in Malibu? Zero. How many power plants are in
11 Santa Barbara? Zero. And that's just to show that by
12 bringing one more -- somebody said two is greater than
13 zero. I mean, two is better than four, but two is still
14 greater than zero, as in other cities.

15 The plant will not only pollute over our coast,
16 but it will harm our future generations. What about our
17 kids? What about our grandchildren? What are they going
18 to face on the city of Oxnard? Everybody sees Oxnard as
19 the little kid everybody can push around. But that has
20 to stop now.

21 We see signs and commercials everywhere saying
22 that, Oh we need to be eco-friendly and we need to
23 recycle and save the pollution in our city, but what are
24 these corporations showing us? They're showing us bad
25 examples in that pollution is still happening in our

1 cities.

2 Thank you.

3 COMMISSIONER SCOTT: Thank you.

4 (Applause.)

5 COMMISSIONER SCOTT: I have Mabel Del Aguila.

6 MS. DEL AGUILA: Hi. I'm Maybel, and I'm going
7 to be a freshmen at CI -- at Channel Islands High School.

8 We definitely do not need another power plant
9 in Oxnard. It's just going to pollute the air, coast,
10 and ocean. One thing I do not like is when I go to the
11 beach and a big portion of it is off limits because NRG
12 doesn't let you go in there. The only time I have been
13 in there is when NRG sponsors its yearly beach cleanup in
14 which people clean up the part of the beach that's off
15 limits.

16 I don't want to be breathing unknown chemicals
17 in the future, and I'm sure no one else in Oxnard does.
18 I am not impressed with those shiny buses that have been
19 running all day either.

20 COMMISSIONER SCOTT: Thank you.

21 (Applause.)

22 COMMISSIONER SCOTT: We've got Alma del Aguila.

23 UNIDENTIFIED FEMALE SPEAKER: What number are
24 you up to, please?

25 COMMISSIONER SCOTT: I'm sorry?

1 UNIDENTIFIED FEMALE SPEAKER: What number are
2 you up to, please?

3 COMMISSIONER SCOTT: Oh, I thought the students
4 were all in a group together, so they are 19.

5 UNIDENTIFIED FEMALE SPEAKER: Oh, okay. Thank
6 you.

7 MS. DEL AGUILA: My name is Alma Del Aguila,
8 and I'm going to be a junior over at Channel Islands High
9 School.

10 As you all know, from Malibu's beautiful coast,
11 they have zero power plants. Look at Santa Barbara, and
12 they also have zero power plants. Carpinteria has zero.
13 Ventura has zero. Santa Monica has zero. Yet Oxnard has
14 three power plants on our coast. Why is that? Is it
15 because our city is made up of minorities and low-income
16 households? Is it because of a ludicrous idea that the
17 citizens of Oxnard don't care about the environment? Or
18 is it because we have been unfairly labeled as a lost
19 cause not worth fighting for?

20 No other coastal city in the entire state of
21 California has as many power plants as we do. I care
22 about the threatened and endangered animals in the
23 wetlands. But, more importantly, I also care about the
24 quality of the lives of the people in my community.

25 Like you, I've listened to NRG's business

1 speal, and I'm concerned. They say sea-level rise isn't
2 an issue, but the Nature Conservancy, a well-known
3 non-profit, stated in a project mapping sea-level rise in
4 Ventura County that the power plants would be directly
5 affected.

6 They say this will create more jobs, but isn't
7 it understood that most of these jobs are for
8 constructing the power plant over an 18-month period? To
9 me, that doesn't seem like a stable job for a parent or a
10 single mother trying to sustain their family. It's only
11 a little over a year. What could a family live off of
12 that in a long run?

13 What is truly concerning is that they say
14 they're using new dry-cool technology that will reduce
15 the amount of water needed by 80 percent. If that's
16 true, then why are they so adamant on disturbing nature
17 and claiming that it must be put on our coast? Where is
18 the logic in that?

19 This is our home and we are proud of Oxnard and
20 don't want to see it ruined. Enough is enough. We are
21 sick and tired, and we want to reclaim our beach.

22 Thank you.

23 (Applause and cheering.)

24 COMMISSIONER SCOTT: Thank you.

25 (Applause and cheering.)

1 COMMISSIONER SCOTT: All right. I have Jay
2 Trini Mendoza followed by Fred Ferro and then Gary
3 Meneghin.

4 MR. FERRO: I'm not Mr. Mendoza.

5 COMMISSIONER SCOTT: Do we have Jay Trini
6 Mendoza?

7 Okay. So are you Fred Ferro?

8 MR. FERRO: Yes, I am.

9 COMMISSIONER SCOTT: Okay. So we have Fred --

10 MR. FERRO: Thank you.

11 COMMISSIONER SCOTT: -- Ferro then Gary Men- --
12 I'm sorry -- Meneghin, and then Nancy Lindholm.

13 MR. FERRO: Well, thank you both to the
14 Commissioners and staff for holding this hearing in
15 Oxnard. My name is Fred Ferro. I'm the Chair Elect
16 incoming for the Board of the Oxnard Chamber. We're a
17 non-profit business advocacy group with over 500 members,
18 and we support this project.

19 And why? Oxnard businesses, they want and need
20 a continuous, reliable power source that is affordable in
21 order to grow and serve local community needs for goods,
22 services, and employment right here in Oxnard.

23 This Puente proposal before you by NRG, it
24 helps ensure that. And, as you've heard, it's a reduced
25 footprint physically on even a water use, less potable

1 water, its quick-start future has not been, I think,
2 focused on in these presentations adequately, and it
3 allows it to integrate very well with alternative
4 sources -- solar and wind.

5 This project, as you heard, does have economic
6 benefits, very positive, both jobs, sales tax, property
7 tax, and those jobs are both construction and on
8 operations and maintenance.

9 So you've heard about alternative sites. Some
10 of those do need new infrastructure to link those to
11 roads, to gas lines and power. This site does not need
12 that. I'm sure it's one of the reasons it was a winning
13 bid.

14 So I ask you if this can be approved, this
15 Puente Project, I think it really acts as a bridge. It
16 will get us to the new sources and also be a way to get
17 demolition finally of the other two plants on a time
18 certain if the city will cooperate.

19 Thank you.

20 COMMISSIONER SCOTT: Thank you.

21 Do I have Gary Meneghin?

22 Sorry if I'm butchering your name.

23 And after Gary is Nancy Lindholm and then Dr.
24 Henry Villanueva.

25 MR. MENEKHIN: Good evening. My name is Gary

1 Meneghin. I have been a resident of Oxnard for about two
2 years, and I live about a mile and a quarter from the
3 proposed power plant site.

4 This proposed power plant site has a very long
5 list of serious, unresolved siting issues. And many of
6 them have already been discussed. I don't want to
7 belabor those. Sea-level rise. We have an upcoming El
8 Nino year. We really don't know what that's going to do
9 in terms of sand erosion and dune erosion.

10 I feel there's a complete absence of an
11 adequate economic and environmental alternative site
12 analysis. And that's been pointed out earlier.

13 There's an absence of what I think is sound
14 geotechnical and tsunami review.

15 A number of people have talked about the
16 environmental justice issues. I really feel that Oxnard
17 has carried its burden for these existing sites since the
18 1950s. The fact that there were poor decisions made in
19 the '50s doesn't mean that the Energy Commission should
20 simply compound those and continue making poor decisions
21 because poor decisions were made then.

22 It is time for other communities to share the
23 burden of the power plant sites that generate regional
24 peaking power. People have been talking about this as if
25 this power plant supplies only Oxnard. It's a peaking

1 plant. So we need to get clear on that.

2 The City Planner, who I thought did a wonderful
3 job in his presentation, pointed out that there's no
4 discussion of visual impacts. And I just want to make a
5 point. I live by this power plant and I walk by it every
6 single day. I have hundreds and hundreds of photographs
7 of the power plant in various states of the year --
8 seasons, conditions -- and there's a photograph that was
9 and the front table that purports to show the existing
10 power plant and what this additional plant would look
11 like next to it. I will just simply tell you that I have
12 hundreds of photographs that don't look anything like
13 this. And I have the ability to Photoshop a power plant
14 into those photos. I'm not going to say this was an
15 intentional effort to make this appear as if it's just a
16 tiny little incremental increase, but that's kind of what
17 it looks like to me.

18 I propose that you deny this new siting
19 request, ask the Applicant to go find a suitable location
20 further inland, away from our limited coastal beach
21 resources. And existing plants should not only be
22 decommissioned in 2020, but they should be dismantled.

23 Thank you.

24 COMMISSIONER SCOTT: Thank you.

25 I have Nancy Lindholm, Dr. Henry Villanueva,

1 and then Michael Stubblefield.

2 MS. LINDHOLM: Good evening, Commissioner Scott
3 and Douglas and members of the commission staff, folks
4 from NRG. I'm Nancy Lindholm. I'm the CEO of the Oxnard
5 Chamber of Commerce, and I'm also a resident of Oxnard.
6 And, just for the record, I'd like to note that I have
7 not given my permission to any other speakers tonight to
8 represent me as an Oxnard resident.

9 The Oxnard Chamber of Commerce supports
10 reliable energy for our residents and businesses. How we
11 get and use energy is changing rapidly. The technology
12 for development of electric storage via batteries is
13 emerging. We are increasing the percentage of power from
14 renewable sources every day. But we're not there yet.
15 We need a dependable source of power.

16 As you likely know, a breach in the electrical
17 grid could leave Oxnard isolated without power for days
18 or weeks. Oxnard is the home to many high-tech
19 manufacturing and biomedical firms. Those companies rely
20 on a dependable source of power to operate and to provide
21 local jobs.

22 The Puente Power Plant is a 30-year project
23 that needs to move forward. If the city of Oxnard and
24 many of the attendees at this evening's hearings are
25 truly concerned about our coastal environment, they

1 should talk to NRG about their offer to decommission and
2 remove the old Ormond and Mandalay plants.

3 I appreciate the city's suggestions of
4 alternative sites, but what would that do to remove the
5 old plants?

6 Thank you.

7 COMMISSIONER SCOTT: Thank you.

8 (Applause.)

9 COMMISSIONER SCOTT: I have Dr. Henry
10 Villanueva followed by Michael Stubblefield and then Mike
11 DiMartino.

12 MR. VILLANUEVA: Good evening. And thank you
13 for being here with us. My name is Dr. Henry Villanueva.

14 I want to start by just applauding the students
15 for being the youthful voice of our future. I think --
16 join me, please.

17 (Applause.)

18 MR. VILLANUEVA: I would like to applaud the
19 city of Oxnard for its compelling presentation in
20 demonstrating that they have not only analyzed the
21 situation correctly but have also sought out reliable and
22 contemporary data points to be able to articulate the
23 reasons why we shouldn't have the power plants.

24 I wish that the Applicant would have taken the
25 same vein, instead of using antiquated information in

1 historical kinds of data to be able to paint a picture
2 that things are as they always have been. We know that's
3 not true. We know that the climate is changing. We know
4 that the sea is changing. We know that we are having
5 significant problems. And by putting the power plants in
6 its current existence, we will only exacerbate that.

7 So I ask that you seriously consider not
8 allowing the power plant to be there because, one, the
9 city of Oxnard has presented a very compelling case and,
10 secondly, I would ask the Applicant to come back with
11 information that is more current.

12 The thing that was really obvious to me in the
13 Applicant's presentation was the lack of mentioning of
14 how it would affect the wetlands. They talked about
15 noise. They talked about pollution. And those are
16 meaningful, but really the wetlands was never even
17 mentioned.

18 That leads to the second point that I want to
19 make, and that has to do with transparency. I'm greatly
20 concerned about the transparency when a large corporation
21 says, "I want to give you," "I want to give you," and
22 "I'm going to give you money," and that sort of thing. I
23 took the opportunity today to visit the posters that we
24 have, and I spoke to representatives that were there to
25 give us information. So I asked the question, when the

1 peaker plant is at full capacity, how much will it
2 produce? 260 megawatts or whatever that happens to be.
3 I said, "Can you tell me how much of that will actually
4 come to Oxnard at its peak point?" And he said, "Well,
5 no, they go to Santa Clara and then it diversifies [sic] and
6 then it goes to here and there." And I said, "But can
7 you tell me to what degree it would serve Oxnard
8 specifically?" And he could not. He said there's no
9 measurement in place to determine during its peak
10 production how it would benefit Oxnard specifically.
11 Yet, in their publication, they clearly say that,
12 "...generating station have provided power for Oxnard."
13 Yet they can't articulate to what degree. So there's an
14 issue of transparency in that statement.

15 The second question I asked is that we say we
16 are going to have \$64.4 million available to us to
17 locally purchase construction materials and that would
18 mean jobs and that would mean opportunities. But when I
19 asked a question of the representative and I said,
20 "Specifically, how much of this is actually going to go
21 to Oxnard or even Ventura County?" And it represents
22 about 20 percent. But when he read the literature, it
23 says Oxnard, Ventura County, you're getting
24 \$64.4 million. But the reality is you're only getting
25 about 13 over a two-year period, which is about 6.5

1 million a year.

2 When I drilled down a little bit further and I
3 said, "Is this an expected amount that you will guarantee
4 for this group?" There was a little bit of fumbling with
5 it. And I said, "Would you have the option to be able
6 to, if you could not get the best rate in Oxnard or
7 Ventura County, go to, for example, Los Angeles, LA
8 County?" And the answer was yes.

9 So even when they talk about -- I'm finishing
10 up. Even when they talk about the 13 million, it is not
11 specific. This is very gray. It's very kind of
12 fabricated in that regard.

13 Thank you.

14 COMMISSIONER SCOTT: Thank you.

15 (Applause and cheering.)

16 COMMISSIONER SCOTT: Next is Michael
17 Stubblefield followed by Mike DiMartino and then Jocelyn
18 DiMartino.

19 MR. STUBBLEFIELD: Chairwoman Scott, members of
20 the California Energy Commission, staff, my name is Mike
21 Stubblefield. I'm here on behalf of the Sierra Club, the
22 Los Padres chapter. I'm a member of the Executive
23 Committee. I'm also the Air Quality Chair. And I'm also
24 a member of the Sierra Club California Energy Climate
25 Committee.

1 And the chapter which I represent, locally,
2 spans all of Santa Barbara and Ventura Counties. I'm
3 going to have more detailed comments that I am going to
4 submit in writing, but I just want to clear up a few
5 things here.

6 A new power plant can be built absolutely
7 anywhere in the Moorpark subarea. There is absolutely no
8 reason to site it at the beach. We already have three
9 power plants: Mandalay Bay since 1959; Ormond Beach
10 since 1973; and the new Edison peaker since 2007. No
11 other community in Ventura County has ever had even one
12 power plant. That's why many of us are here today to
13 express our anger and frustration to the CEC that the
14 only explanation for this proposal by NRG is that it
15 already owns the former Edison/Reliant/RRI power plants
16 at Ormond Beach and Mandalay Bay, so it's cheaper for NRG
17 to simply build another new plant at the beach.

18 Now, I understand the NRG's rationale for
19 submitting this proposal for another natural gas fired
20 power plant at Mandalay Bay might make sense strictly
21 from a financial point of view, but it doesn't make sense
22 to those of us who live here. Oxnard is already the
23 industrial rail, shipping, and trucking capital of
24 western Ventura County, but we're trying of being the
25 power plant capital as well. We want folks to come visit

1 us because of our great weather; our clean air; our
2 spectacular mountainous back country, the Los Padres
3 National Forest; our vibrant agricultural community; the
4 Oxnard plain, one of the largest and richest alluvial
5 plains in the world, and most productive, I made at; and
6 the beaches along our beautiful coastline. But power
7 plants on our coast are just not part of our vision for
8 the new Oxnard.

9 We have already paid our dues by being forced
10 to live with power plants for almost 60 years. I hope
11 one day that my wife and I can walk at Ormond Beach or
12 McGrath State Beach without having to look at power
13 plants. If you really must build a new plant in the
14 Moorpark subarea, then perhaps you might consider putting
15 it where it's really needed, like the eastern part of
16 Ventura County, where everybody lives in air conditioned
17 homes and works in air conditioned offices most of the
18 year.

19 And if you're unable -- that's if you're unable
20 to identify a suitable site that has been identified by
21 our Senior Planner, Chris Williamson. I thought he made
22 some excellent alternative proposals.

23 Thanks very much.

24 COMMISSIONER SCOTT: Thank you.

25 (Applause.)

1 COMMISSIONER SCOTT: I have next Mike
2 DiMartino, then Joselyn DiMartino, followed by Chris
3 Collier.

4 And we're on about Number 28, 29. I do have
5 about 75 folks, and so if --

6 MR. DIMARTINO: Here we go.

7 COMMISSIONER SCOTT: Yes, please.

8 MR. DIMARTINO: All right. Good evening.
9 Thank you for being here.

10 I would like to know what the rush is. You
11 know, every time one of these corporations come into our
12 community, it's a big rush. Oh, we have to put in an LNG
13 terminal because we got to have gas coming 10,000 miles
14 from Australia. Oh, we have to have a peaker plant
15 because this peaker plant that they stuck down on the
16 beach for us the last time that we had to sit through
17 these meetings, we had to have it because the grid's
18 falling apart. Okay. So, now, we've got to have another
19 peaker plant. So what's the rush?

20 The city of Oxnard is trying to develop a plan
21 for the beach. We need time to finish that work.
22 There's also in play a regional power plan, including
23 Santa Barbara, the whole community, we can try and figure
24 out what's the best thing to do for the region, not just
25 some peaker plant.

1 The Energy Commission in the past has said that
2 solar peaker power plants are economical and a good way
3 to go. Why isn't that in the forefront of this thing?
4 Why are we being forced and rushed into this deal? We
5 don't -- these power plants are here right now. We just
6 had a peaker plant put up just a few years ago that was
7 forced on us. That peaker plant is supposed to cover for
8 these two other power plants that we have here.

9 In the meantime, let's get some solar energy
10 going. That's what we need in this community. What do
11 we do when the desal plants are needed in our community?
12 How are we going to power them? Are we going to put
13 another gas plant, or are we going to put up some solar
14 power to take care of the desalination plants? Because
15 we're in a drought and there's nothing saying that we're
16 going to get out of a drought.

17 As a matter of fact, climate change has -- it's
18 just been figured out that 20-percent increase in our
19 problem here is because of climate change. And what are
20 we going to do? Put up another fossil fuel dinosaur.
21 And you guys are sitting here thinking in the past. Your
22 staff people are thinking in the past. Nobody is
23 thinking these things out in a logical large picture.
24 It's, "Oh, let's just -- let's just do what the Energy
25 Commission wants. Let's do what the Public Utilities

1 Commission, which really isn't public, wants to do," and
2 the guy that's being indicted. We got to do what they
3 do. No. We want something different. We want something
4 logical and smart.

5 And I have an article here that was written by
6 Carl Pope, and it's called, Obama isn't killing power
7 plants, the sun is. And if you read this, you will see
8 what the real deal is behind why we're being forced to
9 have this peaker plant up right now. And I'd like to
10 submit this.

11 Thank you.

12 COMMISSIONER SCOTT: Thank you.

13 (Applause.)

14 COMMISSIONER SCOTT: I've got Joselyn
15 DiMartino, Chris Collier, and then Janice McCormick.

16 Joselyn.

17 MS. DIMARTINO: Hello. My name is Joselyn
18 DiMartino. I'm a five-year junior lifeguard. I spend my
19 summers on the beach, five to six hours a day, if not
20 more. It would break my heart to see the future
21 generations not be able to go in the water because it's
22 polluted or having asthma and other diseases because of
23 the pollution in the area.

24 If companies like NRG keep trying to make more
25 power plants, it's basically just a game of when you want

1 humanity to end. Your children could be in danger. You
2 could be in danger.

3 I don't know if any of you have heard, but
4 apparently NRG has a solar side. My question is: If
5 there's a solar side, why are they choosing to pollute
6 Oxnard? Why Oxnard? What about Santa Barbara? What
7 about Malibu?

8 I'd like to see NRG put it here, solar. Why
9 not solar? Why does it have to be some polluting machine
10 that's, basically, when it's going to be built, it will
11 be out of its time.

12 I've heard people say, "I think Oxnard should
13 have three more power plants." I think to myself, "Well,
14 maybe that's because you live in Malibu."

15 Stop the madness of future generations like
16 me -- or future generations like me will be suffering.
17 Don't make your children suffer.

18 Thank you.

19 COMMISSIONER SCOTT: Thank you.

20 (Applause.)

21 COMMISSIONER SCOTT: We have Chris Collier
22 followed by Janice McCormick followed by Greg Sefain.

23 MR. COLLIER: Think of Ventura County without
24 reliable energy. In this room alone, lights, sound,
25 screens, earlier there was air-conditioning, and not to

1 mention everyone I see in the audience checking their
2 phones and mine's hovering around ten percent, so I'm
3 thankful for reliable power tonight.

4 Our region needs reliable local energy,
5 otherwise, we're an island. We're here in this subregion
6 all by ourselves. I'm Chris Collier speaking on behalf
7 of the Camarillo Chamber of Commerce as Chairman of the
8 Business Advocacy Committee. We take up public policy
9 issues, and we're here tonight representing the chambers
10 and its hundreds of members in support of this project.

11 Regional energy security is vital to a strong
12 business community. Energy runs our economy.
13 Agriculture, manufacturing, services, healthcare, natural
14 resources and production, retail, and even tourism, it's
15 all powered. It all needs reliable local energy. We
16 need this project. It's the right project. It complies
17 with the need for energy generation, reduces emissions
18 compared to the existing plants, and eliminates the need
19 for the ocean water cooling.

20 It's important to note that this is the first
21 viable plan that has the opportunity to remove the two
22 older plants at Ormond and Mandalay. There's a project
23 that can actually accomplish this, this project, if the
24 city of Oxnard would only work with NRG in the process.

25 It makes sense: We get one new, cleaner,

1 smaller plant to replace the two older plants. It's not
2 the four plants. It's one new plant. It's a no brainer.

3 We've also heard a little bit about social
4 justice. You know, this is a peaker plant that's going
5 to operate sometimes and not operate other times. So
6 what happens when we turn the switch and the power comes
7 from somewhere in LA or somewhere else? This is nimbyism
8 at the expense of the security of our local energy
9 supply, and it will have drastic effects on local
10 businesses, local jobs, and local familiars if this is
11 not approved. Look at the facts first for this project.

12 On a personal note, I was born in Oxnard. I
13 lived the first years of my life here. I've lived here a
14 couple of times since then. I grew up across the street
15 from the Mandalay station, a neighborhood called the
16 Dunes. I lived there in the Shores. It's a great
17 community. I visit the beach. I was here last sun
18 swimming the waves. You know what? The power plant's
19 been there longer than I have, and I think I came out
20 okay.

21 Thank you.

22 (Applause.)

23 COMMISSIONER SCOTT: Thank you.

24 I have Janice McCormick followed by Greg Sefain
25 and then Bob Nasty.

1 MS. MCCORMICK: Commissioners and staff, my
2 name is Janice McCormick, and I represent the
3 Environmental Coalition of Ventura County.

4 Currently, Ventura and Santa Barbara Counties
5 are served by two major power plants at Ormond Beach and
6 Mandalay Bay. Both will be turned off by 2020 due to
7 state mandates that will no longer allow the use of ocean
8 water for through cooling, leaving one major, the
9 245-megawatt Edison peaker plant at Mandalay Bay.

10 The issue of reliability at the Mandalay Bay
11 site with the risks of sea-level rise, tsunamis,
12 earthquakes, airplane crashes -- it's near a Navy
13 aviation station and the LAX path and there's some small
14 local airports -- terrorism, and fires -- it's next to
15 small oil field, and yet NRG proposes to locate their
16 power plant right next to the existing Edison plant.

17 And so all the same dangers that the Edison
18 plant faces, the proposed energy plant will face, and,
19 most importantly, at exactly the same time. So if the
20 Edison plant is damaged or destroyed, probably the
21 proposed NRG plant would also be damaged or destroyed.
22 This is not reliability, putting both plants at the same
23 site.

24 Social economic. The city of Oxnard is the
25 only city in the county to have major power plants and

1 on, of all places, its beaches. The citizens of
2 California voted for the Coastal Act to provide access to
3 the beaches for all citizens. The Coastal Commission
4 works to provide affordable accommodations to the beach
5 for middle-class and working-class people. McGrath State
6 Beach Park has campsites that provide affordable
7 accommodations. This proposed [site](#) is surrounded by
8 public lands. The land between the McGrath State Park
9 and the Ventura harbor also belongs to state parks.
10 Nearby are homes. The only industry is the existing
11 plant and a small oil field that will be played out in
12 the future.

13 The city of Oxnard and its citizens have a
14 vision of recreation, tourism, and its associated job
15 opportunities for its beaches, not another power plant
16 with its 17 permanent jobs.

17 There is no reason to place a new power plant
18 on the Ormond Beach at the end of the transmission line.
19 Peaker power plants should be placed along the
20 transmission lines inland where the peak demand is
21 greatest for best transmission line efficiency.

22 Looking at alternatives issues should not be
23 driven by what NRG wants. Alternative [sites](#) away from
24 the dangers at the low-level beach should be looked at,
25 not just sites that NRG currently owns.

1 And in line with the state and [federal](#) mandates
2 and laws, alternative power sources and storage should be
3 looked at rather than building a new power plant that
4 will be overwhelmed by regulations in the near future.

5 Note: The current Ormond Beach and Mandalay
6 Bay plants have no commitment nor any plan by NRG to
7 remove them, including, as it states clearly in their
8 application, that they have no intentions of removing
9 them.

10 Thank you.

11 I have a couple articles regarding the site
12 risks. Who should I give those to?

13 COMMISSIONER SCOTT: You'll give those to our
14 Public Adviser. She's over there in the black jacket and
15 green dress. She'll make sure that they --

16 MS. MCCORMICK: Thank you.

17 COMMISSIONER SCOTT: -- get into the docket.

18 Thank you.

19 (Applause.)

20 COMMISSIONER SCOTT: I have Greg Sefain, Bob
21 Nasty, and Ed Ellis.

22 MR. SEFAIN: Good evening, Commissioners. My
23 name is Greg Sefain, and I represent the Coastal Energy
24 Alliance. We are a collision that works to represent our
25 fellow members of the community who work and have

1 interest in the energy community.

2 Tonight, we applaud the Puente Power Project
3 and the plan that NRG has put together that provides
4 faster, cleaner, and resourceful supply of electricity
5 for the Oxnard community. The Puente Power Project will
6 take the Ormond Beach generating plant that relies on
7 outdated ocean water cooling technology from the 1950s
8 and transforms it into a system of renewable energy that
9 will put Oxnard at the front of California energy
10 technology.

11 Oxnard and Ventura County have never had the
12 opportunity that will provide energy that will be
13 environmentally friendly to the air quality by reducing
14 greenhouse gas emissions while at the same time
15 respecting our ocean and the beautiful coastline. NRG
16 has brought a new, innovative way to produce energy that
17 is environmentally conscious to the atmosphere that all
18 of us in west county love to live in.

19 Projects like the Puente Project that go above
20 and beyond improving our climate should be rewarded. We
21 stand with NRG and support this project of innovative
22 energy technology that will provide power for thousands
23 and produce an improved Ventura County.

24 Thank you for your time.

25 (Applause.)

1 COMMISSIONER SCOTT: Thank you. Do I have -- I
2 have Bob Nasty, Ed Ellis, and then Martin Kaplan.

3 Do I have -- is Bob here?

4 Okay. How about he had Ed Ellis?

5 MR. ELLIS: Good evening, Commissioners and
6 staff. My name is Ed Ellis, and I've lived in Oxnard for
7 over 50 years.

8 The overwhelming number of people in Oxnard
9 don't need or want NRG or any other power plant on our
10 coast. Past history has shown that state commissions
11 have not cared about the results of building unwanted
12 environmental harming power plants on Oxnard's shores.

13 A case in point was the attempt to place ships
14 carrying natural gas off the shores of Oxnard, also the
15 okay for the building of a peaker plant at Mandalay Bay,
16 and recently the Department of Pesticide Regulation that
17 allowed growers around Rio Mesa school to use a
18 cancer-causing pesticide as [sic] levels far above the
19 limits it had set to protect the public health. Our
20 children attend those schools.

21 No one says that NRG is not needed or wanted.
22 The people of Oxnard just want NRG to build somewhere
23 other than Oxnard shores. They will keep their jobs, not
24 having to travel to work, and their families could
25 continue to live and enjoy the city of Oxnard. All they

1 have to do is build on the other sites offered by the
2 city of Oxnard.

3 Thank you for this public hearing, and I
4 implore you to vote down this unneeded and unwanted
5 fossil fuel power plant on Oxnard's shores.

6 Thank you for listening.

7 COMMISSIONER SCOTT: Thank you.

8 (Applause.)

9 COMMISSIONER SCOTT: I have next Martin Kaplan
10 followed by Zack Schultz and then Diane Delaney.

11 MR. KAPLAN: Thank you Commission, for coming
12 down here to beautiful Oxnard to hear us.

13 I've consulted my crystal ball, and the crystal
14 ball has told me that there will be a plant, a power
15 plant. The power -- the NRG will work very hard to meet
16 every regulation of all the commissions, but there will
17 be one last hoop to jump through, and that is location.
18 As real estate agents will tell you, location is the
19 important thing and as, in fact, many people here have
20 told you, location is the important thing

21 We have not heard from NRG anything about the
22 alternate locations -- excuse me -- that have been
23 offered. We've not heard about -- and location has been
24 really the theme of most people who have spoken, the
25 beach location. We have not heard about the alternate

1 locations and what's wrong with them. We have heard some
2 hints. We have heard hints that it would be more
3 expensive because some infrastructure would have to be
4 built, roads and so on, cutting into -- increasing costs.
5 Read: Cutting into profits. But that would have to be
6 balanced against some of the losses to Oxnard and its
7 citizens by not -- by building at the beaches.

8 Look at some of the gains though by building
9 somewhere else. If they built at one of the other
10 places, for example, one of the other location in Oxnard
11 or even at Santa Paula, and had to build some of the
12 infrastructure, there would be more jobs, more of the
13 18-month jobs and some of the people in the back of the
14 room would -- more of these people would work because
15 they would be building the roads. So some of those
16 things would be better.

17 In closing, I have to say about my crystal
18 ball, NGR shouldn't get too excited about my prophesying
19 that it would be -- there would be a plant because my
20 crystal ball also told me that the stock market would go
21 up last week.

22 COMMISSIONER SCOTT: Thank you.

23 I have Zack Schultz, Diane Delaney, and then
24 Julie Pena.

25 MR. SCHULTZ: Good afternoon Commissioners and

1 staff. Thank you for giving me the opportunity to share
2 my opinion on the Puente Power Project. My name is
3 Zachary Schultz, and I'm a student at CSU Channel
4 Islands.

5 The stability and integrity of the energy
6 industry is important to me because I see it as a viable
7 career choice for myself once I graduate. West county
8 will benefit tremendously from the power generated
9 through this. The newer generator model allows for less
10 start-up time to operate and provides more output with
11 fewer input. In every way will this project be an asset
12 to the city of Oxnard. Not to mention that this project
13 replaces two of the outdated models, resulting in fewer
14 generators altogether. Do the math.

15 This project allows us to use state-of-the-art
16 technology instead of relying on outdated machinery. As
17 a college student I want to use what I learned in the
18 classroom to advance technology further, which will
19 result in plants that are even more energy efficient. We
20 need reward innovation and encourage fostering new ideas.

21 Therefore, I implore you to look at the facts
22 instead of the emotional appeals spoken about this
23 project. My colleagues and I are being made the victim
24 of bad financial and economic decisions of the generation
25 prior to us. Let's continue to move forward with

1 energy-generating technologies.

2 NRG generates clean energy, does this task
3 efficiently, and provides safe local and reliable jobs
4 for west county. They should be allowed to break ground.

5 Thank you.

6 COMMISSIONER SCOTT: Thank you.

7 (Applause.)

8 COMMISSIONER SCOTT: I have Diane Delaney
9 followed by Julie Pena and then Jeremy Myer.

10 MS. DELANEY: Whoops. I don't know if you guys
11 can -- I'm one of the short ones here.

12 I didn't know how the process was going to
13 work, but I brought you a picture that I took just right
14 down the way from where NRG is located, and Alana told me
15 that I can submit this into the record for you. And I
16 hope you all will look at it, because everybody that's
17 seen this is just in amazement how beautiful this is.
18 And it's very easy -- a lot of people have come up and
19 they've talked about the wetlands that are just to one
20 side of where the NRG plant is, and what this depicts --
21 I don't know if you can see it -- is six very plump,
22 healthy American white pelicans lounging around looking
23 beautiful. And this picture was taken in January.

24 And our wetlands, again, just feet from NRG, it
25 is like a box of chocolates: Every month, there's

1 something different to be seen there. It's beautiful and
2 it's unique. And I would say at what price -- at what
3 price would we give this up? Where can you see this?
4 And, unfortunately, you guys are going to be the judges
5 and jury about what happens to our future, but you're not
6 here every month. I don't know even know if any of you
7 have been able to have the opportunity to take that
8 beautiful walk and see what we're worried about.

9 And this is our future, and I think that our
10 city has done a very good job of showing that there are
11 alternatives that will keep jobs, that will make
12 everybody happy, and we'll have power, the San Fernando
13 Valley will have power, maybe someday we'll have
14 air-conditioning in here.

15 But the other thing, too, is -- since I have
16 time, is people have talked about the injustice. And
17 there is an injustice because we have several surrounding
18 cities that benefit from our four power plants, Ventura,
19 the Rincon, Carpinteria, Port Hueneme, Moorpark, Thousand
20 Oaks, Camarillo, Santa Paula, Piru, Fillmore, Ojai, Oak
21 View, to name a few, all cities without a power plant.

22 It is time for somebody to share a little bit
23 in the burden. Yes, we all love power. We all want to
24 power up our telephones. But we're just saying let
25 somebody else share or look at the alternatives. I think

1 the alternatives are reasonable. And, again, we don't
2 want to give this up. In those 36 months of
3 construction, we don't know if those birds will ever
4 migrate here again, if they'll find another place to
5 live. This is too beautiful. Even Dawn at NRG would
6 agree, it is too beautiful to give up.

7 Thank you very much.

8 COMMISSIONER SCOTT: Thank you.

9 (Applause.)

10 COMMISSIONER SCOTT: I have next Julie Pena and
11 then Jeremy Myer and then Jennifer Levine.

12 MS. PENA: Good evening. My name is Julie
13 Pena, and I'm here representing CAUSE. CAUSE, the
14 Coastal Alliance United for a Sustainable Environment and
15 Economy.

16 Oxnard presently has three power plants on the
17 coast. And no other city in California, not just Ventura
18 County, but no other city in California has three power
19 plants in their location.

20 The pollution from dirty energy production from
21 Simi Valley to Goleta has been concentrated in our
22 community for decades. We presently have a superfund
23 toxic waste that is here that was left here as our
24 responsibility because of an irresponsible company that
25 just walked away and left their site on our beaches.

1 This is similar to what NRG is threatening to
2 do. If you don't agree with us and let us -- this is
3 NRG, what I understand they're saying -- let us build our
4 plant and we will talk about taking down your old two
5 plants. I have heard nothing in the proposal that the
6 Commission is reviewing right now that states anything
7 about taking down the existing plants.

8 Oxnard is California's number one hotspot for
9 toxic pesticides near schools, and the California EPA
10 lists parts of Oxnard in the top ten percent of
11 communities most negatively impacted by pollution in the
12 state.

13 These many layers of pollution hurt a
14 community. With immense potential, Oxnard has the most
15 fertile soil, and we have the largest coastal wetlands
16 left in California and one of the California's largest
17 river. As was very well illustrated in Dr. Chris
18 Williamson's proposal that he gave for the city, when you
19 saw the map and you saw the site that's designated
20 industrial where NRG now has its plant, where the Edison
21 Company now has its peaker plant, it was just a minute
22 part of 200 acres of wetlands and recreational land that
23 could be utilized. And it's owned by the state and,
24 evidently, they want to develop it as a state park.

25 Two questions that come to mind after I heard

1 NRG's presentation: One is that they talk about the
2 plant only being used for ten percent. So I raise the
3 question -- for ten percent of the time, that's it's not
4 going to be utilized 100 percent of the time -- so I ask:
5 Does NRG still get paid whether or not the plant is being
6 utilized? I've also heard in the past that the plant
7 would prevent brownouts in the Los Angeles County. And
8 we just heard from Dr. Villanueva that there's no way
9 that NRG can tell us how much energy is actually going to
10 Oxnard or the Ventura area.

11 And, in conclusion, the \$2.8 million of
12 property state -- or property taxes that they're claiming
13 we're benefiting from, how much of that goes to the city
14 of Oxnard and how much remains in the county? Those are
15 questions that still remain to be answered.

16 Thank you.

17 COMMISSIONER SCOTT: Thank you.

18 (Applause.)

19 COMMISSIONER SCOTT: I have Jeremy Meyer
20 followed by Jennifer Levine and then Manuel Munoz.

21 MR. MEYER: Good evening, Commissioners. My
22 name is Jeremy Meyer. I am a Health Services Coordinator
23 at Child Development Resources of Ventura County, the
24 Head Start Program that serves 0 to 5 children and their
25 families, especially lower-income families. I'm also a

1 leader with CAUSE, Central Coastal Alliance United for a
2 Sustainable Economy. I've been a resident here for
3 17 years. Four years of that I lived within a mile of
4 Ormond Beach wetlands and the power plant there.
5 Twelve years within two miles of this power plant here at
6 Mandalay Bay.

7 First, in terms of health: Asthma, allergies
8 and respiratory illnesses are affected by pollution,
9 especially power plant pollution. Ventura County,
10 contrary to what many people might think, when they look
11 at the research, we have a pretty poor air quality for a
12 coastal area. The pesticides, the mountains restricting
13 the flow of the pollution, and so forth, have created
14 that. And let's not kid ourselves about natural gas
15 being clean. It's a fossil fuel; it's a greenhouse gas;
16 and with high particulate levels and leakage common
17 throughout the distribution system.

18 The prevailing northwest winds also in our area
19 move the pollution from the plant toward central and
20 south Oxnard and further along the coast in our densely
21 populated, lower-income, minority communities.

22 As far as location, why here on our beautiful,
23 accessible coastline? Because other plants were unwisely
24 placed there. That's why. Not because it is necessary
25 to have it there versus inland areas that are less

1 scenic, have recreational value, and are further away
2 from densely populated areas. It may be more profitable
3 and easier for NRG to have a plant here, but so much of
4 those costs are externalized to our local residents in
5 terms of pollution, climate change, and public health.
6 And building another plant here will be further
7 justification for further plants, given the ever
8 lengthening history of plants here.

9 This talk of removing old power plants is only
10 talk, not promises, as NRG emphasizes that they are not
11 required to do so. It is really more of a threat that
12 they definitely won't remove them unless we go along with
13 this new power plant.

14 To my union friends, whom I support with time,
15 and treasure, not all jobs are good jobs. I believe 50
16 temporary construction jobs are projected from this
17 plant, then 17 permanent jobs. Is that a worthwhile
18 trade for 30 years of pollution and increasing climate
19 change?

20 Solar industry and energy efficiency are among
21 the top job creators. We do need more power plants,
22 however, in Ventura County. We need a hundred thousand
23 solar power plants on rooftops. I'm proud to say that I
24 just went solar on my new home and will power my entire
25 home while paying 20 to 60 percent less than Edison's

1 current rates.

2 I worked recently also as a solar energy
3 consultant and can tell you that less than one percent of
4 suitable Ventura County homes have solar. School
5 districts throughout our county and beyond are savings
6 millions while reducing pollution with solar. And solar
7 also means distributed energy at the point of use, which
8 is more democratic and much less vulnerable to
9 interruption in centralized power.

10 So I hope you'll consider all these facts and
11 much more in your decision.

12 Thank you for your time.

13 COMMISSIONER SCOTT: Thank you.

14 (Applause.)

15 COMMISSIONER SCOTT: I have Jennifer Levine
16 followed by Manuel Munoz and then Mark Spellman.

17 MS. LEVINE: Hi, everyone. Hello. Okay.
18 There we go. Is that better?

19 Hi. I'm Jen Levine. I'm the Stranding
20 Operations and Animal Care Manager with a local
21 grassroots non-profit organization, the Channel Islands
22 Marine and Wildlife Institute. We call ourselves "CIMWI"
23 for short, so -- just because it's a big mouthful. So if
24 you hear me say "CIMWI," I'm talking about our
25 organization.

1 So our organization, CIMWI, is dedicated to the
2 rescue and rehabilitation of marine mammals in Ventura
3 and Santa Barbara County, and primarily sea lions, which
4 I'm sure you guys have all heard plenty about in the news
5 in the last three years because it's been a little crazy
6 for us.

7 But CIMWI receives no local or state funding
8 and very, very minimal federal funding. NRG has been a
9 supporter of CIMWI since our inception in 2006. They've
10 supported our organization through environmental grants,
11 and they have enabled us to purchase medical equipment to
12 treat these marine mammals, fish to feed our patients, a
13 three-door, stainless steel freezer to keep our -- some
14 of our fish in, and then a huge 40-foot container freezer
15 to store all this fish that we've needed over the last
16 three years because we use a lot of fish right now.

17 And those are just a few of the really, really
18 big things that they've done to help our organization, as
19 well as, given us money for general operating costs, in
20 effect, to keep our lights on.

21 All the NRG staff at the plants have always
22 been very supportive of our rescue volunteers. They will
23 come out to the beach and help us rescue animals.
24 They're just a really, really great group of people. And
25 they've also allowed us to participate in their annual

1 Coastal Cleanup Day at Ormond Beach. A couple of our
2 volunteers are actually beach captains. And they do a
3 wonderful job with setting everything up and encouraging
4 people do clean and encouraging safety when they're doing
5 it. And so it's been a really, really good experience
6 for us mutually, I think.

7 So I just want to say we value NRG's commitment
8 to our rescue and rehabilitation efforts and their strong
9 presence in Ventura County.

10 Thank you.

11 (Applause.)

12 COMMISSIONER SCOTT: Thank you.

13 I have Manuel Munoz, Mark Spellman, and Kevin
14 Ward.

15 MR. MUNOZ: Good evening. Thank you very much
16 for coming to Ventura County and to Oxnard and listening
17 to the concerns of members of our community. I am the
18 publisher of the Ventura County Viva newspaper. The only
19 publication -- bilingual publication in Ventura County
20 for over 31 years. We're based here in Oxnard.

21 And the reason I'm here today is to let you
22 know that my staff was trying to communicate with your
23 agency to get information out in the community, and we
24 were unsuccessful. As you see, the city of Oxnard, over
25 200,000 residents, of which over 75 percent are Hispanic.

1 As you see, there are not that many here. The reason is
2 because we did not get information out in the community
3 for that.

4 The number of people that you see here is
5 because they heard about it through different
6 organizations and they took it upon themselves to
7 disseminate information about this hearing. It is a
8 shame because the city of Oxnard has many people that are
9 concerned about the issues that are going on in our
10 community, but they do not know what's going on.

11 Of the 75 percent of the total population of
12 the city of Oxnard, how many do we have here? Very
13 little. Total, if I count the heads of the people that
14 have come here throughout this evening, you probably have
15 not even .01 percent of 200,000 residents. That's very
16 few people, few people that will be heavily impacted by
17 whatever decision you make. And this is a call for you,
18 this is a question for you, how come -- you have a
19 responsibility to disseminate this information about this
20 hearings, the dates, the times, and everything. And me,
21 as a newspaper individual, we even tried to get
22 information, and we just hear nothing. So I have --
23 being also in our public hearings. And it's a shame the
24 number of people that attend. It is not because they
25 don't want to participate. It's not that they don't care

1 about what's going on. It's just that they don't get the
2 word out. They don't get the information.

3 Thank you very much, and I do hope you take
4 into consideration my comments for future public
5 hearings.

6 Thank you.

7 COMMISSIONER SCOTT: Thank you.

8 (Applause.)

9 COMMISSIONER SCOTT: Let me just encourage you
10 to please speak with our Public Adviser. She's over
11 there in the green dress. And she can certainly help
12 with the information, dissemination of the information,
13 make sure that you're on the various e-mailing lists or
14 whatnot. So please take a moment to speak with her.

15 Next, we have Mark Spellman, Kevin Ward, and
16 then Francine Castanon.

17 MR. SPELLMAN: Hello. Thank you for coming out
18 to Ventura County. My name is Mark Spellman. I've lived
19 and worked here in Ventura County since 1999. For the
20 past three years, I have been the General Sales Manager
21 of three local Hispanic radio stations and a bona fide
22 minority business enterprise located in downtown Oxnard.
23 I'm the current president of the Rotary Club of Oxnard,
24 where I've been a member for 12 years, and I serve on the
25 Board of Directors for the Oxnard Chamber of Commerce.

1 In my day-to-day dealings, I've encountered and
2 heard a much stronger voice for this needed project from
3 the residents and businesses than the few loud opposing
4 voices I've heard today.

5 I've listened and read about the new Puente
6 Project and I'm very familiar with Mandalay and Ormond
7 Beaches because I grew up in the adjacent San Fernando
8 Valley.

9 For decades, our family came out here to
10 recreate, vacation, and fish. Fish is more like a
11 religion, so it's separate.

12 I truly believe that the Puente's Project's
13 environmental and aesthetic benefits provide the
14 opportunities that this community has envisioned for
15 decades.

16 As Oxnard and California move toward a future
17 with more renewable energy, the Puente Project will help
18 ensure the integrated balance of natural gas power while
19 wind, solar, and other power options are just not
20 sufficient enough to meet our energy demands.

21 The reliability provided by the Puente Project
22 will ensure that Oxnard and our region will have the
23 ample supplies of electricity generated right here. And
24 in the event of an emergency, this power is not being
25 generated 300 miles away and subject to interruption by

1 transmission failures, leaving us without power. The
2 people of the Oxnard deserve to have a Community Benefits
3 Agreement with NRG that complements the Puente Project
4 and our ecosystem.

5 Seeing the Mandalay and Ormond Beach stations
6 go away in exchange for a smaller Puente Project is the
7 best deal that anyone has ever offered this city.

8 Thank you.

9 COMMISSIONER SCOTT: Thank you.

10 (Applause.)

11 COMMISSIONER SCOTT: Next I have Kevin Ward
12 followed by Francine Castanon and then Michelle
13 Hasendoncks.

14 MR. WARD: Thank you very much for listening to
15 our comments. I'm Kevin Ward, a 15-year resident here in
16 Oxnard, very proud to have lived here. It's a
17 spectacular place to live. I'm proud also for having
18 been part of the great feat of defeating the largest
19 mining company in the world from coming in here and
20 putting their abomination right here in the middle of the
21 channel.

22 I'd like to bring attention to the fact that
23 today is the anniversary -- ten-year anniversary of
24 Katrina, where over a thousand people lost their lives as
25 a result of the devastating hurricane that was caused

1 even though, then, people were still scratching their
2 heads, as many of them probably were last week, about the
3 effect of global warming. Global warming, as we now
4 know, very frankly, is something we have to consider.

5 The NOAA has come out just today to say that
6 the tidal predictions have been way underestimated for
7 the future. And the El Nino that we may be faced with
8 here very shortly may not affect anybody in Sacramento,
9 but it could actually wipe us out here and the power
10 plants that are presently here.

11 Now, I'm not here to advocate that NRG not
12 build their power plant. I'm here to advocate that they
13 not build anything and to help demolish what is here as
14 far as the power plants. There is no way at this stage
15 of the game in 2015 that week still be considering
16 anything but alternative energy. It's not a thing of the
17 future. It is cheaper. It is the thing that scares
18 these energy companies like sun does a vampire. And the
19 thing is, is that this has got to be what we did last
20 year, ten years ago, because we let it all go by.

21 When we had LNG here, we told them the same
22 thing. And they said, you know, "How are you going to
23 survive?" Well, you know, surviving, we've done pretty
24 well since they have left. Unfortunately, fracking has
25 taken over, which was a terrible thing to happen. But we

1 did defeat them. And BHP Billiton, who is actually being
2 supported by Exxon as we found out in the process,
3 actually turned its tail and ran home, along with our
4 ex-Governor and a few other people who were supporting
5 it, because Oxnard was such a perfect place for this.

6 That's the other thing about Katrina, is that
7 the people in New Orleans were actually affected by this
8 in a very racist manner. And Oxnard happens to be a
9 population that is a very, very vulnerable and low-income
10 and racially mixed place that this is seen as a perfect
11 target.

12 Thank you very much.

13 (Applause.)

14 COMMISSIONER SCOTT: Thank you.

15 I have Francine Castanon followed by Michelle
16 Hasendoncks and then Judy Dugan.

17 MS. CASTANON: Hi. My name is Francine
18 Castanon, and I am a fifth generation Oxnardian. We
19 started in El Rio and made the big move to Oxnard.

20 And, you know, my whole life I've been here.
21 And the majority of the where the current power plant is
22 out there had never really been developed. For years and
23 years and years it was just fields, and so was most of
24 Oxnard. And my back yard is now called "River Park."
25 And so to say that there have been questionable

1 developments in this city? Oh, yeah.

2 The biggest question is why don't we use
3 alternative methods? How come we're not using solar or
4 whatever? Our council and our county at no point have
5 ever laid the foundation for that infrastructure. They
6 never required any new developments or business
7 developments to go solar. This facility were in right
8 now, it's a couple years old, it's a little worn and
9 torn, but at no point have we ever applied or tried to
10 get a grant and put solar panels on the outside of it.
11 And we are sucking mega jiggawatts -- whatever they are
12 called -- left and right, with these hot lamps we're
13 under, with all this we're using.

14 This city has been my home forever and a day.
15 And the residents, as much as people -- I appreciate you
16 attempting to defend for me, I'm pretty good at speaking
17 for myself. I am a Latina in this community -- well,
18 half; but, anyway.

19 And the point is, we're not idiots. We're
20 pretty well informed. We know how to read. And we know
21 what we want and don't want. But we've allowed -- when
22 we took our tour today on those air conditioned buses,
23 there was 45 towers out there, of oil and some kind of
24 thing, I think fracks, and I don't know what else. And
25 they keep growing every day. And no one in this room has

1 been concerned.

2 Santa Barbara just went through a massive oil
3 spill because pipes broke. And we are, apparently, not
4 concerned. We continue to allow people to build on our
5 beach. We're concerned with high waves. We're concerned
6 with flooding. We're concerned with global warming. And
7 we should be. We've cut off a majority of the earth's
8 lung when we killed our rainforest. But we're continuing
9 to allow people to build right on the coast. And I have
10 to ask, what's the cost of life?

11 We're allowing families to build, houses,
12 condos, weekend places on the beach. At one point they
13 were looking near another part of the beach to build an
14 educational facility and shops. But there was no concern
15 about flooding then. And we're concerned about it for
16 our infrastructure, but not our people. And we should be
17 concerned if we're allowing people to live on our beach
18 and we're allowing them to build on our beach. But a
19 power plant that has nobody in it, we're here arguing --
20 and not about the fracking, not about the oil rigs, or
21 any other disaster in the toxic waste that's out there.
22 We're not having that conversation.

23 Thank you.

24 COMMISSIONER SCOTT: Thank you.

25 (Applause.)

1 COMMISSIONER SCOTT: Next is Michelle
2 Hasendoncks followed by Judy Dugan and then Jan
3 Baskin-Smith.

4 And I'll let you know that we're on about
5 person 42, and I've got 84 folks, so I want to make sure
6 that we can keep getting to hear from everybody. So if
7 you don't need all three minutes, please don't feel like
8 you need them, and if you do need all three minutes, go
9 for it.

10 MS. HASENDONCKS: Thank you. Hello, good
11 evening. My name is Michelle Hasendoncks, and I am a
12 resident of Oxnard. Thank you for being here tonight and
13 especially for your attention during all of this time.

14 I came here tonight because I am a concerned
15 resident and I do not want to see my community being
16 treated like it's the region's dumping ground. I have
17 many reasons to oppose the development of yet another
18 power plant on the beaches of Oxnard, but today I would
19 like to speak to the community and environmental impacts
20 of this plant.

21 Oxnard has too long borne the unfair burden for
22 the region to host these power plants on our beaches. If
23 Santa Barbara and Malibu's beaches can remain pristine
24 and power plant free, surely three is too many for
25 Oxnard.

1 We already have more power plants than any
2 other community in California. And I won't apologize for
3 asking the emotional question why, because it warrants a
4 very honest answer.

5 Building another power plant would be a smack
6 in the face to our residents and especially to our youth
7 who will inherit this mess.

8 How reliable is it to build this plant in an
9 area that's scientists warn will incur predicted
10 sea-level rise over the years? And how reliable is it
11 when this area is impacted by continued and documented
12 beach sand depletion and flooding?

13 Oxnard is already in the top ten percent of the
14 most negatively impacted areas in California by pollution
15 and has some of the worst toxic air emissions in the
16 state, yet here is a proposal for more.

17 It was shared earlier, "Puente" maybe Spanish
18 for "bridge," but "Puente" has no place here in Oxnard's
19 beaches. There's another term in Spanish "*ya basta*":
20 Enough is enough. Enough already.

21 (Applause.)

22 MS. HASENDONCKS: I stand here in the city of
23 Oxnard to say we don't want this anymore and we refuse to
24 be held hostage that the other plants will be taken down
25 in exchange for this.

1 Thank you.

2 COMMISSIONER SCOTT: Thank you.

3 (Applause.)

4 COMMISSIONER SCOTT: I have Judy Dugan, Jan
5 Baskin-Smith, and then Rod Cobos.

6 Judy is not here? Okay.

7 Is Jan here?

8 Is Rod Cobos?

9 I see you. Come on up.

10 And after Rod is Jan Dietrick and then George
11 Miller.

12 MR. COBOS: Good evening, Commissioners. My
13 name is Rod Cobos, Business Manager, Financial Secretary
14 with the Plumbers and Pipe Fitters Union based out of
15 Ventura, representing over 300 members and families in
16 the plumbing and piping industry.

17 I, too, am of the opinion that Oxnard -- I'm
18 tired of Oxnard being the dumping grounds as well. I'm
19 tired of Oxnard being the dumping grounds of employers
20 coming in oftentimes bringing their employees and
21 leaving, taking our tax dollars with them.

22 "Puente" a bridge, a bridge of opportunity, a
23 bridge of opportunity that we as building trades
24 affiliates and their families need to take ahold of.

25 We're not talking about a big-box store that often brings

1 low-paying wages and many times putting a strain on our
2 public safety net.

3 NRG has made a commitment, a commitment to the
4 building trades that they will bring high-paying
5 construction jobs, highly skilled workforce to this
6 county. And they're -- and these workers are local
7 workers, as it was stated before from my building trade
8 affiliates. NRG has been a good steward in this
9 community in supporting different programs.

10 As a representative from the plumbing and
11 piping industry, we have seen the result of high-paying
12 construction jobs that was provided by the McGrath peaker
13 plant. And these jobs were provided at a crucial time in
14 our economy where unemployment was hitting 11 percent.

15 So I hope this Commission moves forward in
16 approving NRG's application for the Puente Power Plant.

17 Thank you.

18 (Applause.)

19 COMMISSIONER SCOTT: Thank you.

20 Next is Jan Dietrick followed by George Miller
21 and Shirley Godwin.

22 MS. DIETRICK: Thank you all so much for
23 coming. I am on the Steering Committee of the Ventura
24 County Climate Hub that pursues many paths to transition
25 from fossil fuels to renewable energy.

1 We heard from Dr. Williamson of the city that
2 Edison did not consider good options. We even wonder,
3 there like seemed to be like -- there seemed to be
4 indications that Edison did not plan the RFO to be able
5 to receive good options. My sources that know the grid
6 tell me that we can have renewables get a better chance.

7 Edison said initially that a plant was not
8 needed and we should wait for renewables. The So Cal
9 Regional Energy Network has identified over 200 megawatts
10 of preferred projects ready to deploy.

11 Hello?

12 The Edison RFO deadline gave only 90 days over
13 the holidays for people to put together proposals; not
14 enough time to encourage preferred resources.

15 Edison is pursuing 300 megawatts of preferred
16 in Orange County in an area with less people and less
17 solar potential. Why not do a preferred resources pilot
18 for 300 megawatts here?

19 Edison has allowed over 600 megawatts of
20 renewable contracts to expire in the first six months of
21 2015. Do you know that?

22 Edison indicates that they have received
23 hundreds of megawatts of renewable proposals in the RFO
24 but only selected 13 megawatts. Is that true?

25 The decision to procure 290 megawatts was

1 before the McGrath peaker was installed adding
2 49 megawatts of capacity.

3 There are plenty of interior locations along
4 the 220 kilovolt circuits, but Edison created a false
5 requirement, in our view, to site at the end of the line.

6 I've heard that they just want to keep charging
7 ratepayers to maintain that line, and without a power
8 plant at the end of it, they have no more reason to
9 maintain it.

10 Edison peak demand continues to decline. Why
11 aren't they waiting for completion of the long-term
12 procurement plant for even 2014?

13 If planners think that we need more megawatts
14 in Ventura County, then please give renewables a chance
15 and ask Edison to redo the Request For Offers, giving
16 companies a full six months to prepare offers for
17 renewable only.

18 Thank you very much.

19 (Applause.)

20 COMMISSIONER SCOTT: Thank you.

21 I have George Miller followed by Shirley Godwin
22 and then Larry Godwin.

23 MR. MILLER: Good evening. Thank you all for
24 coming out. My name is George Miller. I am the
25 publisher of Citizens Journal U.S.; probably the only

1 publication in Ventura County that's covered these
2 proceedings objectively, by the way. You're not going to
3 get objective from me right now though, you're going to
4 get my opinion. You can read the objective part next
5 week.

6 I've looked at these things. I've been to
7 about 20 meetings on the subject; and, frankly, a lot of
8 the stuff I hear is rather emotional and maybe not even
9 well-founded.

10 I see a couple of things that look legitimate
11 to me. You know, the land use and aesthetics are a very
12 valid concern. However, I've been going to that [site](#) for
13 35 years that I've lived in California, as a boater,
14 kayaker, a swimmer, and a beach walker, and I have never
15 seen any of this pollution that the kids from the high
16 schools are talking about. I have no idea what the hell
17 they're talking about. NRG is proposing going to a far
18 cleaner technology that has even less pollution. All
19 right?

20 As far as the plant being racist and picking on
21 minorities, well, the neighborhood that the plant is
22 sited in is the richest neighborhood in Oxnard by far.

23 Some of my neighbors have been up complaining
24 about the plant. I personally don't. I like the idea of
25 having local, clean power in case of a grid interruption

1 or in case of other types of disruption that could
2 interrupt our source of power. I think it's a very good
3 idea to have it here. Frankly, if it was dangerous, I
4 would not be here speaking on behalf of it. It's not
5 dangerous at all.

6 I see thousands of birds flocking all around
7 the plant. I see seals on the beach. I go there myself.
8 The only thing I see, it's a little bit hard to get to
9 the beach because you have to walk a little bit on the
10 sand. It would be nice if the city of Oxnard would sit
11 down and negotiate with NRG on a Community Services
12 Agreement that would put in an access road and a parking
13 lot to access the beach.

14 I've never been prevented from going on the
15 beach by the NRG personnel, by the way, in 35 years that
16 I've been going there. It's simple not a problem. It's
17 at least 100 yards wide between there and the plant to
18 where a big, high sand berm goes up to protect it from
19 sea rise.

20 As far as sea rise, it's supposed to be up
21 12 feet already according to the models and the
22 projections. Somehow that hasn't happened. I think that
23 NASA ought to get back to the drawing board. In fact,
24 looking at their own data, does not support the
25 conclusions that I heard tonight at all.

1 I do have a concern about transparency of
2 process. I'd like to know why this [site](#) was picked
3 rather than the site in Moorpark, which was a way lower
4 profile, friendlier-looking plant than our 200-foot thing
5 right here. I think -- I like the idea of the
6 alternative [sites](#) across the street or across town if
7 they can be built close to infrastructure, which is the
8 major concern.

9 Having been to the plant today, there's a lot
10 more infrastructure there than most people could see.
11 It's obviously a major cost inherent in doing that.

12 And, last, the idea of having the plant torn
13 down, the city better sit down and talk to them now while
14 they can still cut a good deal.

15 Thank you.

16 COMMISSIONER SCOTT: Thank you.

17 (Applause.)

18 COMMISSIONER SCOTT: I have Shirley Godwin then
19 Larry Godwin and then Ron Whitehurst.

20 MS. GODWIN: Oops, I'm a short one, too. My
21 name is Shirley Godwin, and I'm resident of Oxnard.

22 And I have a 50-year personal interest in the
23 power plants because, 50 years, ago my husband and I
24 bought our first home. We still live there. It's just
25 almost exactly two miles due north of the Ormond Beach

1 Power Plant. We see it from our front yard every single
2 day. It was under construction when we bought our home.
3 We saw it. We heard it. They tested it frequently
4 24 hours a day. And we still hear it when they do
5 special testing. And we call it our weathervane, because
6 we go out in the morning, get the paper, and look down
7 the street -- and I'll tell you right now, I'm sure
8 you've heard already, this is not normal weather here.
9 In the summer, we have a marine layer and a wonderful
10 cool breeze. I don't know what's going on now.

11 But we look down there and we go, "Oh, it must
12 be hot inland," if the power plant's running. If the
13 power plant's running, it's not, because you cannot judge
14 from where we live what it's doing inland because, as I
15 say, we have the sea breeze and the marine layer. We
16 know where the power is going. And when it's not hot
17 inland, the plant rarely actually runs.

18 So we've taken a strong interest in this. We
19 also know like many others because we've lived here so
20 long. But the prevailing wind is off the ocean. So
21 Oxnard gets the pollution.

22 What I would like you to look into is the
23 cumulative impact. If the NRG peaker is built at
24 Mandalay -- we already know there's the Edison Peaker
25 there -- and we were very shocked to find out that, in

1 2020, the entire Mandalay plant is not being
2 decommissioned. Unit 3 stays. Which my understanding is
3 it's a peaker.

4 So when are these peakers going to run?
5 Presumably on the -- at the same time, when it's hot
6 inland and they need the power.

7 We followed very closely the presentations for
8 the Edison peaker. A very interesting thing was said.
9 But there was no peaker that could operate the Mandalay
10 plant in an emergency. Now, we hear the NRG needs to
11 keep Unit 3 because they need that peaker.

12 Also, during the hearings on the Edison peaker,
13 we learned something else: The daily pollution from it
14 doesn't count. It's averaged over the year. The Edison
15 peaker had a certain number of days it could operate.
16 But instead of looking at that pollution from that day,
17 that is averaged over the entire year. Obviously, those
18 of us that live here, breathe here, don't average over
19 the year what we breathe. We breathe the pollution on a
20 given day. And looking from our house, we can even see
21 which way the wind is blowing because of the emissions
22 from that Ormond -- I mean the Ormond Power Plant. We
23 look straight out in a front yard, down the street, and
24 we can see where the wind is blowing.

25 So please take a look at the cumulative

1 pollution of operating three peakers at once and probably
2 in conjunction with the Ormond Power Plant.

3 COMMISSIONER SCOTT: Thank you.

4 (Applause.)

5 COMMISSIONER SCOTT: Next is Larry Godwin
6 followed by Ron Whitehurst and Kitty Merrill.

7 MR. GODWIN: A couple of things. First one was
8 I didn't know why this plant was being proposed. It's
9 obvious to me that it's in the wrong location. So what I
10 was looking at was why is it being proposed in this
11 location. And the only thing I can come up with is the
12 risk management from the companies had to have known that
13 this was absolutely the worst location in Ventura County.
14 Seismically it's worst.

15 As a matter of fact, I looked in a textbook
16 about 20 years ago, and the coast off of Oxnard is like a
17 checkerboard, there's faults running in all direction.
18 And, in particular, the U.S. geological survey in 2004
19 took a specific look, and it said -- their title was
20 Comments on Potential Geological and Seismic Hazards
21 Affecting the Coastal Ventura County. That was widely
22 distributed at that time, and NRG and Edison had to look
23 at it, which said that off the coast right where the
24 plants are, there's at least six major faults, all of
25 which can generate over 6.5 earthquake. And some of the

1 faults, it is would be like the San Andreas, it would be
2 a lot of motion. And they were expecting -- at that
3 time, they were predicting over a 50-percent chance that
4 there would be a major earthquake in 30 years. Now,
5 that's the life of the plant, supposedly. I don't think
6 it's going to last that long.

7 But the problem is, why then would you gen- --
8 why would you be there? And the only reason is money.
9 It's plain and simple. It's not about reliability. It's
10 about money. And that's what they're looking -- the NRG
11 and Edison is looking at. That's why Edison put a peaker
12 plant there. Same reason, they had to -- their risk
13 analysis people had to look and say, "This was a bad
14 location, but we can make money before it goes under
15 water."

16 One shake and you put all your eggs in one
17 basket. One shake and you got no power anywhere at the
18 end of the road here.

19 And Edison and NRG, particularly NRG, it's not
20 mit- -- you can't mitigate the problems with donations to
21 the community. It just doesn't work. It's still going
22 to go under water.

23 Thank you.

24 COMMISSIONER SCOTT: Thank you.

25 (Applause.)

1 COMMISSIONER SCOTT: We have Ron Whitehurst
2 followed by Kitty Merrill and then Sean Paroski.

3 MR. WHITEHURST: I appreciate the opportunity
4 to speak with you tonight. My name is Ron Whitehurst.

5 My wife and I run a small business on the lower
6 side of Ventura, and we are in the process of going
7 solar. We're 100 percent for heat and about 30 percent
8 for electric. So we're here today because a utility,
9 Edison, has not been responsive to the needs of the
10 community. A group of us -- I'm with the Ventura County
11 Climate Hub. And we're a group of a couple of dozen
12 organizations that are interested in renewable energy,
13 building community, and local food. And so we're looking
14 at building of infrastructure in the county, you know,
15 that will last us and be resilient for the next
16 100 years.

17 So a group of us are forming Community Choice
18 Energy to take over the electric purchasing function of
19 the utility. We will partner with Edison to provide
20 renewable energy at lower prices than Edison can by
21 itself.

22 We look forward to a move to a democratic,
23 efficient, transparent, resilient, renewable power
24 supply. Let's move away from an anachronistic fossil
25 fuel power plant to clean, non-polluting power.

1 More jobs are created with renewable energy
2 sources. We want to see more jobs here in this country.
3 We need more jobs. And renewable energy, depending upon
4 the source, produces two to ten times more clean jobs
5 that pay well. So, yes, we need the jobs, but we could
6 do it with the renewables.

7 The social cost of carbon dioxide from fossil
8 fuel is about -- currently about \$30 a ton. And so this
9 is a burden that's put on the community, and it's really
10 significant and it's not reduced by purchasing pollution
11 offset credits. That doesn't help the locals. So we
12 don't want any more brown fields for the brown people.

13 We can supply the energy that's -- that would
14 be produced by this plant by putting solar on about 200
15 warehouse-size roofs in the community, along with some
16 battery backup. That's an essential part of this. And
17 these can be permitted in a matter of months, not, you
18 know, 18 months or so in the printing process plus all
19 the other stuff needed for a major power plant. And this
20 will supply needed power and have net benefits for the
21 community.

22 Thank you.

23 COMMISSIONER SCOTT: Thank you.

24 (Applause.)

25 COMMISSIONER SCOTT: Next I have Kitty Merrill

1 followed by Sean Paroski and then Robert Jefferson.

2 MS. MERRILL: Good evening. My name is Kitty
3 Merrill. I have lived in Oxnard for more than 30 years
4 now. I think I must live close to the Godwins because
5 I'm about three miles from the Oxnard plant.

6 And it's exciting to see new energy
7 opportunities coming along, to look at some of the Senate
8 bills that are coming up now, SB 350, that's really
9 pushing towards renewables and really looking to the
10 future for energy. And that's why it's sort of daunting
11 to wind up looking at the construction of a power plant
12 with a lifespan of 30 years that's based on assumptions
13 that are not looking forward; they're looking back.
14 We're looking at fossil fuels as old technology and
15 people are saying, "Oh, oil company revenues, you know,
16 it's not a good investment anymore because it's going to
17 run out at a certain point." Why are we looking at our
18 energy for our homes in that same narrow focus? We need
19 to look at that wider world where we're got renewables,
20 Oxnard that has foggy days, but we almost always have
21 wind. And wind cost is going down.

22 The Lawrence Livermore Lab up in Berkeley just
23 came out with a study saying it's down to \$.02 a kilowatt
24 hour. You know, it's becoming very affordable. And we
25 need to be looking at those other options.

1 I was really glad to hear NRG is a good
2 corporate citizen, and that's good. But it worries me
3 when it sounds like they're good corporate citizens
4 because they've bribed a few environmental organizations
5 and then they've threatened the city that they're not
6 going to take down their stacks. I want to have a more
7 level, more transparent relationship with NRG before I
8 say it's a good one.

9 Thank you for the time.

10 COMMISSIONER SCOTT: Thank you.

11 (Applause.)

12 COMMISSIONER SCOTT: I have Sean Paroski
13 followed by Robert Jefferson and then Katie Davis.

14 MR. PAROSKI: Good evening, Commissioners. My
15 name is Sean Paroski. I'm a lifelong resident here in
16 Ventura County, born and raised here.

17 And I think this project is a great project.
18 For one thing, renewable and reliable energy is very
19 important. When I was a kid growing up in Santa Paula,
20 we would have frequent blackouts, so much so that we used
21 to have on hand flashlights and oil lamps ready to go in
22 case one hit in the middle of the night. And while
23 renewables are great, it wouldn't help you very much if
24 you're stumbling around in the dark searching for
25 flashlights. Solar won't help you then. So this is a

1 very needed project in order that we have reliable energy
2 in Ventura County.

3 I think this project is a vast improvement,
4 from everything that I've learned over the current
5 situation. You know, for those folks here who were
6 talking about the unsightliness of the current power
7 plant, this one will have a reduced footprint, it will
8 have only one stack instead of the two power plants that
9 are existing now.

10 In terms of its environmental impact, it's
11 going to be using less water. It's cleaner technology.
12 It's a far and improved system than what the old
13 technology that we are using.

14 In all, it's a very great proposal to improve
15 on the existing systems, make it more reliable, and serve
16 a very specific need for this region in terms of reliable
17 energy resource.

18 So I urge you to approve this project, and I
19 thank you for your time.

20 COMMISSIONER SCOTT: Thank you.

21 (Applause.)

22 COMMISSIONER SCOTT: Next is Robert Jefferson
23 followed by Katie Davis and then Sharon Broberg.

24 Is Robert Jefferson still here?

25 And after Robert is Katie Davis and then Sharon

1 Broberg.

2 MR. JEFFERSON: Hi. I'm Robert Jefferson, a
3 35-year resident of Oxnard. And I was going to allocate
4 my time to someone else, but I guess they covered it all
5 at once.

6 I am opposed 100 percent to the awarding of
7 this contract to NRG.

8 Thank you.

9 COMMISSIONER SCOTT: Thank you.

10 (Applause.)

11 COMMISSIONER SCOTT: Katie Davis followed by
12 Sharon Broberg and then Alex Favacho.

13 Is Katie Davis here?

14 Okay. How about Sharon Broberg? Are you hear?

15 Alex Favacho? Are you here?

16 Wow, where is everybody?

17 How about Vivian Stanton and then Grace Chang?

18 I'm on -- Vivian Stanton is 59 and Grace Chang
19 is 60.

20 Oh, great.

21 MS. CHANG: Hello, good evening. Thank you to
22 all of you who have stayed here, in the audience, in
23 particular, and, of course, to the Commission.

24 My name is Grace Chang. I am a professional at
25 the University of California Santa Barbara, and I'm here

1 to speak primarily as a resident of Ventura County for
2 the last 12 years.

3 I raised two sons here. I have -- I am very,
4 very deeply committed to this community. And I want to
5 start by reading the words of this informational fact
6 sheet that was given to us, that was distributed by NRG.
7 It starts out, it says: "The world is changing and the
8 way we power it must change, too. People deserve the
9 power to be free to choose clean, reliable, and
10 affordable energy, to prosper today and thrive tomorrow."

11 Now, I couldn't agree more. The problem is,
12 however, that people of Oxnard's rights to choose what is
13 happening in their own community has not been respected
14 and has not been respected historically either. Instead,
15 there is a long history of this city's use as a toxic
16 dumping ground in all of the various ways that people
17 have spoken about today.

18 Again and again, the People's will and the will
19 of public officials to clearly oppose this project has
20 been dismissed, pushed aside. Let me put a finer point
21 on this. And I was really encouraged to hear the
22 testimony of the youth who why here from CAUSE and from
23 the high schools who spoke about and put the term to it
24 that should be put to it, who spoke about "environmental
25 racism." When operations that are hazards to people or

1 threaten to be hazardous to people are consistently sited
2 in places where poor, low-income people of color live and
3 work, that's called environmental racism.

4 Why is that possible? Because, historically,
5 poor people of color are disenfranchised in our society.
6 Their rights are routinely violated or they're just plain
7 non-existent.

8 The young people who testified here today, the
9 actual members of the community of Oxnard, have told you
10 they are not going to sit down for that any longer,
11 they're not going to just lie down and let this project
12 run roughshod over them.

13 Let me repeat the words of NRG: "People
14 deserve the power to be free." I want to add: People
15 deserve the power to be free of environmental racism.

16 Another speaker said today that the 10th
17 anniversary for Hurricane Katrina is today. Actually,
18 it's this Saturday. And what we know from hindsight of
19 ten years -- this is the tenth anniversary coming up --
20 what we know is that there was a lot of damage, there was
21 a lot of devastation that could have been mitigated, that
22 could have been prevented, but because of government
23 negligent, all of that tremendous damage was heaped on
24 primarily poor people of color to the profit of many,
25 many, many, many corporations. That was government

1 negligent. That was government negligence.

2 I put to you, you are a Commission whose faith,
3 unfortunately, many of these community members are at the
4 mercy of. And I hope that you will look to hindsight
5 when you look to the future of Oxnard and exercise with
6 foresight your power to enable this community to protect
7 itself.

8 Thank you.

9 COMMISSIONER SCOTT: Thank you.

10 (Applause.)

11 COMMISSIONER DOUGLAS: Next is Francisco
12 Ferrera. Francisco Ferrera.

13 Oh, I'm sorry. Gloria del Aguila.

14 (Indiscernible off-mic comment.)

15 COMMISSIONER DOUGLAS: Gloria del Aguila, *por*
16 *favor*.

17 COMMISSIONER SCOTT: I think she's coming.
18 She's right there.

19 MS. DEL AGUILA: My name is Gloria del Aguila.

20 You should not put a plant here because in the
21 long term there's no benefit for this community, but it
22 does contaminate everything. You're taking advantage of
23 the fact that we are a community where the majority of
24 the people are low income and many of them fieldworkers
25 who do not have a voice or a vote.

1 Thank you.

2 COMMISSIONER DOUGLAS: *Gracias.*

3 COMMISSIONER SCOTT: *Gracias.*

4 Next, we have Francisco Ferrera and followed by
5 William Gloege and Rachel Horning.

6 Do I have any of these three folks here?

7 Francisco?

8 MR. GLOEGE: Hello. I'm William Gloege. I'm
9 from Santa Maria, California.

10 I came up here a little bit because we're
11 talking about my planet and my environment, so it affects
12 us all. And we need to pay very close attention. I am
13 an environmentalist and member of the Sierra Club and a
14 long-distance sailor in the Pacific, Caribbean, and the
15 Atlantic Oceans. I love, I love nature.

16 And the trouble with we environmentalists is
17 that we say no to all the big options. We don't want
18 natural gas. We don't want oil. Coal, no way. Well,
19 how about atomic energy? No emissions. No, we can't
20 have that, too dangerous.

21 So we checkmate ourselves, and we go back to
22 the default energy, and that's fossil fuel, and we keep
23 using that and emissions are going up and it's getting
24 worse, the planet is getting worse.

25 So this is what's happening with

1 environmentalists. We've got to find what we like that
2 is emission free, a big power source that's emission
3 free. You know, it's like they say, natural gas is
4 50 percent less Co2. Well, that's like saying cyanide is
5 less poisonous than strychnine, so, you know, let's use
6 the cyanide. I mean, it's going to kill you. It's just
7 going to take a little longer with one path.

8 Governor Brown accelerated California's
9 emission goals, as reported by the LA Times. We're
10 trying to get 40 percent below 1990 levels by 2030 and
11 80 percent by 2050. He says, "I'm very serious about
12 these goals. We're going take whatever steps are needed
13 to get the job done because our future depends on it."
14 He's talking about life on earth. Read some of the
15 scientists, what they say about where global warming is
16 taking us. This is not funny business. This is serious
17 business.

18 "The [federal](#) government is not addressing the
19 serious problem," he said. And I think we can all agree
20 with that; Washington, the Congress. He says, "We're
21 going to take care of business here in California." And
22 we need to help him do that.

23 California, according to the New York -- the LA
24 Times, is reducing emissions. But the 2020 target will
25 take -- we'd have to move five times faster to get there

1 than we are now. New gas plants go in the opposite
2 direction. They give us more fossil -- more Co2 in the
3 atmosphere and other pollutants.

4 Brown says, "Pick up the pace." So let's --
5 he's talking to all of us here.

6 The proposed 200-megawatt plant will cause
7 about 1.2 million tons of carbon to be added to the
8 atmosphere. Now, our people here from NRG say it's not
9 going to run all the time and ten percent. Well, you
10 know, maybe. But there's a lot of carbon going to go
11 into the atmosphere. Let's be real clear about that.

12 So we environmentalists got to get our act
13 together and not just come to these meetings and have
14 good times and be against everything. So we say wind and
15 solar. Why do you think the fossil fuel companies
16 feature wind and solar on their ads like BP? Because
17 they know it's never going to be any competition to them.
18 They know that very well. So let's get serious and get
19 an emission-free source of power. This is serious
20 business, folks.

21 Look at the California drought. *New York Times*
22 says it's a climate change drought you got, folks, and it
23 ain't going away. You might get an El Nino, but after
24 that, it will be right back to drier and drier and drier.

25 Thank you very much. I appreciate you taking

1 public testimony. Thank you.

2 COMMISSIONER SCOTT: Thank you.

3 (Applause.)

4 COMMISSIONER SCOTT: I have Rachel Horning next
5 followed by Brett Levine and then Bruce Holly. So
6 Rachel, Brett, and Bruce, come on up.

7 MS. HORNING: Good evening, and almost good
8 morning.

9 (Laughter.)

10 MS. HORNING: My name is Rachel Horning. I'm
11 speaking tonight on behalf of BIZFED, the Los Angeles
12 County Business Federation. We're a grassroots alliance
13 of more than 147 business associations, representing
14 272,000 employers with 3 million employees across
15 Southern California.

16 I'm here to express support for NRG's Puente
17 Power Plant. As the state continues to move to a
18 renewable energy future, 30 percent by 2020 and likely
19 50 percent by 2030, it's imperative that intermittent
20 wind, solar, and hydropower be supported by a variety of
21 sources, including natural gas generation. Puente will
22 be a critical component.

23 It's unclear that the -- sorry. It is clear
24 that the Oxnard community is committed to a renewable
25 energy future. That future cannot be achieved without

1 renewable integration, the incorporation of natural gas
2 fire generation to balance the renewable energy supply.
3 That equation gives the entire region the assurance of a
4 reliable energy supply to keep our businesses operating
5 and the lights on in our homes.

6 The project and its related construction work
7 will also mean increased benefits to the community
8 through increased property and sales tax contributions,
9 as well as, jobs. Energy projects such as this are
10 critically needed.

11 BIZFED strongly supports NRG and
12 Southern California Edison in its efforts and looks
13 forward to working with the Commission.

14 Thank you for your time.

15 (Applause.)

16 COMMISSIONER SCOTT: Thank you.

17 I have Brett Levine followed by Bruce Holly and
18 then Maricela Morales.

19 (Indiscernible off-mic comment.)

20 COMMISSIONER SCOTT: I'm at 65, 66, and 67.

21 I'm almost to you.

22 MR. LEVINE: Okay. Thank you for taking my
23 comment.

24 As you can see, I'm wearing a sun hat in
25 opposition to a hardhat. So, basically, I'm asking you

1 to just envision the future. This power plant is a
2 couple of years out, and solar electric is now cheaper
3 than natural gas. In five years, electricity from gas
4 won't even be competitive with that of solar. So a new
5 gas-fired power plant doesn't make sense today and it
6 won't make sense in five years.

7 I also find it interesting that sea-level rise
8 is evaluated for planning this plant, but the causal
9 factor of that sea-level rise -- greenhouse gas
10 emissions -- is exactly what the plant will be producing.
11 It's almost like being in a house that's on fire and
12 smoking a cigarette. It doesn't seem to make sense.

13 And so, for those making the decision, I can
14 reflect on the book, Profiles in Courage, by John F.
15 Kennedy where he talks about people who take a stand on
16 important issues. And I ask of you to do that.

17 So thank you.

18 COMMISSIONER SCOTT: Thank you.

19 (Applause.)

20 COMMISSIONER SCOTT: I have next Bruce Holly
21 followed by Maricela Morales and then Wendy Lofland.

22 Do I have Bruce Holly here?

23 How about -- are you Maricela coming up?

24 Okay. Great.

25 And then Wendy Lofland and then Burt Handy,

1 come on up.

2 MS. MORALES: Good evening.

3 Can I see by a show of hands who are the actual
4 Commissioners that are here with us today?

5 COMMISSIONER SCOTT: Oh --

6 MS. MORALES: Great. Thank you. Thank you to
7 all of the staff as well. You've been sitting here for a
8 long time and I really appreciate your look of sincere
9 interest. It's tough to sit up there and hear for so
10 long.

11 But I want to direct my comments to you,
12 specifically, since, ultimately, you will be the
13 decision-makers and very much appreciate staff who will
14 put in a lot of work, no doubt. But as a former city
15 council member, I'm very well aware of, you know,
16 ultimately, there are decision-makers.

17 My name is Maricela Morales, and I am Executive
18 Director of CAUSE. And for about 15 years, we've been
19 working for social, economic, and environmental justice
20 in this community. And according to the California
21 Environmental Protection Agency, parts of Oxnard are in
22 the top ten percent of communities most negatively
23 impacted by pollution in the entire state -- in the top
24 ten percent.

25 So Oxnard is also an Ag region. And although

1 Ventura County is only number seven in terms of
2 agriculture, we're number one in terms of pesticide
3 exposure to our children. So we also have the Halaco
4 Superfund site.

5 And so, apparently, a number of issues have
6 been identified by the CEC for further exploration. And,
7 as far as I know, socioeconomic and environmental
8 justice isn't one of those factors or issues to further
9 explore. And so our point is to elevate environmental
10 justice and ask that you specifically address and explore
11 the issues that have been brought forth in terms of
12 environmental justice and environmental racism. Oxnard
13 is literally in textbooks, written up in textbooks with
14 regards to environmental injustice. So these are facts.

15 And if it sounds emotional, it's because we're
16 people and we not only have a mind but we have a heart
17 and we value the environment and we value people, the
18 people of today and the people of seven generations
19 forward.

20 So that is what is at stake. And we have lived
21 the reality that some people have deemed to matter and
22 some people have deemed not to matter. And, for the most
23 part, it's low income and community of color that have
24 not been given and recognized their dignity.

25 So we ask that you elevate the issue of

1 environmental racism and environmental justice and,
2 specifically, look at that issue. And we ask for your
3 vote on behalf of the health of people and the health of
4 the environment.

5 Thank you.

6 COMMISSIONER SCOTT: Thank you.

7 (Applause.)

8 COMMISSIONER SCOTT: I have next Wendy Lofland
9 followed by Burt Handy and then Bill Terry. So come on
10 up.

11 MS. LOFLAND: Hi.

12 COMMISSIONER SCOTT: Hi.

13 MS. LOFLAND: I went to E.O. Green Junior High,
14 Hueneme High School, and proud to be so because of the
15 wonderful showing today. I am so appreciative of the
16 poise and insight that they have way before us, because
17 we are just plain blowing it.

18 But I had a young person come to me in tears
19 and tell me, you know, "You all have ruined the earth."
20 And, you know, just -- I think the young people are
21 really suffering because they know that they are right up
22 against it. And we continue along like this,
23 pussyfooting around, and saying, "Oh, we're going to go
24 through this whole committee thing and get the stamp of
25 approval and try to pull this over one more time," it is

1 time for us to see the nose in front of our faces, and we
2 have got to -- got to go ahead and stop these kind of
3 kind of vulturistic [sic] type of business opportunists
4 from continuing to degrade and to destroy our habitat,
5 our city. And for what? For a few jobs. And they said
6 it was 2.8 million in taxes and 60 percent of that would
7 go to the city of Oxnard? What's that? Like two big
8 houses? We're going to be like two big houses worth of
9 money and a few -- very few little jobs. And we're going
10 to go ahead and just give up the next generation to this
11 horror.

12 I worked -- when they would break down the
13 power plants, I would work -- put up the -- I was in the
14 carpenters' union, so we would put up the scaffolding.
15 And I would come out and would see my car, that the white
16 car would have yellow spots eating away on the paint.
17 Okay. We don't need to have that for our kids here.
18 They deserve a lot better. You can see that they
19 represented themselves so much better than we are. And
20 we really need to turn this around.

21 And some of the people at City Corps., the kids
22 made up things, I think that just represents, "Hey, let's
23 keep some of our environment. You know, the mountains,
24 the water, the sky. And let's keep some of it for the
25 future generation."

1 And I would say that instead of spending all
2 your efforts greenwashing with NRG, that maybe you should
3 be trying to save our young people and their environment
4 and their health and their lungs and maybe you should
5 think about that instead of just a job for you for a very
6 brief time and the destruction of our communities.

7 COMMISSIONER SCOTT: Thank you.

8 (Applause.)

9 COMMISSIONER SCOTT: I have next Burt Handy
10 followed by Bill Terry and then Michael Wynn Song.

11 Come on up, please.

12 MR. HANDY: Good evening, Council -- good
13 evening Commission Members.

14 The power plant that's being proposed to be put
15 in Mandalay Bay area is questionable to me for multiple
16 reasons. Number one, there's multiple ones in Oxnard.
17 Number two, if you look at Santa Barbara and also Goleta,
18 they're growth rate up there is phenomenal. UCSB is
19 adding 10,000 students in the very newer future, and
20 there are no plants between here and the Ellwood station.
21 We are going to be supplying the power for that source.
22 We are going to be supplying that with a peaker plant in
23 Oxnard here. Why? Well, there's nowhere in between.
24 According to 1980 study by Southern California Edison,
25 they looked at a location in La Conchita that was

1 available to be doing that.

2 If they need it here, why don't they put it out
3 by the recycling plant where they can use the methane gas
4 from the dump to fuel the plant? Yes, there's going to
5 be 17 people employed there. If they put it in a
6 different location, it's going to cost NRG more money to
7 staff two locations. Twenty-two is what they have now;
8 they're going to 17.

9 Now, if you take the Y usage, according to
10 their charts that I just looked at, they are saying that
11 they used in 2013, 28 million gallons of water; in 2014,
12 they used 19 million. That's a reduction of 33 percent.
13 Why is the drop? Nobody can answer that. That means
14 there's less power being generated in the last year.

15 The peaker plant can only run, according to
16 what I was told today, 2,400 hours in a year. That is
17 only 28 percent of the year that they can run that plant.
18 Now, they're replacing a plant that is going to be
19 running constantly right now. But that's something that
20 we need to look at. It's better served, as far as I'm
21 concerned, if they put it by the recycling plant in
22 Oxnard for multiple reasons, if they want to do that, or
23 La Conchita.

24 Also, according to the Ellwood study that we
25 had earlier that the people came down last time, they

1 said the next El Nino was going to take out their power
2 lines going up to the Ellwood station. They're all
3 saying that peaker plant up there is running 24/7 almost
4 to keep the power up. With the amount of increase in
5 population in the Goleta area, and that area, we're going
6 to be supplying them power. Why aren't they responsible
7 for having some of the plants up there instead of
8 locally?

9 Please consider that. Thank you.

10 COMMISSIONER SCOTT: Thank you.

11 (Applause.)

12 COMMISSIONER SCOTT: I have next Bill Terry
13 followed by Michael Wynn Song and then David Brooks.

14 Come on up, please.

15 MR. TERRY: Good evening --

16 COMMISSIONER SCOTT: Good evening.

17 MR. TERRY: -- Commissioners. Thanks for
18 coming to Oxnard.

19 And I'd like to apologize to the youth that
20 came up here for our generation screwing the environment
21 up, and I would appreciate it if you would listen to
22 them.

23 I don't feel that NRG, they talk about -- this
24 is a bridge to nowhere. I don't think NRG has been
25 completely as transparent in their -- in this

1 Document 15-AFC-01. It states: "The power -- the project
2 within Oxnard would be -- " it gives an address --
3 "entirely within the footprint of the existing Mandalay
4 Generation Station."

5 Now, that's a misstatement. The footprint, we
6 talk about the actual building out there. Are they going
7 to tear it down to build this? I don't think so. That's
8 not what the -- they going to build something next to it.

9 The other thing is that, when you read a
10 statement at the opening statement, I don't remember what
11 the exact words was, but it was something like "Our
12 policy is not -- " I can't even read my own writing --
13 "not to burden a community for the benefit of other
14 communities." Putting this power plant here is a burden
15 to Oxnard for the inland communities. And they also
16 state, "But we need local energy." If we need local
17 energy, move them closer to where the -- the source --
18 where they want to use it, like inland to Simi Valley,
19 Thousand Oaks. Move it close to them, not on our
20 beaches.

21 Thank you.

22 COMMISSIONER SCOTT: Thank you.

23 (Applause.)

24 COMMISSIONER SCOTT: I have next Michael Wynn
25 Song followed by David Brooks and then Sarai Padilla.

1 Come on up.

2 MR. WYNN SONG: Good evening, Commissioners,
3 staff, and representatives from NRG. I would like to
4 start by thanking you for coming to this hearing tonight
5 and giving the residents of this wonderful community the
6 opportunity to make comments tonight and express our
7 opinions on the proposal in front of you.

8 I'm a business representative from Glovis
9 America, Inc. I have been here in the community since
10 1998. We employ approximately 1,000 employees, of which
11 200 of those are locally from here in Ventura County,
12 from Oxnard, Port Hueneme, Camarillo, and we support
13 homegrown jobs for the community.

14 On a personal note, we've experienced a power
15 outage, three of them, in the last two years here on the
16 Navy base at Port Hueneme. And I know how that impacted
17 our company, and I can only imagine how a major outage in
18 this community might impact the whole community here.

19 We're here to support -- I'm here to support
20 the Puente Power Project. It's an exceptional
21 opportunity to modernize aging power generating facility
22 with an up-to-date and less-negatively impactful one.
23 Additionally, it will keep jobs and much needed revenue
24 here in Oxnard. The NRG's state application clearly
25 shows that the project will provide an additional

1 2.8 million in property taxes, as well as, other sources
2 of revenue for the community.

3 Continuing to throw away money that the city
4 does not have in order to fight a nobody-win's battle is
5 fiscally irresponsibly in the extreme. The city should
6 instead engage in a mutually beneficial negotiation with
7 NRG to ensure a win/win solution for everyone that is
8 involved.

9 If the city continues to resist productive
10 negotiations with NRG and the council [sic], decides not
11 to approve this project, then who do we hold accountable
12 when neither the Mandalay nor the Ormond Beach Generating
13 Stations are demolished because of frivolous and costly
14 litigation has depleted funds to the point where NRG is
15 unable to demolish these old power plants?

16 Although I'm here this evening representing our
17 company, I'm also here as an individual. I'm one of the
18 members of the Oxnard Chamber of Commerce Directors. I'm
19 on the Executive Committee. I'm also on the Land Use
20 Committee. I also live very close to the Mandalay Beach
21 facility. I lived in the Colony, located just down the
22 street from where you're located today.

23 And I would like to ask some of the people who
24 are questioning what this project will do for the
25 community and also to question the city and ask them how

1 they presume to consider that the few regular people,
2 citizens who attend the city's council meetings, are
3 speaking as the voice of the entire community? Because I
4 can tell you, from my experience, I've spoken to the
5 community in the Colony at the Mandalay Beach there, and
6 you'll find that many in the community support this
7 projects [sic], and you'd find that most Oxnard community
8 members see the Puente Project as a wonderful prospect
9 for making significant changes within the community.

10 COMMISSIONER SCOTT: Your time is up.

11 MR. WYNN SONG: Okay. In closing, I would also
12 like to ask that NRG, should this project be approved,
13 that you will consider the aesthetics of the plant there
14 and reach out to the local leaders here in the community
15 and design a factory that is complementary to the
16 environmental surroundings.

17 Thank you.

18 COMMISSIONER SCOTT: Thank you.

19 (Applause.)

20 COMMISSIONER SCOTT: I have next David Brooks,
21 Sarai Padilla, and then Evelyn Melgoza.

22 Do I have any of those folks still here?

23 UNIDENTIFIED FEMALE SPEAKER: Sarai and Evelyn
24 actually had to leave, so they told me to speak in
25 regards to them.

1 COMMISSIONER SCOTT: Let me just double-check
2 that David Brooks is not here.

3 UNIDENTIFIED FEMALE SPEAKER: Yeah. Uh-huh.

4 COMMISSIONER SCOTT: Okay. Great. Please --

5 UNIDENTIFIED FEMALE SPEAKER: And as a youth
6 who has actually door-knocked and walked every -- mostly
7 every street in this community, I can say that most of
8 the community members here actually do not want a power
9 plant.

10 And someone once told me, "When you love
11 something and truly care for it, you protect it." And
12 this is exactly what the people of Oxnard are doing.

13 Earlier, someone said that we should forget
14 about emotions. Do not tell us to forget about emotions.
15 We are people, we are a community that would be affected
16 deeply by this. We are the community that has faced
17 environmental racism repeatedly. Listen to us; we care.
18 We are screaming for justice, begging for you to listen
19 to us. Do not tell us to forget about emotions when it
20 involves our homes, our environment, our families,
21 something we care about passionately and something worth
22 fighting for us. Many of us that came here from Hueneme,
23 we had orientation. And right after orientation and
24 working all day trying to make our student body feel more
25 comfortable at school, we came straight here to support

1 this and fight for this. And we've been here all night
2 and we haven't left, while some of the other people
3 against this have left.

4 And I just want you to pay attention to that,
5 because this community actually cares about this and we
6 really want to stop this. The youth have been walking,
7 door-knocking, talking, calling people for months. And
8 the community here has spoken and we don't want it here.
9 Only a small amount actually do. So, please, listen to
10 us.

11 Thank you.

12 COMMISSIONER SCOTT: Thank you.

13 (Applause.)

14 COMMISSIONER SCOTT: Next, we have Gene Nelson
15 followed by Margaret Cortessa (phonetic) and then Al
16 Velasquez.

17 So please come on up.

18 MR. NELSON: Good evening, Commissioners.
19 Thank you for being here with us in this marathon. My
20 name is Dr. Gene Nelson. I serve on the physical
21 sciences faculty at Cuesta College in San Luis Obispo,
22 California. I was born in San Fernando Valley.

23 I oppose the Application Docket Number
24 15-AFC-01. I appreciate the highlighting via the
25 California EPA's CalEnviroScreen's 2.0 of the harms to

1 the Oxnard community for this proposed project. Also,
2 the USEPA has designated Ventura County, California, as a
3 "serious" classification regarding ozone air pollution.
4 2010 population, 2,823,000; design value, 0.08.6 parts
5 per million for ozone. This level would likely be
6 worsened by the fossil fuel plants at Mandalay and Ormond
7 Beach. Current capacity 2,186,000.13 megawatts.
8 However, the capacity factor per a CEC publication is
9 substantially less than ten percent. However, we'll
10 still have the peaker, and we'll have this proposed
11 Puente Project with a 30-percent capacity factor. That
12 means more emissions.

13 Other speakers have highlighted the harms of
14 thousands of tons of carbon emitted annually by the
15 burning of fossil fuels from these projects. This
16 project will also release radon-222, which decays to
17 polonium-210.

18 The Governor's office issued Executive Order
19 B-30-15 on April 29th calling for a substantial reduction
20 in carbon emissions. The CEC, in conjunction with the
21 CPUC and CAISO, should adopt an LTPP that's consonant
22 with B-30-15. That means more emission-free energy,
23 including nuclear power, with nuclear's ability to
24 provide voltage and current stability, a capacity factor
25 approaching 90 percent in a cost effective fashion with

1 zero emissions and zero carbon.

2 Also, nuclear can provide truly emissions-free
3 power for a growing fleet of electric vehicles in
4 California.

5 For all of these reasons, please oppose this
6 proposed project.

7 Thank you for your time.

8 COMMISSIONER SCOTT: Thank you.

9 (Applause.)

10 COMMISSIONER SCOTT: I have Margaret Cortessa
11 followed by Al Velasquez, and then Alessandro Neri.

12 MS. CORTESSA: Good evening, Commissioners.
13 Thank you for coming. My name is Margaret Cortessa.

14 When I was a little kid, I used to go to my
15 grandparents in northern Mexico in a town that had no
16 electricity. Full disclosure: I'm a Latina. And
17 because of that, I like electricity. I like NRG. In
18 fact, I consider NRG my friend. Full disclosure again:
19 NRG has contributed to a non-profit of which I am a
20 Director.

21 They're my friends. And because they're my
22 friends, I can criticize them. I can give them some
23 constructive criticism. When you stated that the NRG
24 folks have not evaluated alternative sites, that caught
25 my attention, and in a light way, went on put my name on

1 the list.

2 I'm a psychologist by training. And I've been
3 told that corporations are persons, and so I would think
4 that corporations are subject to the laws of psychology.

5 We talk about cognitive dissonance; that is, we
6 skew the data, or we see the data or we research, hoping
7 to get to what we want it to be. And it's an unconscious
8 process. I'm not saying that you on purpose slant the
9 data. But I challenge my friend to research the
10 alternative [sites](#). I'm also an artist and the aesthetics
11 of continuing to have plants on the coast offends me.

12 I hope that you will come back to the
13 Commission with an open-minded, open-hearted discussion
14 of alternative [sites](#).

15 My own opinion is that I hope you take down the
16 plant on the beach and construct a plant at one of the
17 other [sites](#). I don't want you to go bankrupt. I know it
18 will cost more money. But just think of all the jobs
19 you'll give to the nice union people who were here
20 earlier doing even more work than completing a plant on
21 already standing infrastructure.

22 I can live with a higher electricity rate. I
23 know you've got to do all kinds of manipulations within
24 the state systems to get rates to go up. But if your
25 costs go you up, I can live with a higher electricity

1 rate. I like electricity, and I like NRG. And I
2 challenge you, my friends, to be open-minded and get
3 those -- oh, and I want you to take down those towers
4 even if -- and not use them as blackmail, but just to get
5 them down.

6 Thank you. Thank you.

7 COMMISSIONER SCOTT: Thank you.

8 (Applause.)

9 COMMISSIONER SCOTT: Next, I have Al Velasquez
10 followed by Alessandro Neri and then Liz Lamar.

11 MR. VELASQUEZ: Good evening, Commissioners,
12 analysts. My name is Alfred Rudolph Velasquez. I was
13 born and raised in Oxnard in 1944. I'm 71 years of age.

14 For about 40 or 50 years, I have lived about
15 two miles from the Edison Mandalay Bay plume. I am
16 healthy as a rock. Okay? So so much for that.

17 Now, I would just like to spend some time here
18 on the -- I keep hearing over and over that NRG is going
19 to build another plant and give us four plants. Well,
20 evidently, somebody doesn't know how to add. They're
21 proposing building the one plant and decommissioning the
22 Ormond Beach -- that's mandated by law -- and Plant 1 and
23 2. That's mandated. Now, the concern that they have
24 here is when will they knock down the other plants. But
25 that's another story.

1 Now, I'm here to question that study on the
2 sea-level rise based on El Nino -- based on a
3 computer-generated 100- or 500-year scenario and not
4 fact. In 1969 or '70, we had torrential rains that
5 washed out sewer holding tanks in Fillmore, Santa Paula,
6 and Ventura. Also, Olivas Golf Course was under eight to
7 ten feet of water. That's just down about ten miles --
8 eight miles down the road, a golf course. But damage
9 done to the Mandalay Power Plant was minimal. So so much
10 for that scenario.

11 Okay. Am I done on time? I have a lot of say,
12 but I'm just going to try to wrap it up and eliminate.

13 I will support this project if NRG meets all
14 required mandates by federal, state, and local agency
15 [sic] also if NRG will stipulate in a contractual
16 agreement with the city of Oxnard the following: One,
17 they dismantle Plant 1, 2, and the Ormond Beach plant
18 within five to ten years immediately after being
19 decommissioned. Number two, they reclamate -- reclamate
20 and restore Plants 1, 2, and Ormond Beach to its natural
21 state. Number three, they agree to pay a \$10,000 fine a
22 day -- a day for late penalty fees for every day past the
23 five- to ten-year timeframe to the city of Oxnard coffers
24 until the plants are removed and [site](#) restored.

25 Now, let me bounce back to the birds and

1 inhabitants. Birds have been at that plant for 50 years
2 past. And they're going to continue to be there 50 years
3 from now.

4 So one last thing. NRG has tried to meet with
5 the city council and to collaborate and negotiate. The
6 city council took a position immediately from the very
7 beginning to oppose this plant. And as a resident,
8 voter, and taxpayer, they have disappointed me and I
9 personally feel they have been -- they have been
10 negligent of their fiduciary duty by not following the
11 due process by negotiating or collaborating with NRG in
12 trying to find a solution and remedy to this problem. I
13 am very disappointed with all of them. I think NRG, like
14 every other company, corporation, has -- should have the
15 right to negotiate a project.

16 Thank you.

17 COMMISSIONER SCOTT: Thank you.

18 (Applause.)

19 COMMISSIONER SCOTT: And just for you, sir, and
20 for everyone else who had more to say but didn't have
21 enough time, please write down what you think and make
22 sure that you submit it to our docket because we will see
23 it. So there is an opportunity for us then to see those
24 comments.

25 MR. VELASQUEZ: Thank you so much, ma'am. And

1 I'll leave.

2 COMMISSIONER SCOTT: Next is Alessandro Neri
3 then Liz Lamar and then Aaron Starr. So please come on
4 up.

5 So do I have -- so no -- no Alessandro? Okay.

6 Liz Lamar?

7 Aaron Starr?

8 MR. STAR: Thank you.

9 COMMISSIONER SCOTT: And after Aaron is Nilo
10 del Aguila.

11 MR. STARR: First of all, I want to thank
12 members of the Commission and staff. I know you're
13 having a long night and appreciate you being here.

14 Most of you who have been appointed to the
15 Commission, you represent fields of engineering, physical
16 science, economics, environmental protection, and law.
17 Your staff, you're all professionals, you're educated.
18 You're dealing with the world that is rather than what
19 some imagine it should be, and I appreciate that.

20 The -- by the way, I've lived here in this
21 county all my life. I'm a proud resident of Oxnard. And
22 I'm very much enthusiastic about this project.

23 What I hear from the opposition often is
24 demagoguery, emotionally charged words like
25 "environmental racism" and talk about tsunamis and El

1 Ninos and Katrina and who knows what else. I am very
2 confident you are able to get past the emotionalism and
3 make a decision based on rational facts and science. I
4 know you're also not vulnerable to the idea of a false
5 statement being repeated over and over again and just
6 buying it. You know, as well as I do, that the proposal
7 is to create one plant and give NRG the opportunity to
8 eliminate two plants. I want that beachfront property
9 back, and the way you get it back is by allowing this
10 proposal to go forward.

11 I don't want to what's happening in Morro Bay
12 today, where a plant got abandoned. It is rusting away.
13 It is eyesore and no one's ever taken that down.

14 And if you don't approve this project, you're
15 harming our community here. And the reason why you're
16 harming our community here is because, in all likelihood,
17 it's going to be another company that's going to get this
18 bid, not NRG. And that means that this other company,
19 which doesn't own those two plants, they're not going to
20 tear those two plants down. At least with NRG getting
21 this agreement, getting this project to go forward, I
22 know there's at least the opportunity to negotiate with
23 them to take down these other plants and I think they
24 want to do that.

25 So, in conclusion, don't -- don't get hooked up

1 on the hype that's out there. You're smarter than that.
2 I'm very confident in you. I want you to do the right
3 thing for California. And I want you to do the right
4 thing for Oxnard, my home. And the right thing for
5 Oxnard is for you to approve this project.

6 And I thank you very much.

7 COMMISSIONER SCOTT: Thank you.

8 COMMISSIONER DOUGLAS: Thank you.

9 Nilo del Aguila, are you here?

10 (Speaking in Spanish) Rosa Juarez y Cecelia
11 Ramirez.

12 MR. DEL AGUILA: I'll try to be quick.

13 Tonight, we heard comments and discussions about, you
14 know, the financial benefits and ecological impacts
15 associated with the plant. What we have not yet
16 considered is the deterioration to the social health of
17 the community.

18 Most of the members of our community do not own
19 large acres of land, even exclusive gated communities, or
20 can afford to visit exotic nature locations on a regular
21 basis.

22 Our back yard is other community -- our
23 beaches, our parks. I want you to consider the quality
24 of life of the population of Oxnard, not just the narrow
25 financial benefits that this plant might bring us.

1 Good night. That's all I have to say. Thank
2 you.

3 COMMISSIONER SCOTT: Thank you.

4 COMMISSIONER DOUGLAS: Thank you.

5 Rosa Juarez?

6 Cecelia Ramirez?

7 Did they both leave? Okay.

8 COMMISSIONER SCOTT: We have next Steve Nash
9 followed by Francisco Ferrera. And Steve and then
10 Francisco. Francisco is the last person. If there's
11 anyone else in the room that had wanted to say something
12 and didn't get their name over to the Public Adviser,
13 please do so so we don't miss you.

14 MR. NASH: Well, thank you, Commissioner Scott.
15 And this has certainly been an exercise in stamina. I
16 actually had to cut out for two hours to attend an HOA
17 meeting, and I came back and --

18 COMMISSIONER SCOTT: We're still here. Here we
19 are.

20 MR. NASH: Everybody is still here, yeah.
21 So -- and thank you, thank you to the audience for
22 sticking around.

23 You know, a couple of items. I -- you know, I
24 found it humorous that in an NRG flier they said, "People
25 want the power to be free." Well, what -- what a great

1 way to have power but to take each \$100 million that was
2 earmarked for the Puente Power Project and install 10,000
3 rooftop solar systems with battery storage. That's free
4 power. And I know I'm misreading the statement a little
5 bit, but that's one of their arguments.

6 As far as need, I have -- I've looked at all of
7 the documents and I've done my due diligence. I do not
8 see that this plant is needed at this location. There's
9 just nothing there. The only reason that this proposal
10 has gotten this far is because the return on investment
11 to the shareholders of NRG and Edison make a little bit
12 higher rate of return.

13 As far as the benefit to the local community or
14 the region, I just don't see it. I haven't seen any, you
15 know, solid figure saying, "Well, if the
16 Puente Power Project is approved, this is what your
17 kilowatt hour rate will be." I've heard no discussion
18 about the Independent System Operator. They're the ones
19 that control electrons. So as far as local reliability,
20 that's out of our hands. The ISO, they may deem that
21 another area, the LA area, has a greater need for this
22 power and Oxnard, because we're a cool environment, we
23 may not be considered as a vital user of emergency power.

24 Everybody who has come up to this podium has an
25 equal voice. And I think you really need to listen,

1 especially, to the young people. They're the ones that
2 have to live with this project for the next few decades.
3 It's their city. It's their beach. It's their future.
4 They really need to be listened to.

5 One second left?

6 Thank you.

7 COMMISSIONER SCOTT: Thank you.

8 Do I have Francisco Ferrera? I think we had
9 you on earlier.

10 MR. FERRERA: Yeah, I had step out. Sorry
11 about that.

12 COMMISSIONER SCOTT: No worries. No worries.

13 MR. FERRERA: So good evening, Commissioners,
14 staff members, members of the public. Thank you for
15 staying this long. As stated, my name is Francisco. I'm
16 an Oxnard College student and have been a resident of the
17 city of Oxnard for as long as I could breathe.

18 Now, the quality of that same air that I
19 breathe is being threatened yet again. This time the
20 culprit is NRG and a proposed power plant on my
21 community's beautiful beaches.

22 I stand by my city council members, assembly
23 members, state senators, and Congresswoman in opposing
24 this plant. In fact, I'll go even further say that I
25 think fossil fuel should stay in the ground.

1 I believe that climate disruption is the
2 greatest human rights issue of our time and that if this
3 proposal passes it will directly contribute to climate
4 disruption.

5 I think we should move towards renewable
6 sources of energy, but that's another story for another
7 day.

8 So, once again, as an Oxnard College student,
9 as a citizen of Oxnard, and as a humanitarian, I oppose
10 this power plant.

11 Thank you for your time.

12 COMMISSIONER SCOTT: Thank you.

13 So that's the last person I have on the list.

14 I just want to make sure that we got everyone
15 in the room who wanted a chance to make a comment.

16 (Pause.)

17 Okay. Let me turn just to our phone and our
18 WebEx lines to see if there is anyone there who would
19 like to make a comment.

20 Yup. Paul will let me know.

21 (Pause.)

22 COMMISSIONER SCOTT: Okay. So I'm checking to
23 see whether or not there is anyone on the phone or on our
24 WebEx who would like to make a comment.

25 (Pause.)

1 COMMISSIONER SCOTT: None? Okay.

2 All right. Well, let me just say thank you so
3 much to everyone for your engaged participation. I
4 really appreciate it. I want to thank the parties for
5 their also thoughtful and informative presentations. And
6 I won't say much more in closing because I know that it's
7 been a long evening, but let me turn to Commissioner
8 Douglas and see if she has any closing thoughts.

9 COMMISSIONER DOUGLAS: I just want to join
10 Commissioner Scott in thanking all of you for your
11 participation today, your stamina, just the way that
12 everyone here conducted themselves and listened
13 respectfully to speakers from a wide variety of
14 viewpoints. This was a really helpful night for me, and
15 I know for my colleagues.

16 And so back to you.

17 COMMISSIONER SCOTT: All right. Thank you.

18 HEARING OFFICER RENAUD: All right. Well, as
19 indicated earlier, the next thing you'll see from the
20 Committee will be a scheduling order, which will set the
21 course for the review of the project.

22 And, other than that, we'll call it a night and
23 adjourn the meeting. Thank you.

24 (Whereupon, the meeting was adjourned at 10:55
25 p.m.)

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REPORTER'S CERTIFICATE

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 5th day of October, 2015.



Jacqueline Denlinger

TRANSCRIBER'S CERTIFICATE

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.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of October, 2015.

A handwritten signature in black ink, appearing to read "Kelly Farrell", written in a cursive style.

Kelly Farrell
Certified Transcriber
AAERT Certified CET**772