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Filer:	Shana Lazerow
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STATE OF CALIFORNIA
CALIFORNIA ENERGY COMMISSION

IN THE MATTER OF:

APPLICATION FOR CERTIFICATION OF
THE **PUENTE POWER PROJECT**

DOCKET NO. 15-AFC-01

**PREHEARING CONFERENCE
STATEMENT OF THE CALIFORNIA
ENVIRONMENTAL JUSTICE
ALLIANCE**

Shana Lazerow (State Bar No. 195491)
Gladys Limón (State Bar No. 228773)
COMMUNITIES FOR A BETTER ENVIRONMENT
120 Broadway, Suite #2
Richmond, CA 94804
Tel: 510-302-0430 x18
Fax: 510-302-0438
Email: glimon@cbecal.org,
slazerow@cbecal.org

Attorneys for the California Environmental
Justice Alliance (CEJA)

Pursuant to the Committee's July 9, 2017 scheduling order, the California Environmental Justice Alliance ("CEJA") respectfully submits the following prehearing conference statement:

1. The subject areas and issues in dispute that require adjudication, limited to ...[biological resources, flooding, the effects of plants on aviation at alternative sites, and closure], and the precise nature of the dispute for each issue:

Within the scope of the Committee's July 9, 2017 order, CEJA believes there is considerable need for adjudication of the likely presence and impacts to endangered or threatened species. In particular, the size of the property to be considered, and the definition of ESHA to be used when considering impacts must align with recommendations from expert agencies such as the California Coastal Commission. Results of species surveys that do not include the entire property, or follow protocols most likely to detect species should not be relied upon. Documented presence of species, such as the silvery legless lizard, on the property boundary offers strong evidence that they may be on the property and calls into question the thoroughness of surveys that conclude otherwise. Finally, the size of a buffer zone should be established and consistent.

The likelihood of inundation and flooding impacts to the proposed Puente facility requires significant adjudication as well. Backcasting using Cosmos, the model on which CEC staff relies, indicates that this model consistently underestimates the documented flooding that has historically occurred. In addition, assumptions on which these analyses rely should err on the side of protecting against inundation risks to critical infrastructure.

Supplemental evidence shows aviation impacts from smaller offsite alternatives will require additional adjudication. The operational attributes of smaller offsite alternatives are inconsistently characterized, resulting in overestimation of impacts to aviation.

Demolition and removal evidence requires additional adjudication as well. The record must reflect not only demolition and removal impacts of proposed Puente project, but also consideration of additional impacts to visual resources and other resources from ongoing and future operations.

2. The subject areas upon which the party proposes to introduce testimony in writing:

CEJA does not intend to introduce testimony on these subjects.

3. The identity of each witness the party intends to sponsor at the Evidentiary Hearing:

CEJA does not intend to introduce witnesses regarding these subjects.

4. Subject areas upon which the party desires to question the other parties' witness(es).

Based on the supplemental written testimony these witnesses submitted, CEJA does not intend to question other parties' witnesses regarding these subjects. In the event that oral testimony addresses issues implicating environmental justice, CEJA reserves its right to request an opportunity to examine witnesses.

5. A list identifying exhibits with transaction numbers (i.e., TN 215157) that the party intends to offer into evidence during the Evidentiary Hearing.

CEJA does not intend to introduce evidence regarding these subjects.

Dated: July 21, 2017

Respectfully Submitted,

By: /s/
Shana Lazerow, SBN 195491
Communities for a Better Environment
Attorneys for the
California Environmental Justice Alliance