

DOCKETED

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BUTTONWILLOW, CALIFORNIA

HYDROGEN ENERGY CALIFORNIA
(HECA) HEARING,)
_____)

Reporter's Transcript of the Public Statements taken
by Hydrogen Energy California (HECA), at
Buttonwillow Recreation and Park District
Multi-Purpose Facility, 556 Milo Avenue,
Buttonwillow, California, on Tuesday, September 17,
2013, from 6:13 p.m. through 8:17 p.m., before
Angela Olvera, holding Certificate No. 7265.

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BUTTONWILLOW, CALIFORNIA;
TUESDAY, SEPTEMBER 17, 2013; 6:13 P.M.;
BUTTONWILLOW RECREATION AND PARK DISTRICT
MULTI-PURPOSE FACILITY

MR. POZZUTO: All right. I'd like to thank everybody for coming to this public hearing for the Department of Energy, and I'd like to thank Dick Parson who opened this facility up for us. So that was very nice. A nice venue for this.

Before I get started, a couple of housecleaning, housekeeping items.

I think everybody knows where the rest rooms are. We have Spanish translators for anybody who will need that service, and we'll let the lady over here on the right introduce everything in Spanish for you.

(Whereupon, the interpreter speaks to the audience.)

MR. POZZUTO: All right. Again, this is a public hearing on the Hydrogen Energy California project. We have people here from Hydrogen Energy.

Mike Carroll, do you want to introduce

1 the folks at this table?

2 The project proponents are at that table.
3 They're really not going to provide too much
4 comment.

5 This is a public hearing. So I want to
6 explain first that the DOE doesn't have a log for all
7 the people that are going to speak tonight. We asked
8 people to sign up. Public-elected officials get to
9 speak first followed by the applicants -- or I mean
10 commenters that didn't -- in the order that we
11 received them.

12 So in that regard, this isn't a
13 back-and-forth dialogue. However, if there is some
14 clarification that we can make very briefly, we'll
15 do that, but we aren't going to get into a discussion
16 back and forth with the people that are providing
17 public comments.

18 The public comments are being recorded by
19 a transcriptionist, and they'll all be a part of the
20 public record. And we appreciate all of your
21 comments.

22 So with that being said, this project has
23 gone on for several years. The Department of Energy
24 determined in 2009 it was going to meet to have an
25 environmental impact statement, and at that time we

1 decided to join with the California Energy Commission
2 in this joint document. So that's why we're both up
3 here.

4 The Energy Commission staff is all here.
5 They've been here all day for the workshop, which was
6 a back-and-forth technical exercise on all public
7 interest factors that are typically considered in the
8 EIS -- wetlands, air quality, water quality, water
9 consumption, endangered species. Some of those
10 topics are going to be covered in tomorrow's workshop
11 and Thursday morning's workshop. However, the public
12 testimony is the part where you can provide testimony
13 directly for the record.

14 So with that being said, if there are
15 people that are shy that don't want to talk in
16 public, you can write your comments down, provide
17 them to the court reporter/transcriptionist, and she
18 will type them into the record. You can provide
19 E-mails to me. And I'll leave my E-mail address up
20 here. And, also, there are mail-in forms that you
21 can write your comments down and fold it over, put a
22 stamp on it, and mail it in. Those will be scanned,
23 and they'll be sent to the Energy Commission and
24 placed on the docket, as well.

25 So in a very brief overview, what the

1 Department of Energy's involvement is in this is
2 based really on the first slide, that any project
3 that's going to receive federal money has to undergo
4 a NEPA review, which is the National Environmental
5 Policy Act. And this applies to all federal
6 agencies -- DOE, Department of Highways, Corporate
7 Engineers. All federal agencies have to go through
8 this process.

9 That's not saying all the agencies do it
10 exactly the same way, but we also have to do it. In
11 this particular project, because the
12 Energy Commission has their own California NEPA
13 process, which is called CEQA in abbreviated
14 terms -- that's why we decided to join forces here.
15 And they are the ones that are certifying this
16 project with many conditions of certification, and
17 that's what -- the process we're in right now.

18 So basically in any NEPA document, the
19 goals are to have high-quality information for the
20 public. It's undergone an accurate scientific
21 analysis, and there is public involvement, which has
22 been sort of the cornerstone of the NEPA process, and
23 that's why we're all here tonight.

24 Now, I can't say that this is
25 particularly a typical EIS because we are doing it

1 with the Energy Commission. So it's not going to be
2 exactly how we'll see other federal EISs, but these
3 bulleted items here are really what's included in the
4 DOE's analysis and the Energy Commission's analysis.

5 So the reasonable alternatives -- the
6 purpose and need is -- really we need to satisfy why
7 we're doing this project here and why we're doing it
8 now. And those are really critical questions to ask
9 yourself.

10 All right. Again, I think everybody in
11 this room is somewhat familiar with this project. So
12 I'm not going to get into real details, but these are
13 the basics.

14 It's a polygeneration plant that's going
15 to compress CO2 and pump it to the Elk Hills Oil
16 Field through Occidental Petroleum. The applicant is
17 working on agreements with Occidental.

18 The fuel will be 75 percent coal,
19 25 percent petcoke.

20 The funding by the DOE is
21 280 million dollars, and the project is about
22 four billion dollars. Still working on more detailed
23 cost estimates.

24 The history of the project started out
25 with BP/Rio Tinto, and that was -- the ownership

1 changed, and the applicant became HECA, which is
2 SCS Energy.

3 And, again, like I said, the
4 PSA/DEIS -- this is the preliminary staff
5 assessment -- is a combined integrated document, and
6 it's going to hopefully come to some conclusion. And
7 really can't say what that's going to be exactly.
8 But the facilitation of public involvement is key in
9 the project. So that's again why we're having this.

10 The NEPA process -- and I don't want to
11 get into the charts here. We want everybody to have
12 a chance to speak and go home at a reasonable hour,
13 but you can see that we had a similar meeting like
14 this in July that was held -- or in June at the
15 Tupman Elementary School, and it was well attended.
16 We received a lot of comments on that. That was sort
17 of what we called NOI, or notice of intent, which
18 tells the world that we are going to start this
19 environmental impact statement. You can see there
20 was opportunities for public involvement.

21 And now we're at the draft EIS stage.
22 And after that, we'll be preparing the EIS and the
23 final FSA, and it's going to proceed through the
24 Energy Commission's commissioners. And, again, the
25 DOE really will not issue a record of decision until

1 it's been fully imbedded through the
2 Energy Commission and the commissioners.

3 And just the contact information. Like I
4 said, again, there's paper fold-over mailers for
5 public comment to write in. The public comment and
6 the written comments do not carry any more weight
7 than the other. So however you choose to submit your
8 comments to the Department of Energy, they both are
9 given equal weight.

10 So with that, the hearing
11 commissioner -- there's a list of -- there's a list
12 of people who wish to speak. I believe everybody's
13 going to have four minutes. The way this works is
14 there's a time clock up here. At about 30 seconds
15 before, you'll see a yellow light go on. So try and
16 wrap it up. We're not going to cut you off right
17 when the red light comes on, but we would appreciate
18 if people try to conclude their comment by the time
19 the red light goes on.

20 I think the -- the only elected
21 official we have -- and I don't even know if he's
22 elected -- is an Ernie Unruh with the
23 Rio Bravo-Greeley Union School District.

24 So the first commenter, Mr. Unruh, you
25 have the floor. Again, you can go to the podium

1 or -- or the stand up by you.

2 MR. ERNIE UNRUH: Good evening. My name
3 is Ernie Unruh, and I am the superintendent of
4 Rio Bravo School District. I appreciate the
5 opportunity to at least express in person some
6 concerns we recognize in our district; that a project
7 of this size has many folks that support, who oppose
8 for a lot of different reasons, so forth, and so on.

9 My concern is for the safety of
10 approximately 1,000 students who have two points of
11 ingress and egress which are directly on your
12 transportation route off of Enos Lane, Highway 43.
13 If you haven't been out at the start of school, at
14 the end of school, or any of our bus runs, come on
15 out.

16 For those of us that have been raised in
17 this community, we recognize these country roads were
18 not made for the purpose that they're being asked to
19 be used for today.

20 It was stated in some documents that
21 there were no bus stops on the transportation route.
22 I can't speak for anybody but our district, and our
23 district from our northernmost boundary on Enos Lane,
24 Highway 43, we've had in the past, currently have bus
25 stops all the way down to Highway 58 and then bus

1 stops on Highway 58 all the way down to Brandt, which
2 is the end of our district on the western border.

3 All our students are transported by bus
4 or by parents. There's no walking, there's no
5 bicycles because of the rural nature and the
6 dangerous nature of our roads.

7 Our district has been around 125 years.
8 It's been the center of our community. I was born
9 and raised there. I've had the opportunity to work
10 there 25 years now. I want you to know our utmost
11 concern is the safety of our students, looking at
12 alternate routes, looking at mitigating ingress and
13 egress to the school. We've dealt with Caltrans in
14 the past. And for those of you who have been around,
15 we've had Enos Lane -- there used to be a big hump
16 that you came over, and all of a sudden you were in
17 the school zone. That's been changed. We've worked
18 with Caltrans to try to get a stoplight in, but of
19 course there's not been enough casualties to make
20 that happen.

21 However, if indeed this is the only
22 route, there has to be ways that we can control
23 traffic. We can have turning lanes. And, again, if
24 you haven't seen what we're talking about, you need
25 to come out and look.

1 We'd also like you to know as the center
2 of our community there is this kind of traffic after
3 school. We have after-school sports leagues that we
4 share with the neighboring school districts. There
5 are swim teams in the summer where there's hundreds,
6 if not a thousand people, at meets. We have our
7 weekend tournaments, not to mention every school
8 activity that every school in America has from its
9 patriotic programs to its Christmas programs.
10 Traffic is going to be a big issue for us.

11 Again, we understand all the
12 ramifications. We would just ask those, the powers
13 that be, would really take into consideration our
14 concerns over the safety of our students, have some
15 direct contact with us, if possible, so that we can
16 share those concerns before we get to a point where
17 the safety of our kids are in jeopardy.

18 Thank you very much.

19 MR. POZZUTO: Thank you very much,
20 Mr. Unruh.

21 The next person -- I was told we missed a
22 superintendent -- is a Jerry Ezell from the
23 Shafter-Wasco School District.

24 MR. JERRY EZELL: Thank you for the
25 opportunity to speak. My name's Jerry Ezell, and I

1 live in Shafter, and I'm the general manager of
2 Shafter-Wasco Irrigation District.

3 The route that's proposed to deliver the
4 coal is -- it goes right by my office. I -- my
5 office is on the corner of Kimberlina and
6 Highway 43. Several years ago I was able to campaign
7 with Caltrans to get a stoplight at that
8 intersection.

9 Traffic will be going down Wasco Lane to
10 Kimberlina. Make a right turn on Kimberlina across
11 the railroad tracks and come to a stoplight that's
12 about 300 feet from the railroad tracks. My office
13 driveway, entrance to my driveway, is about 100 feet
14 from Highway 43, and it only takes one truck and one
15 car to block the entrance to my property.

16 I've written a letter to the
17 Energy Commission regarding the issue with traffic.
18 I have not seen any sort of a report. I've asked for
19 a report to be done on traffic. There is not.

20 I can promise you if another 300 or so
21 trucks come through there every day, when they're
22 going to have to make a left turn off of Kimberlina
23 onto Highway 43, they're going to be backing up
24 traffic all the way back to the railroad because
25 sometimes only one vehicle at a time will be able to

1 make a left turn because of traffic that's going from
2 west to east.

3 Also, the route that you propose, as I
4 have seen it, is also probably in conflict with the
5 high-speed rail. The high-speed rail is going to be
6 just east of the existing railroad tracks along the
7 route that you're proposing to move this -- this
8 coal.

9 So I have a concern about the traffic,
10 the traffic at that intersection.

11 I also have a concern about water. As an
12 irrigation district manager, I know that in
13 Kern County we're overdrafting our county
14 significantly.

15 I have -- I have asked to see where the
16 water's coming from for this project, and so far I
17 have not got any response to the letters that I have
18 written. And I would expect that -- more information
19 regarding where the water is going to come from.

20 The water on that property will use about
21 three and a half times what a normal farm would use.
22 We're already overdrafted. We don't need to be
23 bringing things into this county that's going to
24 continue to cause the overdraft to continue in a way
25 that's going to be unmanageable. At some point I

1 believe in the future you're going to have a problem
2 of being able to pull groundwater out because I
3 believe that someday it's going to be mitigated.
4 And so that -- I have that concern.

5 I also have a concern about air quality
6 here. I grew up in -- I've lived here almost all my
7 life, and I'm much older than you folks. When I was
8 a kid, I could see the mountains. I can't see them
9 now. We have an air quality problem. This is not
10 the place to be adding air problems to the
11 Central Valley.

12 Anybody that thinks it's okay, they need
13 to live here. One of the biggest things that people
14 have here is dermatologist and people that go to the
15 doctor because of air quality issues, and if you
16 don't believe that, you need to live here. It's easy
17 for people that don't live here to come down and try
18 to abuse this county, which I think they are.

19 I prefer to have the air clean. I'm
20 paying a fee every month -- I mean every year on all
21 my vehicles because we have an air quality problem.
22 I don't think we need to add any significant amount
23 of air quality issues to -- to this area.

24 Thank you.

25 MR. POZZUTO: Thank you, Jerry.

1 Next is a Tom Frantz.

2 MR. TOM FRANTZ: Tom Frantz from
3 Shafter. I'm no longer an intervenor. I'm just a
4 resident making public comment. So I don't have to
5 be nice anymore.

6 But, anyway, you know, this project is
7 inappropriate for this area. The Department of
8 Energy needs to understand that. We don't need clean
9 coal in Kern County. We don't produce coal here,
10 first of all. It doesn't make any sense. Just the
11 words "clean coal in Kern County" is an oxymoron.
12 And then, of course, it's not clean. 500 new tons of
13 criteria air pollutants that harm our ozone and
14 produce health problems.

15 For over 100 to 200 days out of every
16 year we have unhealthy air. We die seven years
17 prematurely by living a whole lifetime in this
18 valley. And I've seen these people die prematurely.
19 In my own family I've seen people suffer and die
20 because they couldn't breathe properly anymore.

21 Now -- so it doesn't make sense to bring
22 this project here.

23 The Department of Energy says it's
24 supposed to be concerned about producing energy. We
25 get from this project 15 megawatts to the grid of new

1 energy, 15 megawatts. It's not enough to supply the
2 town of Shafter, where I live, with electricity.

3 Now, it doesn't make sense, 500 tons of
4 new pollution and 15 megawatts of new energy and all
5 these trainloads and then trucks carrying coal back
6 and forth on our busy roads already.

7 So please tell Obama to stop the
8 political spin. I can't do the Solyndra. This is
9 the same nonsense. It's a bad investment. You've
10 got to cut your losses now. You can walk away from
11 the table. You can get up and walk out of this room
12 right now, and HECA will go away and act like it
13 never happened. Just cut your losses.

14 We are subsidizing this project with our
15 lungs. That's not being counted over the life of
16 that project. That cost could be a couple hundred
17 million, just that subsidy alone. It costs the
18 people of this valley six million dollars a year
19 because of -- we're not getting federal health
20 quality standards for the air we breathe.
21 Six billion. Sorry. Not six million. Six billion
22 dollars a year.

23 Now, I want you to go away, but, HECA,
24 you can tell your boss this project no longer makes
25 sense. You can stop taking the taxpayer money

1 because your consciences won't allow it anymore.
2 Just tell them it doesn't make sense. Tell Mr. Coy
3 that and walk away. Your job's going to end someday,
4 anyway, with this project. Just do it now.

5 Thanks.

6 MR. POZZUTO: Thank you, Tom.

7 Next is Chris Romanini.

8 MS. CHRIS ROMANINI: Well, we all know
9 that we have the worst air in the nation here in
10 Kern County. And not only that, we have some of the
11 worst health -- health outcomes in the state of
12 California. Kern County has the worst health
13 outcomes. Our asthma rate is higher in the state.
14 Our hospitalization from asthma is the worst in the
15 state. Our deaths from asthma are the worst in the
16 state. We have COPD. We have lots of lung problems.

17 And we all know, while there's health
18 studies that show that pollution causes increase to
19 our health, our lung diseases are worse because of
20 pollution. And here you're bringing this to the
21 worst air in the nation, the tons of new pollution.

22 We've been farming in this area for four
23 generations, and I have six grandchildren that I
24 would love to pass my heritage onto, but if this
25 project comes, I can't in good conscience encourage

1 this tradition in our family. I would expect them to
2 move on because I don't want to see this imposed on
3 them.

4 And I just ask you to put common sense to
5 this. Don't make us have to be saddled with this
6 polluting coal. We don't even have coal in
7 California.

8 And that we're testing this project for
9 the good of the world for greenhouse gas? They
10 should be looking at us, what they can do to help us
11 improve our air pollution problems in Kern County.

12 Thank you.

13 MR. POZZUTO: Thank you, Ms. Romanini.

14 Next is a Don Vanlue from Tupman.

15 MR. DON VANLUE: Ladies and gentlemen,
16 thank you. I have a few comments I would like to
17 make.

18 First of all, Chris said a lot, but
19 Tupman really is the only place involved here. We're
20 a mile and a half downwind of this facility, and the
21 wind blows here seven to ten miles an hour usually on
22 a daily basis, and anything that's going is going to
23 come right down into the school, in Elk Hills School,
24 in Tupman.

25 And the second thing is Tupman doesn't

1 exist according to the CEC, because every zip code
2 around was listed in the preliminary report but
3 Tupman, which is 93276. But it's funny that
4 Elk Hills Petroleum is there, which is 93276, also,
5 'cause Occidental gets their mail through Tupman at
6 Elk Hills. And so -- this energy/propane plant off
7 the highway.

8 So -- and also the pipeline that they're
9 going to put CO2 through is going to be right in our
10 backyard in Tupman, three miles down the road from.
11 Other things in the ground.

12 The cooling towers that are going to be
13 built for this facility aren't owned by them, but
14 they don't say who. Who's going to own them, who's
15 going to maintain them, and who's going to build
16 them? We don't know. I wish we did. Maybe they
17 should be part of this operation, too. Who is going
18 to do this?

19 Another thing, the water.
20 7,447 acre-feet of water per year. That's
21 7,000 acres of water a foot deep. That's almost
22 7,500 acres. That's a lot of water. That comes out
23 to six million, six hundred and twenty-four gallons
24 per day. That's a lot of water. And the farmers
25 here are trying to beg, borrow, and steal every

1 goddamn drop of water that they can get, and it's
2 getting to be awful bad.

3 The traffic, as we've already talked
4 about, during construction, 3730 vehicles a day
5 coming through this area through -- and they list
6 Tupman Road as one of the areas that they're going to
7 bring them through. If they do -- Tupman Road is
8 already a Class D road that can't be used for that,
9 and if they do, they're going to have to rebuild it
10 every week. So I don't know what they're thinking
11 about doing.

12 The construction period, the traffic is
13 going to be unbearable. They're talking on an
14 average just the trucks coming in for the use of
15 replacing all the dirt and everything that they're
16 going to replace out there is going to be 160 to
17 960 trucks a day.

18 Now, you put all that trucks on the road
19 around here is idiotic because with the farmland and
20 the farm vehicles, the oilfield vehicles already, the
21 roads won't take it. Caltrans says, "Oh, yeah.
22 They'll take it." Well, who's going to pay for it?
23 The taxpayers of Kern County is the only one that's
24 going to end up paying for it.

25 Thank you.

1 MR. POZZUTO: Thank you, Don.

2 Next one to talk is a Trudy Douglass.

3 MS. TRUDY DOUGLASS: I'm Trudy Douglass.

4 I am concerned that there are more interests in
5 checking off boxes to get this process done than in
6 what the boxes contain. I've been told that once you
7 checked off the box for the Valley Air Pollution
8 Control District with the board, it became holy.

9 You never responded to the fact that you
10 disregarded Rules 2201 and 2410 that require an
11 examination of the impact for this project on the
12 ambient air, and you didn't say anything about the
13 models with the higher emissions levels give the most
14 conservative results and that history consists
15 significantly -- an actual efficient evaluation
16 should be used.

17 You evaluated the DOC that the District
18 submitted. You let them pick and choose the
19 pollution numbers, and they chose those that served
20 their purpose. You let them use such ridiculous old
21 air credits that they have no meaning to our current
22 air status. You let them gloss over the huge number
23 of diesel trucks that will be transporting feedstock
24 product and waste. You never called them on refusing
25 to include the pollution every coal train will

1 bring.

2 Right now Kern County receives a small
3 fraction of the coal that HECA will eventually ship.
4 In Wasco, you can see a line of coal dust and small
5 lumps down the middle of the traffic. They fall from
6 the bottom of every coal cart. And what you don't
7 see are the fine particulates that are already in the
8 air.

9 When talking about the DOC, Mr. Warner of
10 the Valley Air Control District said that "This is a
11 dirty factory, but we need the energy."

12 In the DOC, the District and
13 Hydrogen Energy California said that their factory
14 would produce 430 megawatts and use 130 for
15 gasification, the implication being that 300 would go
16 to the California grid.

17 The truth is that HECA is really first
18 and foremost a chemical factory. Your own report was
19 more thorough than the District's. When air
20 separation and sequestration are added to
21 gasification, they will use more than the
22 430 megawatts than they need for their chemical
23 factory and at the full, HECA production will take
24 62 megawatts off the grid. I'm not sure if the
25 energy to pump almost seven million gallons of water

1 a day uphill is included in these figures, but if
2 not, they will certainly be an even greater drain off
3 the energy grid.

4 When the Air Pollution Control District
5 said HECA was a dirty factory, it spoke the truth.
6 The untruth is that we will get energy.

7 If there's any justice in this process,
8 you would make the board redo their DOC to be more
9 accurate to what is really happening with this
10 factory.

11 MR. POZZUTO: Thank you, Trudy.

12 Next we have a Mike Rock from the
13 Plumbers & Steamfitters Association.

14 MR. MICHAEL ROCK: I'd like to thank the
15 Department for the opportunity to speak here.

16 We not only support this project because
17 of the numerous jobs, the thousands of jobs, it will
18 provide, but I'm here to represent over 700 members
19 who want me to represent them in this matter and that
20 they want me to express the idea that we believe this
21 is a responsible project as far as the air quality.
22 We believe that the air quality has been addressed
23 for this project, and we know that evolution and
24 technology is going to be at the forefront of this
25 project, and we believe that this area will be

1 helpful in showing that coal is always going to be a
2 part of energy, and we believe that this project will
3 prove out that it's responsible in coal, in
4 technology.

5 And I appreciate your time.

6 MR. POZZUTO: Thank you, Mike.

7 The next person to speak is
8 James Spaulding, executive secretary of
9 Building and Construction Trades Council.

10 James?

11 MR. JOHN SPAULDING: Is this mike on?

12 Yes. That's John, J-o-h-n, Spaulding.

13 MR. POZZUTO: Excuse me, John.

14 MR. JOHN SPAULDING: That's all right.

15 I'm the executive secretary of the
16 Kern Inyo Mono Counties Building and Construction
17 Trades Council. This council represents over
18 8,000 construction workers.

19 And I don't have to remind anybody in the
20 audience that we have been through some lean times
21 these last few years, and when SCS chose Kern County
22 to put this project, we realized that they could have
23 put it anywhere in the United States, and they chose
24 Kern County, and they chose the Department of
25 Occidental Oil, who will receive the CO2 for downhole

1 oil recovery, and that in itself will be a financial
2 boost to Kern County.

3 Everyone says that you can't do business
4 in Kern County, and here's a contractor and a
5 developer -- or a developer and contractor coming
6 from the East Coast to Kern County. He chose a
7 national contractor who's had experience working in
8 Kern County and has a number of jobs that he's
9 utilized a local work force, and his number one
10 criteria was that he use the local workers to do this
11 project. He utilized local building tradesmen and
12 craftsmen and women to do this project. Know that on
13 a building trades project, men and women make the
14 same wage for the same job day in and day out, and
15 they perform the same.

16 They insisted, also, that -- and this is
17 a huge manpower project, and the local work force now
18 has disseminated out all over. It's trying to feed
19 their families through these lean times. Yes. We'll
20 be able to bring some of them back home where their
21 families are living while they're out trying to make
22 a living, and we'll bring a number of them back.

23 But we're also going to have to reach out
24 and bring in new workers, whether they be kids just
25 out of high school coming into apprenticeship

1 programs or whether they're journeymen working off
2 for other companies.

3 This is a four-year project. This is a
4 project along the magnitude of a federal water
5 project, the aqueduct. This is a project that
6 will -- when a contractor puts an apprentice on the
7 job, he could very well graduate a four-year
8 apprenticeship program while he's on that one job,
9 and then when he turns out, he'll be the work force
10 of the future, because a lot of the work force now is
11 older.

12 And we haven't had a good project come
13 along in a long time. I would say this is a project
14 that's going to train our future work force. This is
15 the guys that's going to carry our craft forward.

16 It's going to produce -- provide an
17 economic boost to Kern County that's sorely needed.
18 This project is said to be in the neighborhood of
19 four billion dollars just for the project alone.
20 That's not counting what Occidental -- what --
21 they're going to have to put up a plant to receive
22 the CO2. They're going to have to build a pipeline
23 to do that. How much more money that's going to
24 cost, I don't -- we don't have those figures. But to
25 think of the economic advantages to Kern County, it's

1 enormous.

2 We live here. We support this project
3 because of what it's going to do for us in a number
4 of ways, and we want to be a part of it, and we want
5 it to stay here.

6 Thank you very much.

7 MR. POZZUTO: Thank you, John.

8 Next person is a Marion Vargas.

9 MS. MARION VARGAS: I didn't think I was
10 going to get an opportunity so soon. Thank you,
11 though, for the opportunity to share my thoughts.

12 I've lived in Bakersfield since 1969.
13 It's really a wonderful place to live and raise a
14 family. On a good day, you can see clearly the
15 mountain ranges that border us on the three sides,
16 but air quality in our valley now is typically poor.
17 There are days when we can't see the mountains at
18 all. Traffic on Mt. Vernon Avenue in Bakersfield
19 from the bluffs by Bakersfield College, I look south
20 and can barely make out the street and neighborhoods
21 below.

22 In talking with friends and neighbors,
23 the conversation turns to bad air, how lousy we are
24 all feeling, how hard it is to breathe, and that eyes
25 are stinging from the pollution. One friend decided

1 not to go to knitting group because of asthma and
2 difficulty breathing. Another said she took her
3 granddaughter to the doctor. The child's problem is
4 due to bad air.

5 Newscasters warn us that people and even
6 animals should stay inside. Cars parked outside for
7 a few days are soon covered with a thick layer of
8 particulate matter. That is what we are breathing on
9 bad air days. And we should not be able to see the
10 air we breathe.

11 I exercise, eat right, and have a
12 positive attitude, but it is difficult to feel good
13 when pollution is high. It is especially difficult
14 for those who have asthma, heart or lung disease or
15 allergies.

16 HECA would worsen this already worsened
17 pollution. It's daily 350 to 400 truckloads of
18 coal -- of coal and waste-spewing diesel exhaust is
19 reason enough for this plant to be banned from our
20 valley, but there's more -- HECA plant pollutants and
21 toxins, risks from untested technology, dangers from
22 production of chemical fertilizers, damages to our
23 roads, and the consumption of vast amounts of
24 agriculturally useful water.

25 HECA touts its production of energy as

1 being in the public interest, but as a CEC staff
2 report states, fertilizer manufacture would use up
3 most of that with only 52 megawatts or less going to
4 the grid, not 400 or more.

5 The DOE did not provide seed money to
6 start a fertilizer plant. It is not in the public
7 interest to permit a polluting fertilizer plant that
8 produces minimal electricity at great cost to our
9 quality of life.

10 Those who support HECA stand to benefit
11 financially. Even the Air Pollution Control District
12 would receive HECA money to administer the many
13 mitigation programs. However, some damages cannot be
14 mitigated, certainly not for us, and the magnitude of
15 effects from HECA is still unknown.

16 Many I've spoken with oppose HECA because
17 of its risks and negative impacts, but they feel
18 helpless to influence the outcome of this
19 advocacy. They say that money talks and we have no
20 control over what will be decided. This apparent
21 apathy is a product of their experiences, and it
22 undermines our democratic way of life.

23 Do not let us down this time. HECA is
24 bad for the residents of this valley. Please do not
25 allow it to be built here.

1 If I have a few seconds, also, as the
2 daughter of a union family, my father is still a
3 member of his union for 75 years, and he would not
4 support this product -- project. It's good to have
5 jobs, even -- especially in lean times, but you need
6 to look at what the outcome of this work is. So
7 please consider that. Just because you're a union
8 member doesn't mean that it's good for you.

9 Thank you.

10 MR. POZZUTO: Thank you, Mrs. Vargas.

11 Our next person to speak is a
12 Rogelio Vargas.

13 MR. ROGELIO VARGAS: Rogelio Vargas
14 Castro.

15 (Whereupon, Mr. Vargas begins to speak in
16 Spanish.)

17 MR. POZZUTO: Mr. Vargas, let me reset
18 the clock. We'll have an interpreter speak --

19 MR. ROGELIO VARGAS: Okay.

20 MR. POZZUTO: -- so we'll all understand.

21 MR. ROGELIO VARGAS: All right.

22 MR. POZZUTO: Thank you very much.

23 MR. ROGELIO VARGAS: (Through the
24 Interpreter) I am Rogelio Vargas.

25 Good translation.

1 THE INTERPRETER: He doesn't need a
2 translator.

3 MR. POZZUTO: All right.

4 MR. ROGELIO VARGAS: I am a citizen of
5 the United States, and I am proud to be a citizen.
6 This is one of the most beautiful countries. Okay.
7 That doesn't mean that Mexico's not beautiful. It's
8 beautiful, but unfortunately it's having a little
9 problem for many years, and United States knows that.

10 Okay. And I am proud to see a lot of
11 younger students who go, and it's really nice. And,
12 also, I see some group of union members.

13 I was a union member in Mexico. I was a
14 union member here in Bakersfield. But I tell you one
15 thing. I was surprised, also, that last time when we
16 had the first meeting here in Buttonwillow that
17 description so profound, that research that the
18 people have done and, also, their knowledge in
19 chemistry, their knowledge. What a knowledge.
20 That's beautiful. I am sure that they -- that the
21 researchers were working for, you know, us.

22 I hear several number of trucks, several
23 hundred trucks coming from New Mexico, polluting all
24 that air coming to Bakersfield and dump their
25 oil -- I mean their carbon here in Bakersfield. And

1 we are one of the number two counties -- or first
2 county that is number one in pollution. Are we
3 guinea pigs? I don't think we should be guinea
4 pigs. Why do we have to see HECA trying to
5 experiment how much pollution is -- we can take.

6 I heard the 1700 workers are going to
7 have a job. My gosh. This is good to have job, but
8 who's going to provide that job?

9 And when we see the needs of this
10 county -- this county needs its water, and HECA is
11 going to take a lot of water; and they -- they're
12 going to provide, HECA, some jobs, that is true,
13 sure, but are the jobs going to help?

14 All of you look like to be very highly
15 educated. I am sure you read some of those writings
16 that Oxy releases. Oxy describes how that Greek
17 people were fighting against the Trojans. And Greeks
18 are very smart people. Immediately when they
19 couldn't take petroleum, they built a big horse,
20 beautiful Mustang, and pushed it at the gates of
21 Troy, and then the army of the Greeks disappeared.
22 My gosh. They were so surprised. And "We have
23 something beautiful here. Wow. Okay. Let's bring
24 this inside." And they got inside, and they enjoyed,
25 they drink, they dance, they sing, and that night,

1 what happened. So get the horse and open the gates
2 and the Trojans were slaughtered.

3 And this is exactly what I can see how
4 that HECA is coming, showing them beautiful, that's a
5 lot money, offering money to the schools. "I will
6 build you a park for the children enjoy it."

7 MR. POZZUTO: Mr. Vargas, please.
8 30 seconds.

9 MR. ROGELIO VARGAS: Thank you. Thank
10 you very much.

11 And then after that, the jobs are going
12 to be gone, and what we are going to need is doctors
13 and hospitals.

14 Are we going to take this? Are we going
15 to be guinea pigs?

16 I refuse that. I expect you to be more
17 kind to the humans. We need the water for the
18 farmer. We need the water for the planting. We
19 need, also, the jobs for all the farming people.

20 Thank you very much, and appreciate that
21 you will let me go a little bit over.

22 MR. POZZUTO: No problem. Thank you,
23 Mr. Vargas.

24 Next one to speak is David Campbell.

25 MR. DAVID CAMPBELL: I think I can work

1 with this. These were set up for people of different
2 stature than I am.

3 Most of what I want to say has already
4 been said. So I don't want to take a lot of time to
5 say it, but as I sat here listening to concerns about
6 the water and concerns about the air, somehow my
7 thoughts drifted off to a long-ago girlfriend whose
8 name was Suzie who was always decked out to
9 perfection. Every hair was in place. Every item of
10 clothing was carefully chosen. And it was an honor
11 to be in her presence.

12 Eventually I had the chance to see her
13 apartment, and I discovered it was knee-deep in
14 clothes and socks and shirts everywhere, and somehow
15 it was possible to transform that mess into a thing
16 of beauty, person of beauty.

17 I guess that's the way I see the -- the
18 plant on the hill here, that it does present its
19 opportunity for jobs, which happen to be very
20 appealing, enticing for those of us who are in those
21 fields of labor. It does promise to help with some
22 oil recovery problems.

23 But what I also see is not the dirty
24 clothes in the apartment, but a 700-mile plume of
25 coal going all the way -- coal dust going all the way

1 from Mexico to here where it will land on crops, will
2 enter children's lungs.

3 I have taught at public schools here and
4 have experienced many days when kids could not go out
5 to play because the air was too dirty. I don't
6 expect that situation to improve with the plant on
7 the hill that is being proposed here. Coal dust
8 contains mercury and other heavy metals which have
9 definitely deleterious effects. I haven't heard that
10 referred to in any way, but in order to even begin
11 being satisfied with the project, we would have to
12 understand what the impact of those particulates
13 would be on children and adults of this valley.

14 When I came here in 1975, we used to joke
15 that in summertime I would come inside the house to
16 get some fresh air.

17 We have come a long way in improving air
18 quality in Bakersfield. It seems a poor choice to
19 make a coal industry which needs to be phased out and
20 to inject more life into it by importing its product
21 here in what most people agree is the most delirious
22 energy source that there is.

23 Thank you for the opportunity to speak to
24 you.

25 MR. POZZUTO: Thank you, Mr. Campbell.

1 Next person to speak is a
2 Brandon Higgins.

3 MR. BRANDON HIGGINS: Good evening. My
4 name is Brandon Higgins, and I'm from the city
5 of -- my name is Brandon Higgins, and I'm from the
6 city of Bakersfield.

7 I really don't get involved in public
8 hearings. I try and keep a distance. But I am
9 up-to-date on what's going on in my community, and I
10 like to be involved in that in a sense, and I just
11 felt like I needed to come here and show my support
12 for HECA.

13 Frankly, I don't know where a lot of the
14 research is coming from; however, I've done some on
15 my own, and I feel it's a very sound, solid plan for
16 long-term sustainable energy. I don't feel like we
17 should allow people to fearmonger, and we need to
18 make a serious change in the way we run things 'cause
19 things aren't working.

20 I feel like I'm part of the younger
21 generation who is ready for act now, and I feel like
22 I'm a great representation for that, 'cause the way
23 things have been going hasn't worked. So we
24 definitely, definitely need a change.

25 Thank you.

1 MR. POZZUTO: Thank you, Brandon.

2 The next person is a Donnel Lester.

3 MR. DONNEL LESTER: Thank you for
4 allowing me to speak.

5 My name is Donnel Lester. I've been a
6 resident of Bakersfield since 1973. I've raised a
7 family and am now enjoying the benefits of watching
8 my grandchildren grow up in Kern County.

9 A couple of things.

10 Many things have been said on both sides
11 that make sense. One of the things that's been
12 running around in my mind the last 20 minutes or so
13 is how our society, we weigh human needs against our
14 business needs. And more often than not I think one
15 of the things that gets -- gets left out of the
16 equation are human needs when we're doing business.

17 And this is a business. It's very clear
18 that HECA is a business. It's about business, and
19 it's about looking for solutions, long-term
20 solutions, to problems that we experience in our
21 energy needs.

22 And from what I've heard so far, that
23 it's not a very good solution in terms of energy
24 needs. It doesn't -- it's not going to generate that
25 much in terms of energy needs.

1 I think there are other solutions that
2 are available. Clean energy, I mean truly clean
3 energy, from solar being affordable, for example,
4 which doesn't have any backlash, doesn't have any
5 pollution problems, doesn't have traffic problems,
6 not to the extent that it sounds like this project
7 would.

8 The other thing that occurred to me as I
9 was sitting there is that short-term solutions rarely
10 pay off for long-term needs. If we're only looking
11 at the short term, you know, the next 10, 15,
12 20 years -- coal is a limited commodity. It takes
13 millions of years to create it, and we're using
14 petroleum products at a rate that makes it eventually
15 unsustainable. So really coal is a short-term
16 solution no matter how you look at it.

17 And I would suggest to the commission
18 that they start looking at longer-term solutions,
19 sustainable solutions that, you know, would carry us
20 into the next century.

21 Thank you very much.

22 MR. POZZUTO: Thank you, Mr. Lester.

23 Next person is a Jane Parsons.

24 MS. JANE PARSONS: My name's
25 Jane Parsons. I live south of Buttonwillow a mile

1 off of Stockdale Highway, and I've heard all the
2 information.

3 There's been a lot of different numbers
4 thrown out, traffic and trucks on the roads, and a
5 personal concern to me, in addition to all the rest
6 of the issues that are here, is the fact that I drive
7 Stockdale Highway every day to go to work. And my
8 understanding is there can be anywhere from 100 to
9 900 trucks -- I've heard a lot of numbers -- on that
10 road every day.

11 Right now with the traffic we currently
12 have, there are times when the traffic is backed up
13 for a mile at the intersection of Enos and Stockdale
14 for people waiting to go through that intersection.
15 If we add this amount of traffic to that road, that
16 will be a stopping point, and as a private citizen of
17 Kern County, what I am told in my news daily when
18 we're told that the air quality is bad, the worst
19 thing that I can do is to stall with my car, to not
20 run my car, to sit, and that's what I'm being asked
21 to do by 100, 200, 400 trucks on the same road that
22 I'm on every day. And I'm not the only one that will
23 be doing that. It will be every one of these trucks
24 waiting to pass through there.

25 And I would ask you to just think about

1 what that does to our air quality and the things that
2 we know have been proven to work.

3 MR. POZZUTO: Thank you, Mrs. Parsons.

4 Next person is a Mark Lambooy with
5 Pacific Growers Association. Sorry if I
6 mispronounced your name.

7 MR. MARK LAMBOOY: Yeah. Lambooy, and
8 there's no Association with Pacific Growers.

9 I'm representing a local farmer, and in
10 fact so local that I'm the guy right across the
11 street east, on the north, on the west.

12 Yeah. We've heard -- we've had many
13 chances to do this now. Like four or five times
14 we've spoken to this, but I have a question, and I
15 would like to really hear an accurate number. We've
16 talked about trucks. We've heard 350 trucks. We've
17 heard more. I guess asking HECA, maybe, what is the
18 truck number per day hauling the coal? Start with
19 that. Is there a number you can give us that's
20 fairly accurate?

21 MS. JULIE MITCHELL: Sure.

22 As you know, there's two alternatives
23 that are being analyzed.

24 So there's an Alternative 1 where all the
25 coal comes to the site via train; and

1 the Alternative 2, the coal comes to the site via
2 truck.

3 MR. MARK LAMBOOY: Let's talk truck.

4 MS. JULIE MITCHELL: Okay. So
5 Alternative 2. In that alternative, up to 184 coal
6 trucks come to the site. So come and go out per day.
7 And then for the petcoke, it's up to 46 trucks.

8 MR. MARK LAMBOOY: Okay. So we're
9 talking -- and each truck is coming in and going out.
10 So we double that number. So we're somewhere in the
11 400 truck range?

12 MS. JULIE MITCHELL: Yeah, when you add
13 in the trucks in and the products that are going
14 out --

15 MR. MARK LAMBOOY: The waste.

16 MS. JULIE MITCHELL: -- the total is 411
17 trucks.

18 MR. MARK LAMBOOY: One truck. So double
19 that?

20 MS. JULIE MITCHELL: Right.

21 MR. MARK LAMBOOY: Okay. So that's 400
22 and 400 is 800 trucks, is an accurate number per day?

23 MS. JULIE MITCHELL: Correct.

24 MR. MARK LAMBOOY: So we can use that
25 number. Okay. Okay.

1 And then, you know, HECA's mentioned that
2 it's -- like, it's a 25-year life span for this
3 facility. Is that accurate?

4 So what happens, then, after 25 years?

5 MR. R. PAUL DETWILER: After 25 years,
6 the project -- the California Energy Commission would
7 include in its license for the project very specific
8 requirements and conditions for decommissioning the
9 plant and particularly turning the site to its
10 preproject state.

11 MR. MARK LAMBOOY: Okay. And the
12 Occidental idea is about 20 years worth of oil. I've
13 been reading that. Is that accurate?

14 MR. R. PAUL DETWILER: I'm not really in
15 a position to speculate about Oxy right now.

16 MR. MARK LAMBOOY: Okay. Other concern,
17 too. I'm reading that this could cause seismic
18 activity, this plant, this facility. There's
19 already, I believe, a fault running somewhere in
20 Kern County. You know, there's the aqueduct running
21 right near this site. It just -- you know, without
22 being a doom, gloom, and a nay-sayer, it just seems
23 like a real risk. We've heard about the plants that
24 have problems in Texas. We've read about CO2,
25 sequestering issues in the East and the U.S. where

1 things have come up from wells that were supposedly
2 capped. These are all things just currently that
3 have been happening which are of concern to us
4 people.

5 I grow pistachios across the street. I'm
6 real concerned about my orchard. You know, we'd be
7 the closest thing to any kind of issue that this
8 plant would -- could produce, any kind of problem.

9 I mean, pistachios are becoming very
10 popular. They're a worldwide product. They come
11 right out of California here. The world is becoming
12 more aware of a healthy product, and, you know, we
13 need to have a clean crop. We're under extreme
14 pressure to produce a quality product, a clean
15 product. So we hear about dust and, you know, the
16 traffic and the blend of all this equipment versus
17 farming. It's just a bad fit. So those are real,
18 real concerns for us.

19 Yeah. Anyway. So that -- that is my
20 concern as a farmer, you know. Our product is right
21 there. Air quality, the traffic, that our trees
22 aren't protected. We don't want to be sacrificed for
23 the sake of progress.

24 So thank you.

25 MR. POZZUTO: Thank you, Mr. Lambooy.

1 Now, the next personal is a Pete Pankey
2 with the Kern County Advocates for Agriculture.

3 And, if you could, please, everyone as
4 they come up, please repeat your name because
5 apparently the court reporter sometimes is missing
6 it. So please repeat your name before you start.
7 Thank you.

8 MR. PETE PANKEY: Okay. My name is
9 Pete Pankey. I'm with the Kern County Advocates for
10 Ag.

11 30 years ago my family owned a nitrogen
12 plant in the city of Hercules, and we had relatively
13 clean methane to -- for our feed source, but we had
14 no political clout, and the Bay Area Air Quality
15 people would not let us operate.

16 Now with a change in politics and a lot
17 of political clout and using my money, tax money,
18 why, these people want to come down here and -- and
19 reverse that process. Dirty feed is all of a sudden
20 okay. It makes no sense.

21 Certain unions help the creation of jobs
22 for this project, but those are phantom jobs. Since
23 this is government money, that money has to be taken
24 out of the economy and put here, and the statistics
25 show that it's roughly for every 10 jobs that are

1 created 12 jobs are destroyed. That's 12 jobs that
2 cannot be created because that money was removed from
3 the -- from the economy.

4 This is the new Solyndra. This is like
5 breaking windows so -- to get more glazier union
6 people put to work. Just doesn't make sense.

7 How can anyone think that a piece of
8 paper representing pollution credits from another
9 area will make the pollution go away? We worked hard
10 to -- to make the air cleaner in this area, and it
11 seems silly to destroy 40 years of progress.

12 This will preclude the creation of real
13 production in this area because industry will be
14 unable to purchase the pollution credits that will be
15 necessary to keep up with the changes in technology.

16 So our farming -- we just moved forward
17 tremendously over the past 50 years -- will be stuck
18 in its tracks. Doesn't make sense again.

19 The relatively new wealth-creating jobs
20 thus will not be allowed to be created because those
21 new industries won't be able to move forward.

22 Let's build this thing where the air is
23 not trapped. In this area, the air is trapped, can't
24 get out. Maybe Mexico has that -- that area. I
25 don't know.

1 One good thing coming out of this is the
2 oil recovery enhancement, but that can be achieved
3 using natural gas and creating a cogen plant. It's
4 been done hundreds of times. Makes sense. This
5 doesn't.

6 Thank you.

7 MR. POZZUTO: Thank you, Mr. Pankey.

8 Next is Marjorie Bell.

9 MS. MARJORIE BELL: Hello. My name is
10 Marjorie Bell. My husband and I came to Kern County
11 in 1967 as teachers to teach in an absolutely
12 wonderful high school district.

13 Our students from the Kern High School
14 District are all over the world. They get Ph.D.s.
15 They're lawyers. They're doctors. We're very proud
16 of the students that we have put out over the years.

17 But guess what. They don't come back to
18 Kern County. Once they go to Boulder, Colorado, or
19 to places like lower Ventura, they realize the air
20 quality here is not good, and it's a major reason why
21 our sons and daughters don't live in Kern County, and
22 this -- it's a close -- it's an issue that's very
23 close to us. Teaching many bright and gifted kids
24 over the years, I realize so few of them come back,
25 and it -- it's a very emotional thing.

1 We came to Kern County in 1967 not
2 knowing about pollution, air pollution issues, and
3 when we'd go away for vacation, like over to the
4 coast or up to Napa, where my husband is from, we'd
5 come back and the sting was appalling. Los Alamitos
6 would bring truckloads of tires up here and burn
7 them. Those kinds of practices have stopped, and our
8 air quality has improved, but just a couple things.

9 I pulled something out of
10 The Bakersfield Californian today. And this is
11 something I truly don't understand all the dynamics
12 about, but the headline reads Water Unaffordable to
13 Some in the Valley. It's by Associated Press and
14 from Fresno. Just let me read you the first two
15 paragraphs.

16 People living in poverty in California's
17 rural San Joaquin Valley pay more than two percent of
18 their income for tap water above the threshold of
19 affordability set into State law, according to a new
20 study. The study produced by Community Water Center
21 of Fresno State and the nonprofit Pacific Institute
22 shows two of every five households here report those
23 customers pay more than they can afford for tap
24 water. Bills climbing higher for those who also buy
25 bottled water, et cetera, et cetera.

1 My understanding is that the water issues
2 in the United States and especially in the Southwest
3 are going to be huge, huger than they are right now.
4 I do not understand how this project is sustainable.
5 I just simply don't get it. How can 4800 gallons of
6 water per minute be sustainable in this environment
7 where we have acute water shortages? Why, in
8 Sacramento, they're arguing about building a
9 peripheral canal to bring more water to the farmers
10 out in the Central Valley. I -- I can't understand
11 it.

12 And this one person I talked to recently
13 said the blackish water that HECA made such a big
14 deal about is already being used on crops. Many of
15 these crops in this area use the water that HECA says
16 is unusable for agriculture. That just simply is
17 false. It is misinformation.

18 Air quality is another issue, and many of
19 you have addressed it. Are we the new downwind
20 people? Somebody else mentioned the word
21 "downwind."

22 For those of you quite a bit younger than
23 I, in the 1950s, the United States government did
24 atomic testing in the Nevada desert. They wouldn't
25 have done it near an urban area because they knew how

1 dangerous it was, but people living in
2 Southern Nevada and Utah didn't know how dangerous
3 that testing was, and many people were sick and died,
4 and farm animals died.

5 I'm not saying this plant is -- is as
6 dangerous as radioactive atomic energy is, but it
7 sure feels like being a member of that downhill wind
8 community, especially for people in Arvin and
9 Lamont. The wind currents are coming from the north
10 down to the south.

11 Are we expendable? Are we really
12 expendable? Do people in Sacramento have any sense
13 about people living down here? I think it's a
14 problem.

15 Just one more thing. There are several
16 ironies about this project. It's advertised --

17 MR. POZZUTO: Marjorie, please conclude
18 here shortly.

19 MS. MARJORIE BELL: Okay. It's
20 advertised as being environmentally friendly. It
21 definitely is not, and we know that it is producing
22 -- it's going to produce chemical fertilizers which
23 are very hazardous to the environment.

24 Thank you.

25 MR. POZZUTO: Thank you, Marjorie.

1 Next person is a Lucy Clark.

2 MS. LUCY CLARK: Hi. I'm Lucy Clark. I
3 live up near Woody in the foothills, and on a good
4 day, I can see down here, but that's very rare.

5 I brought my purse up here just so I can
6 show you what I have to carry around with me every
7 day. I have my face mask. Oops. And -- I left it
8 on my chair. Anyway, it's a purple Advair. Anybody
9 else breathe Advair twice a day, steroids twice a
10 day? Because I've lived in the valley, Delano, and
11 in the foothills 40 years, and if anybody had told me
12 40 years ago as a both runner and 12,000-foot pass
13 backpacker in the High Sierra that I would be
14 crippled by bad air, I would not have believed them.

15 So many people, if you live here long
16 enough, you end up with very bad lungs. It is quite
17 depressing that I can't get out and hike. I can't
18 even walk a half mile out to my mailbox on the road
19 without putting a face mask on. And I live at
20 2200 feet. But the bad air is -- it goes up to like
21 35-, up to Glennville.

22 We don't need this here. This is not
23 good where our air is so bad. I'm a retired
24 Bakersfield College professor. I taught child
25 development for many years, and I tried to teach my

1 students to be advocates for children, and I cannot
2 stand up here and not speak up for children who do
3 not have a voice. Children born in Kern County never
4 grow up to have the lung capacity they would have if
5 they lived someplace where the air was clean.

6 Please move this someplace else. We
7 don't need it.

8 Thank you.

9 MR. POZZUTO: Thank you, Lucy.

10 The next person is a Jamie Bricem.

11 Is there a Jamie Bricem, or did I
12 mispronounce it?

13 MR. JAIME BRICENO: My name's
14 Jaime Briceno. I, too, am part of the
15 Building Trades representing some of the members of
16 Kern County.

17 So I, too, like Mike Rock and
18 John Spaulding, see the growth opportunity not just
19 for work, which we haven't had in -- in three or four
20 years -- it has been unbelievable the amount of
21 hardship, of loss of houses and divorces over
22 unemployment. And I think that's why we're here in
23 such big numbers, because we know that. We hear that
24 every day. It is -- it is hard to ignore that.

25 I know sometimes you can take the

1 environment and say, "Okay. You know what? It's the
2 environment, and we're all going to die. Forget the
3 economic growth." I think -- a couple speakers
4 before me said that there's a balance we can strike
5 between business and environment growth. The HECA
6 project can do that. They have been good neighbors.

7 I guarantee you that this process is not
8 done. I don't -- I don't negate the fact that
9 traffic is going to be horrendous, but that's going
10 to be answered. In fact, no one has asked
11 Chris Romanini, who's sitting here today -- she
12 can -- she can mitigate some of that traffic by
13 allowing some of the -- or her land and easement for
14 trainees to come into the plant, which would mitigate
15 some of the traffic. That hasn't been mentioned
16 yet.

17 But you know what? Like I said -- seven
18 years ago or ten years ago we had jobs with power
19 plants. There was this huge outcry for power plants
20 being built in Kern County. They were built, all of
21 them generating about a thousand jobs. They needed
22 to be created, and they were. And that's what I'm
23 talking about. There is a place where business comes
24 together, works with the environment, and gets it
25 done.

1 This process is -- is great. You're
2 allowed to speak. You're allowed to voice your
3 concerns, whatever that may be, whatever that -- how
4 that may affect you personally. It's being done.

5 This project is not done by any means.
6 Your concerns will be handled. Not handled, but at
7 least answered.

8 I think -- I don't live here. I live in
9 Bakersfield, but if I had to drive in -- or even deal
10 with those trucks, that's a concern, but even I
11 understand that and acknowledge that, but HECA has
12 acknowledged that. It is working to take care of
13 that and to fix that and to make you folks who live
14 here in this project go forward in the best possible
15 way without taking away those jobs that I -- I
16 believe would be best.

17 So thank you for the opportunity to speak
18 today.

19 MR. POZZUTO: Thank you, Jaime.

20 Next person is Ann Martinez.

21 MS. ANN MARTINEZ: Good afternoon. My
22 name is Ann Martinez. I'm with Greenaction for
23 Health and Environmental Justice.

24 Today I will be speaking in Spanish, and
25 the only reason is because I do want folks to feel

1 comfortable coming up to the mike and speaking in
2 Spanish.

3 MR. POZZUTO: Excuse me one second.
4 We'll reset the clock.

5 Go ahead. Thank you.

6 (Whereupon, Ms. Martinez begins to speak
7 in Spanish.)

8 THE INTERPRETER: Okay. We need to
9 restart the clock again because this is not working.
10 So I will be interpreting as she speaks
11 simultaneously.

12 This is going to change. We'll be
13 interpreting from the unit there, and she is going to
14 speak.

15 MR. POZZUTO: All right. Before you
16 start, there's another person on deck, an
17 Emilio Canchola, that is going to also need a -- an
18 interpreter, and we'll provide that. Give us a
19 minute to make sure everything -- everybody
20 understands.

21 MS. ANN MARTINEZ: Well, again, good
22 afternoon. My name is Ann Martinez. I'm here with
23 Greenaction for Health and Environmental Justice.
24 And tonight I'm actually representing myself as a
25 community resident from Bakersfield, California.

1 I've lived all my life around these
2 communities, especially in Shafter. I was raised in
3 Shafter. And this really affects me because I have
4 family members that do have asthma.

5 I've seen projects such as HECA that come
6 and do that nice presentation and claim they're going
7 to be bringing in jobs, but yet we have to stop and
8 think that it's going to be jobs versus our health,
9 which is going to be most costly.

10 We've seen it throughout a lot of
11 communities where there's, you know, folks that
12 speak Spanish that are farm workers that do not get
13 proper notice regarding hearings like this. Why?
14 Because they want to leave them out. And this
15 project from day one has started with an act of
16 discrimination. And this project also receives
17 federal funding.

18 One of the things that we do want to urge
19 is that we take in consideration all the pollution
20 that already exists in the valley. We're trying to
21 clean it up, not add to it.

22 HECA, you guys are going to be here for
23 25 years? What's going to happen after that? We are
24 going to be left with nothing but health problems,
25 and you guys are going to be living far away,

1 enjoying your nice piggy bank money that you guys had
2 made over the cost of the health of the folks in
3 these communities.

4 I strongly do say, HECA, find another
5 place. The jobs that you guys are going to be
6 bringing are very minimal, and you guys know it.
7 It's just a strategy that you guys use.

8 I think, you know, you guys really have
9 to think about the health in this community. There's
10 already a lot of children with asthma, a lot of folks
11 that are having cancer, women that are losing their
12 babies. And that's an injustice. That's an
13 environmental injustice.

14 Thank you.

15 And I'm going to say something real quick
16 in Spanish, and then I'll translate it myself.

17 (Whereupon, Ms. Martinez speaks in
18 Spanish.)

19 MS. ANN MARTINEZ: I'm urging the
20 Spanish-speaking community to stand up and not be
21 shy, come up to the mike, you know. We need to fight
22 for your community, and we need to tell HECA find
23 another place. Get out.

24 Thank you.

25 MR. POZZUTO: Thank you.

1 The next person, I believe, will need a
2 translator, Emilio Canchola.

3 THE INTERPRETER: Emilio Canchola.

4 MR. POZZUTO: Emilio Canchola.

5 THE INTERPRETER: Emilio Canchola.

6 MR. POZZUTO: All right. We'll set this
7 card aside for now.

8 The next person to speak is a
9 Mark Romanini.

10 MR. MARK ROMANINI: Good evening.

11 I'm just sitting here bewildered watching
12 this project go from the ridiculous to the absurd.
13 It's like I see the shirts Hydrogen Energy, and after
14 looking at the CEC's most recent assessment -- I
15 forget what it's called -- we're not even generating
16 energy anymore. You know, it's a fertilizer plant.

17 But back to some of my concerns regarding
18 air, I brought this before the San Joaquin Valley Air
19 Pollution Control District before, begging them to
20 come, to get informed of what was going on with this
21 project because we're not in compliance with air
22 quality standards set by the EPA. Not the 2008
23 standards. Not even the 1997 standards. And they've
24 admitted, you know, we don't have the technology
25 today to get into compliance. It doesn't exist.

1 So to bring a project like this that's
2 going to dump 500 tons of criteria pollutants that
3 affect the air we breathe with regards to the fine
4 particulates in the ozone, I thought they would jump
5 on the bandwagon to fight this because this is going
6 to be one of the largest stationary sources of
7 pollution in the valley. It will rank in the top
8 ten. If you didn't know, look at the inventory
9 parts, inventory list for emissions.

10 But to my amazement, the only person that
11 showed up was Seyed, who's the president, or
12 whatever, of the Air District, and he said, "Based on
13 the mitigations that we have required, the applicant
14 has agreed to do this project, build an actual result
15 in a net benefit in our air quality in the
16 San Joaquin Valley."

17 Oh, my goodness. We're not even
18 compliant. This is the answer. This is what we've
19 been waiting for. Are you kidding me?

20 So I look deeper. How in the world is he
21 pulling this off?

22 Well, 60 percent of the SOx offsets are
23 two decades old -- over two decades old. 90 percent
24 of the NOx are over 3 decades old. 100 percent of
25 the OCs are over three decades old. Is that of any

1 relevance to the air we breathe today? Those are the
2 primary things they're basing it on, that they're
3 using to offset this thing.

4 I say there's no way. To me, if -- that
5 makes about as much sense as a diabetic deciding on
6 what he eats tonight and what he didn't eat 15 years
7 ago and then expecting to have a better result
8 tomorrow. It is absolutely absurd.

9 HECA actually states that if this
10 project's not built, electricity would likely be
11 generated from other less efficient plants with
12 higher air pollutants.

13 Well, I guess they haven't talked to the
14 County lately because as we sit today, the County is
15 currently at 7,885 megawatts of permitted wind and
16 solar P V with two-thirds of this in production
17 today, with the remainder gearing up for
18 construction, and additionally we have another
19 3200 megawatts solar PV currently in the IR process.
20 If that does not compliment the natural gas power
21 plants that we built recently here, I don't know what
22 does.

23 There's not another county in California
24 that even touches us as far as wind and solar, not
25 even close. The power that we're generating in

1 California -- in Kern County right now is -- it just
2 blows everybody away, and I think that needs to be
3 stated.

4 So, no. We're doing quite fine
5 generating power, and the way this project looks now
6 with a meager -- we're talking about a meager amount
7 of creation of power and an enormous amount of
8 emissions. I don't see how -- it's never been a good
9 fit from the beginning.

10 Seyed mentioned way back when that there
11 was a similar project like this in South Dakota -- or
12 North Dakota. I'm sorry. They pumped that carbon
13 dioxide 200 miles before they injected it into the
14 ground.

15 How does sticking this project in the
16 middle of prime farmland make any sense,
17 whatsoever? We have a wonderful industry in
18 agriculture. We have a wonderful oil industry, as
19 well. But there is plenty of marginal crummy ground
20 to go stick this thing on and just stick a couple
21 more pipe extensions on. You can get this stuff
22 wherever you want to get it.

23 So thank you.

24 MR. POZZUTO: Thank you, Mark.

25 The next person is a Joe Alvidrez. You

1 may want to repeat that, Joe.

2 MR. JOE ALVIDREZ: Sure. Joe Alvidrez.

3 My name's Joe Alvidrez. I'm third
4 generation of my family that lives here in
5 Buttonwillow.

6 I want to start by quoting
7 Mr. Seyed Sadredin, executive director of San Joaquin
8 Air Pollution Control District. He stated: Just two
9 points. A couple of people test sponsored
10 concerns about toxic risk. What if a county farmer
11 neighbor next door? What impact from that facility?
12 As I told you, the measuring stick that we used in
13 this case was to put an imaginary person at a point
14 worst impact for seven years, 24 hours a day,
15 breathing the worst possible concentration that this
16 facility would emit. So if you don't fit that
17 profile, the impact to you is not less. And our
18 analysis showed that even for that person, at the
19 worst-point impact, staying there for so many years
20 without moving, staying there for 24 hours a day, the
21 impact is not significant. So I want to assure that
22 analysis shows that we looked at all emissions,
23 mercury.

24 Somebody said, "How about CO2 or CO2 for
25 every pollutant that this plant emits that has a

1 toxic risk value?"

2 We looked at all those individually and
3 community. For the first-point impact of that
4 person, that in reality does not really exist to stay
5 there 24 hours a day.

6 I also want to show how neighbors and
7 people, Chris Romanini, Suzy Carver tried to
8 intimidate and force St. Mary's Church in
9 Buttonwillow to reject me having any formal forum of
10 the plant and how they tried to deframe a person's
11 character.

12 Here's the proof. If neighbors of HECA
13 is so concerned about air quality, then they should
14 petition the Air District to put an air monitor in
15 now, right now, in Tupman, which is one and a half
16 miles away. This plant isn't functioning until four
17 plus years from now.

18 If HECA -- if neighbors of HECA are so
19 concerned about trucks, what are they doing going at
20 4:30 on Highway 58 in Buttonwillow? HECA's road is
21 not through Buttonwillow, and if you're here between
22 1:00 and 4:30, you would know the traffic.

23 Where's your concern for overspray behind
24 tomato trucks on I-5 and local roads? And believe
25 me. You get behind a tomato plant -- I mean tomato

1 truck, you'll know.

2 I can talk about farms and brackish
3 water. I talked to Buena Vista Storage District
4 about brackish water and how it benefits them.

5 And this is not a dirty coal plant. I
6 can surely talk about the dust created by the almond
7 harvest that's coming up, which is a direct impact on
8 asthma, hay fever, allergies, valley fever. Where's
9 your concern on this right now?

10 But let me now focus on the benefits.
11 With Kern County, over 12 percent unemployment,
12 people will have 2,000 jobs during construction.
13 These tech, engineering, construction, and good union
14 jobs. HECA will create 200 permanent jobs on-site
15 and 240 indirect jobs. This will also add
16 approximately 400 jobs to the area, to our hotels,
17 restaurants, grocery stores, specialty stores, fuel
18 stations, and, of course, Kern County jobs.

19 We need this. Families here might call
20 this as a drive for our youth to go to college, to go
21 to trade schools. Here's a future to succeed and
22 improve our own environment. Let's not forget local
23 and tax revenues. This is a good fit for Kern
24 County.

25 And I thank you.

1 MR. POZZUTO: Thank you, Joe.

2 Next person is a Arthur Unger.

3 MR. ARTHUR UNGER: Good evening. I'm
4 Arthur Unger. I'm a resident of Bakersfield and
5 thank you for taking the time to hear so many of us
6 tonight.

7 My first question. With the trucks,
8 there's 411 going in, 411 going out. Do they go out
9 full? Is that how we get rid of the slag, or is that
10 more trucks?

11 And thank you for answering right off the
12 bat.

13 MS. JULIE MITCHELL: The 411 trucks that
14 we're discussing is a total of both feedstock into
15 the facility. So that goes loaded in, and empty out,
16 and products out. So they're empty in the way in and
17 full on the way out. That does include the
18 gasification solids, which is a product.

19 MR. ARTHUR UNGER: Okay. So the slag and
20 gasification solid, that's two or three words for the
21 same thing?

22 MS. JULIE MITCHELL: We call it
23 gasification solids.

24 MR. ARTHUR UNGER: Okay. But chemically
25 what it is is coal ash?

1 MS. JULIE MITCHELL: It is not coal ash
2 because coal is not burned at this facility.

3 MR. ARTHUR UNGER: We take the coal in
4 from New Mexico after ripping up probably some
5 gorgeous place in the far corners and screwing up
6 some Indians' lungs, and then we take the coal here,
7 and then we don't burn the coal. What do we do?
8 Make statues?

9 MS. JULIE MITCHELL: No. We gasify it.
10 That's why it's called the gasification process.

11 MR. ARTHUR UNGER: Oh. We subject the
12 coal to a lot of heat and pressure, but that's not
13 burning.

14 MS. JULIE MITCHELL: Well, technically,
15 no, it's not.

16 MR. ARTHUR UNGER: Oh, technically.

17 And then where do we get the energy
18 from? Do we have methane in there or water to divest
19 the hydrogen, which I should have asked months ago?
20 And I apologize.

21 MS. JULIE MITCHELL: You know what?
22 There's a great description of how this process works
23 in the project description. I think it would be
24 helpful if you look at that.

25 MR. ARTHUR UNGER: Save it; right?

1 Well, the EPA on Friday is supposed to
2 finalize a power plant rule to limit the arsenic,
3 lead, and mercury and selenium that comes from power
4 plants that do burn coal. And will HECA have to
5 limit its arsenic, lead, mercury, and selenium?

6 MS. JULIE MITCHELL: There are limits on
7 all air toxics on this project.

8 MR. ARTHUR UNGER: When we estimate how
9 many permanent jobs we have, I hope we are
10 subtracting the agricultural jobs that will be
11 left -- thank you -- that will be left unfilled
12 because HECA is here.

13 And if we really want to make jobs, I
14 would think that we could use the 408 billion dollar
15 grant from the Department of Energy to train some
16 folks to paint houses white on the roof and to
17 insulate them properly, and we could save a lot more
18 energy than HECA's going to make.

19 I don't think there's anyplace on planet
20 earth for HECA. Don't take it away. Just learn how
21 to live without fossil fuel plants.

22 Thank you.

23 MR. POZZUTO: Thank you, Mr. Unger.

24 The next person is a Cesar Campos.

25 MR. CESAR CAMPOS: Hello. I'm

1 Cesar Campos.

2 I'm with an organization Central
3 California Environmental Justice Network.

4 We are opposed to this plant for various
5 reasons, the first one being that HECA actually adds
6 tons of CO2 and other pollutants and toxins to the
7 air to an already overburdened area in the state.

8 You know, we're talking about all these
9 mitigation -- I don't know -- plants that the
10 Air District brought forth, that the CEC, HECA
11 brought forth, but when you're talking about
12 Kern County, you've got to be talking about a
13 different type of mitigation than what is actually
14 being discussed in this room because part of the
15 problem in Kern County is that a lot of the
16 populations in Kern County do not have proper health
17 access or access to health care or have the proper
18 means to go about getting the health care.

19 So when you're talking about mitigation
20 standards, it is not just okay to talk about how much
21 CO2 you're going to sequester and put in the ground.
22 You should be talking about what are you going to do
23 to actually get better health care for the actual
24 community to mitigate their own health in terms of
25 this plant.

1 After that, you talk about -- HECA
2 actually exploits taxpayer money and brings about
3 little to no benefits. Although these jobs that
4 HECA's claiming to be producing, most of the time
5 would be highly skilled jobs that will be given to
6 people that don't even live in the county already,
7 and -- and -- and, in fact, you are using taxpayer
8 money to bring about more pollution, higher levels
9 of illness for the people that do already live here
10 in Kern County.

11 We feel, also, that it is ridiculous that
12 the California Energy Commission, the Department of
13 Energy is putting forth a plan as clean that has
14 forefront -- that has coal at its forefront. It is
15 just ridiculous that it is 2013 and we are still
16 talking about coal when you know -- all of the
17 research shows that coal is not clean. There is
18 nothing -- you cannot gasify coal and make it clean.
19 Clean is -- I mean coal is dirty. That's just the
20 truth of it.

21 We should be looking at renewable sources
22 of energy, like -- I was unaware of what the County
23 is doing with all of this solar panels -- or solar
24 power, but that's where the California Energy
25 Commission should be putting their subsidies in,

1 rather than putting coal at its forefront.

2 HECA is not a step forward for
3 California. It is, in fact, business as usual and
4 government using taxpayers to fund pollution and
5 geographic discrimination.

6 Thank you.

7 MR. POZZUTO: Thank you very much.

8 Next is a Brian Romanini.

9 MR. BRIAN ROMANINI: Members of the CEC,
10 I just want to thank you so much for coming down. My
11 name is Brian Romanini, and I appreciate you taking
12 the time to listen to our concerns.

13 I am a farmer here, and I employ people,
14 and this does scare me. A couple of reasons why.
15 Just we don't know. We know that accidents happen.
16 We know that a company called Mitsubishi brought in
17 retrofit stuff to fix the San Onofre power plant. We
18 know their retrofit didn't fill. So we know, also,
19 this summer that a big jetliner went down in
20 San Francisco. Proven technology. It didn't work.

21 Okay. These guys are bringing in this
22 technology. New Jersey said, "We don't want you to
23 build it here."

24 I'm saying okay. You want to build it.
25 Why don't we build it 60 miles away. You're wanting

1 to pick this site here in a fragile environment. Our
2 air is terrible right here. We're in the valley, and
3 we have farmland. Just push it 60 miles west.
4 There's desert for miles. Nobody would be affected
5 if there was a leak, but right here, we're very
6 affected if there's a leak, and it's all going to
7 stay right here.

8 So the silent killer is basically even
9 asthma.

10 Oh. And I'm going to quote this. This
11 is Jared Blumenfeld, an EPA regional administrator.
12 Quote, he says, "Four times more people die in the
13 San Joaquin Valley from air pollution than they do
14 from traffic fatalities. If we had a tornado that
15 swept through the valley and 200 people died, it
16 would be a national crisis, yet literally we have
17 thousands of people dying from air pollution, but it
18 is invisible. You just don't see those people."

19 I just say we want to do everything we
20 can. As a farmer, we have installed some solar
21 stuff. We have from the San Joaquin Valley District
22 received money to tear down our whole polluting
23 diesel motors, and we're happy to do that. I want
24 this air to be better for the next generation.
25 Anything we can do to do that. I say more power to

1 them. Let's try to clean this air up.

2 This is just a terrible fit. We're going
3 to produce stuff here, and it's not going to be able
4 to blow out above the mountain range. I ask you just
5 to please consider that.

6 Thank you.

7 MR. POZZUTO: Thank you, Brian.

8 Maria ma day Georgia. I may not be
9 pronouncing it right. I'm an not quite sure of the
10 spelling. Vega or Ray Georgia, Viagra.

11 All right. We'll set that one aside.

12 Next person is a Maria Vieyra. I may not
13 be pronouncing that right. I'm not quite sure of the
14 spelling. Veiyra. Veiyra. Viagra.

15 All right. We'll set this card aside.

16 The next person is a Maria Bonilla.

17 And the interpreter is also available if
18 you would desire to use him.

19 MS. MARIA BONILLA: (Through the
20 Interpreter) My name is Maria Bonilla.

21 I am -- I am concerned because I live here in the
22 Buttonwillow -- Buttonwillow area. I've lived here
23 since '86. And before, it wasn't like it is now.

24 Therefore, I -- I have four children, and
25 two have had valley fever, and myself and my daughter

1 have had asthma. Well, I ended up in the hospital
2 due to the asthma.

3 I've purchased the medication for my
4 children because I don't receive any help of any
5 kind. My son -- my children's medication, the ones
6 that they take for valley fever, cost me, each little
7 jar, \$200. I've had to purchase it. At times I
8 wouldn't eat because I had to purchase their
9 medication.

10 Now I have a little boy who's taking
11 medication for school so that he can focus. When he
12 was in fourth grade, I went and told the doctor,
13 "Doctor, why is the child -- why is he being so
14 distracted in school? How come he's not focusing?"
15 So I told the doctor.

16 The doctor said, "It's due to the dirty
17 air, and the child received bacteria, and that's why
18 he's not focusing, due to the bacteria that he got."

19 I asked him -- so then I asked him what
20 was going to happen.

21 So then the doctor told me, "You know
22 what? The little boy is not going to get better.
23 The little boy is going to take medication up -- up
24 -- not -- up until he finishes his schooling. And
25 not until he finishes high school or college, but the

1 boy's going to need his medication all of the time."

2 So then that's why I am against this, due
3 to the dirty, filthy air that we have here in the
4 Buttonwillow area and the surrounding area.

5 Now, my husband works in the field. At
6 times, to buy the medication for my boy, I stopped
7 buying food.

8 And if not, and if you think that I'm
9 lying to you, that I am not telling you the truth,
10 and if you'd like, you can exit right now and go to
11 my house. With joy I invite you. Go look in my
12 refrigerator. Just because right now I forgot
13 because I came quickly because of the meeting. If
14 not, I would have brought you the medications and the
15 bills of how much the little boy's medication cost
16 me.

17 The boy's medication cost me -- I'm
18 paying \$180 every 30 days, and I'm paying -- I'm
19 paying \$80 so the little boy can sleep at night
20 because he can't sleep because the doctor told me
21 it's because the air is very dirty and that's why the
22 little boy is like so.

23 Like, right now I'm speaking, but right
24 now I feel agitated. Why? Because of the asthma
25 that I have. Because I'm not only taking one

1 medication. I'm taking three medications. And if I
2 don't take medication, I immediately go to the
3 hospital. And I have to pay for that. So then
4 I'm -- because I'm not receiving any type of
5 assistance.

6 And that's why please stop this,
7 please. Take -- if you have pity, if you feel sorry
8 for the people of Buttonwillow and the surrounding
9 area -- we're going to see here how much pity you
10 have on the people, and if not, you must -- you must
11 completely think we're nothing but a bunch of
12 animals.

13 That's all I have to tell you.

14 MR. POZZUTO: Thank you, Ms. Bonilla.

15 Next person may also use the interpreter
16 if they wish. Javier Sandoval.

17 THE INTERPRETER: Javier Sandoval.
18 Javier Sandoval.

19 MR. POZZUTO: Javier Sandoval.

20 MS. ANN MARTINEZ: I just wanted to call
21 out on what you just said a while ago. That
22 individual you called out Maria subpoena you said
23 Viagra might be her last name. That's very
24 unprofessional.

25 MR. POZZUTO: I apologize.

1 MS. ANN MARTINEZ: If she's in the
2 room -- yeah. Thank you.

3 MR. POZZUTO: I apologize for that.

4 Another -- Ramiro Sandoval. Ramiro
5 Sandoval.

6 Edward Kosareff.

7 MR. EDWARD KOSAREFF: My name is
8 Edward Kosareff, and I got in a little late. So I'm
9 going to have to play a little catch-up here. I'm
10 probably going to reiterate a lot of things that have
11 already been said.

12 But I want to address a question to this
13 panel up here, I guess. Is that what you call
14 yourselves, or whatever? You're from the
15 Department of Energy and -- and -- California
16 Department of Energy.

17 Do any of you live in this area?

18 None of you live in the area. You live
19 in the Sacramento area, or wherever.

20 Mr. Pozzuto lives in -- is he here?

21 MR. POZZUTO: Yes. I'm Mr. Pozzuto.

22 MR. EDWARD KOSAREFF: Okay. You live in
23 West Virginia.

24 MR. POZZUTO: I live in Southern
25 Pennsylvania.

1 MR. EDWARD KOSAREFF: Yeah. Okay.

2 Well, it says West Virginia.

3 MR. POZZUTO: That's where my office is.

4 MR. EDWARD KOSAREFF: That's where your
5 office is. Okay. Very good.

6 Last week -- I believe last week we had
7 monsoons come in. The humidity came in. We had
8 three days of ozone warnings, meaning keep your dogs
9 and your pets in the house, including your children,
10 because it's going to be difficult for you to
11 breathe.

12 Have any of you where you live
13 experienced that, had those warnings that come out
14 over the -- the newscasts, the weather that
15 say -- you have those in Sacramento, also, area?
16 Yeah. Have those, too.

17 And so we have, I believe, an
18 overabundance of that.

19 I'm just going over the whole thing all
20 over again. I know you've heard it all, heard it
21 all. But that's what we're here for, to drive it
22 home that we cannot afford this in this area.

23 And on your way home this evening, if
24 it's not dark yet, when you go out over
25 Stockdale Highway over Interstate 5, take notice of

1 the on ramps and the off ramps, how they're placed.
2 In normal traffic, in normal traffic, I drive a truck
3 over the top of that overpass. I pull off the
4 freeway. I look both directions. I see no traffic.
5 I say a quick little prayer, and I gun it because,
6 boy, I hope no one's coming over the top of that
7 thing too fast and slams into the side of me. Those
8 are the most dangerous things that they are because
9 they're built on the ramp that digress going down.
10 You cannot see.

11 So we talked about the traffic. I'm sure
12 it's been gone over and over and over again. And
13 HECA's going to address this. Okay. So we hear of
14 winding the road. Are they just going to bubble gum
15 this thing and put a little -- little shoulder on the
16 road so the truck can pull off and let the traffic go
17 by?

18 Talk about signals on Stockdale Highway.
19 A signal? Drive that highway and see where they're
20 going to put a signal out there to accommodate this.

21 Who is going to pay for all these
22 improvements? If the plant goes in, HECA needs to
23 play -- pay, pay for winding the road, pay for fixing
24 the off ramps, not Mr. and Mrs. Taxpayer. They
25 should not pay for a private business.

1 And on top of that, a gentleman mentioned
2 earlier about fearmongering. Yeah. We want to
3 fearmonger this thing to death because I
4 guarantee -- you and I know deep down inside -- you
5 all know that something will happen. Something.
6 Maybe not today, maybe not the first year, maybe not
7 the fifth year, but something will happen with this
8 plant. I'm sure the people all the way in West,
9 Texas, which was merely a fertilizer storage
10 facility, they didn't -- they didn't manufacture it
11 there. They merely stored it there. Pretty much
12 wiped out a good portion of that town.

13 And that's what we have here. This thing
14 is fake. It's false. It's not here to produce
15 energy so your PG&E bill goes down or
16 Southern California Edison bill goes down. It's
17 not. It will not affect it one iota. It's a
18 fertilizer plant -- that's what it is -- and a way to
19 sequester CO2 for Occidental to -- to draw more oil
20 on -- out of the -- out of the hills.

21 And when this something does happen, the
22 200 jobs are not going to mean a whole lot to this
23 area. When people begin to say, "We don't want your
24 product --" I have fresh fruit on that -- on that
25 proposed track where they want to build the railroad

1 track, and I can ill afford to have a coal train come
2 through there. I guarantee it. They will say, "We
3 don't want your fruit, Mr. Kosareff." Please. And
4 I've spent a lot, a lot of money developing
5 that -- that product. Not only me, but there are
6 other people.

7 Let's pay -- let's put this thing --

8 MR. POZZUTO: Mr. Kosareff, please wrap
9 it up. Your time is up.

10 MR. EDWARD KOSAREFF: Oh. I didn't
11 know.

12 MR. POZZUTO: Five minutes and a half.
13 So come to your conclusion.

14 MR. EDWARD KOSAREFF: I'm done. Thank
15 you very much.

16 MR. POZZUTO: Thank you, Mr. Kosareff.
17 The next person is a Tim Kustic.

18 MR. TIM KUSTIC: Good evening. It's
19 Tim Kustic, K-u-s-t-i-c. I'm a State Oil and Gas
20 Supervisor. I have the Division of Oil and Gas and
21 Geothermal Resources.

22 Hi, Lisa.

23 We are the regulatory -- state regulatory
24 agency which will oversee the injection of CO2 for
25 enhanced oil recovery at Elk Hills. I'm here tonight

1 to listen to the public.

2 The California Energy Commission, our
3 sister agency, is posted as the main committee
4 agency. We are working closely with them through
5 this process.

6 It's great to stand on the other side of
7 the podium after going through 12 public workshops on
8 hydraulic fracture stimulation in the state for the
9 last year. So I sat on your side quite extensively
10 recently.

11 It's great to see the democratic process
12 working here tonight. You're hearing from the
13 concerned parties in the community. That's great.
14 That's what this country is built on. So it's great
15 to see that in action tonight.

16 As far as the Division, of course we are
17 absolutely neutral on this facility, and I'm really
18 hoping that I don't get an applause when I walk away
19 from the podium here. I don't deserve one. We are
20 the regulatory agency that will make sure that CO2
21 that's injected for the enhanced oil recovery is
22 correctly injected, is safely injected, serves its
23 purpose, and is not allowed to escape the zone it's
24 injected into. That's our role. We take it very
25 seriously.

1 We've regulated the oil and gas industry
2 in the state for a hundred years. The UIC,
3 underground injection control, program is our single
4 largest program. It's a very extensive program. I
5 have close to 100 people throughout the state
6 regulating underground injection control, and we are
7 confident that this can be done safely with CO2. It
8 has been done safely, extensively in other states. A
9 little less so in California, but we have had about
10 half a dozen CO2 projects in the state. So we are
11 confident we can regulate this.

12 Thank you for being here tonight.

13 MR. POZZUTO: Thank you very much,
14 Mr. Kustic.

15 Stephen Montgomery.

16 MR. STEPHEN MONTGOMERY: Good evening.
17 I'm Stephen Montgomery.

18 As much as I worked, as a retired union
19 man, I'd really like to be able to support this
20 project, but as much as I wish I could, I cannot
21 because of my concern about air quality issues.
22 My wife has emphysema, and so this matter does
23 strike rather closely to home.

24 Most of the issues that I'm -- I'm
25 concerned about have already been discussed, but one

1 point here is there is no substitute for -- these
2 offsets that have been -- that are supposed to
3 mitigate the air quality matters simply don't
4 address the actual issue of air pollution, and we
5 have -- already have among the world -- the country's
6 worst air pollution, and my -- as it is, we are
7 routinely being fined for having such poor air
8 quality here. Offsets aside, added air -- air
9 pollution from this project would further exacerbate
10 the problem of our being fined for having -- not
11 meeting attainment goals.

12 Thank you.

13 MR. POZZUTO: Thank you, Mr. Montgomery.

14 Uriel Garcia.

15 MR. URIEL GARCIA: Thank you, everyone.

16 Thank you for giving me the chance to talk.

17 First of all, I would like to start with
18 a question. How many of you guys have family members
19 or children in your family who have asthma?

20 None?

21 So you guys wouldn't know about taking a
22 child to -- you guys wouldn't know about taking a
23 child to the emergency room at 3:00 in the morning
24 for an asthma attack. You guys wouldn't know about
25 having to see your child sit on the sofa while the

1 other children get to play because they have asthma.

2 I know some of you guys mentioned about
3 the dust and pollutants and all that stuff. And,
4 yeah. That's also a concern, and I worry about that.
5 Okay? But this project, I know that, you know, this
6 wasn't randomly selected. This wasn't randomly
7 selected, you know. You guys knew exactly what you
8 guys were doing. Why not go down to another city or
9 another town? You know, why not put it in
10 West Virginia? I'm sure people over there need jobs,
11 as well. People all over the country need jobs, not
12 just here in Kern County.

13 You know, and I know if this project goes
14 through, a lot of you guys are going to get a lot of
15 money. Hopefully you guys won't need it to take your
16 child to the emergency room, to pay for medicine and
17 an emergency room.

18 Thank you.

19 MR. POZZUTO: Thank you, Mr. Garcia.

20 Next person is a Brad Bittleston as the
21 Stockdale Ranch.

22 MR. BRAD BITTLESTON: The needs of the
23 many outweigh the needs of the few. Basically what I
24 mean by that saying is that right now in Kern County
25 there is approximately 856,000 members in this county

1 compared to 24 temporary jobs that could be created
2 by this project along with 630 jobs. That is said in
3 your benefits of the HECA project brochure.

4 Do those few jobs that we create
5 here -- is that going to be enough for the effects
6 and the benefits and the health concerns that's going
7 to affect the 836 -- or 856,000 residents in the
8 County of Kern? I don't believe so.

9 Basically the project in question affects
10 me very closely, and basically what I'm saying by
11 that is that my residence is one and a quarter miles
12 west of I-5 on Stockdale Highway, right on
13 Stockdale Highway. We have a horse ranch that has
14 been in that area for over 40 years. We raise world
15 champion studs, colts, and we show these. Those
16 horses are transported all over the world.

17 I have my family over here, Jimmy and
18 Rochelle. We had planned to basically build a life
19 at this ranch for -- until we die, basically. And
20 now we have a plant that is proposed to come into
21 our -- our life, our neighborhood that for one,
22 frankly, doesn't belong here.

23 I see your guys' brochure that you guys
24 invest. I see pictures of my family -- or my
25 community members that I have known my whole life.

1 And, frankly, I'm disgusted to see a lot of the
2 people that I have been raised with basically
3 cowering to the money and the woes of HECA.

4 This is a project that's going to affect
5 our lives, our community forever if this project gets
6 opposed -- or approved. I believe that if this
7 project does get approved, that that 856,000
8 community members of Kern County are going to have a
9 great health nonbenefit from this project.

10 Thank you.

11 MR. POZZUTO: Thank you,
12 Mr. Brittleston.

13 MR. R. PAUL DETWILER: We have some
14 people who didn't respond the first time. I just
15 want to make sure they all have a chance.

16 Ramiro Sandoval.

17 Javier Sandoval.

18 Maria Vieyra.

19 Emilio Canchola.

20 Anyone else?

21 Please state your name, since we don't
22 have a card.

23 MR. DAVID WOLF: Sorry about not giving
24 you a card. I just decided to say something.

25 You probably all know today is

1 Constitution Day, and I just wanted to thank
2 everybody on both sides. It's been an amazing
3 debate, and I thought everybody was very respectful.

4 I was teaching today about the right to
5 free speech to children, and it wouldn't be free
6 speech if we didn't listen to each other. And I
7 think this was amazing. I want to thank all of you
8 for spending your time and for coming to our town.

9 Thank you very much.

10 MR. POZZUTO: Again, please state your
11 name for the record.

12 MR. DAVID WOLF: Sorry. David Wolf.

13 MR. POZZUTO: Thank you. Thank you,
14 David.

15 Hearing no other citizens desiring to
16 speak, then this public meeting is concluded today.

17 Oh, excuse me. Mr. Romanini.

18 MR. BRIAN ROMANINI: Thank you very
19 much. I was just -- in my head, I was just
20 thinking -- I'm Brian Romanini. Thanks again --
21 in who lies the responsibility of enforcing if
22 something happens? Where does the responsibility
23 lie?

24 MS. LISA DeCARLO: The Energy Commission
25 would be responsible to enforce its emissions

1 regulations they were to adopt with the project.

2 MR. BRIAN ROMANINI: Okay. Thank you.

3 MR. POZZUTO: Thank you again everybody
4 for attending.

5 We will have another meeting tomorrow,
6 the same venue. If you have any friends or neighbors
7 that would want to come and speak, they would be
8 welcome. And it's from six o'clock to eight o'clock,
9 plus or minus the mark. Thank you very much for
10 attending.

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12 (Whereupon, at 8:17 p.m., the
13 proceedings were concluded.)

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1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF KERN)

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6 I, Angela Olvera, a Certified Shorthand
7 Reporter for the State of California, holding
8 Certificate No. 7636, do hereby certify that I was
9 present and reported in stenotypy all the proceedings
10 in the foregoing-entitled matter; and I further
11 certify that the foregoing is a full, true and
12 correct statement of such proceedings and a full,
13 true and correct transcript of my stenotype notes
14 thereof.

15

16 Dated at Bakersfield, California, on
17 Thursday, October 10, 2013.

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Angela Olvera, CSR No. 7265

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