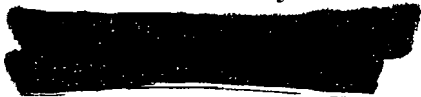


To: Alan Soloman
Project Manager
Public Staff Assessment for the Proposed
GWF Tracy Combined Cycle Power Plant (08-Afc-7)

July 7, 2009

The attached are our written comments regarding the above referenced project.

From: The Tusso Family



DOCKET	
08-AFC-7	
DATE	<u>July 07 2009</u>
RECD.	<u>July 15 2009</u>

TRACY PEAKER PLANT

My name is Annette Tusso Elissagaray. I am here today representing myself, my two brothers, Charles Tusso and Steve Tusso and their families.

We feel we need to make our concerns heard and on record. In 2001-2002 we along with San Joaquin County, the City Of Tracy, St. Bernards Catholic Church, Surland Development, many of our neighboring property owners and many concerned citizens of Tracy, voiced our concerns against the placement of The Tracy Peaker Plant in our community. Contrary to all our hard work, exorbitant expense, countless hours of time and logical arguments, our concerns fell on deaf ears and the CEC Commissioners approved the Tracy Peaker Plant.

Never would we have imagined that a few seven years later, we would be here again, backed into the corner, again fighting for our property rights and quality of life against this towering menace of our neighborhood.

For 60 years my family has owned, farmed and lived on the property next to where the Tracy Peaker Plant is located. We own 275 acres of transitional farmland and our four custom homes are directly downwind and in direct view of the Plant. We farm our land, we mow our lawns, we walk our dogs and every morning we go for a run around our property and our children play and swim in their backyards. We love and live to be outdoors.

We are not Power Plant Developers, we are farmers and business people and I am sure we are some of the very few people here today, that are not being paid to be here.

We don't have the time, the finances nor the expertise to fight a big powerful experienced company as GWF with all their high priced expert consultants and scientific reports. But, we are neighbors who live and work next door to this Plant every day of the year.

For eight years now, my family has had a theory regarding the effects this plant would have on our way of life. We feel, we know, the Tracy Peaker Plant has taken and I emphasize taken, many of our private property rights without compensation.

For one, they have taken and impacted our view from every point on our land and our homes. With the purposed expansion, our view of Mt. Diablo will be diminished to nothing. On October 23, 2008, GWF conducted a site tour of their facilities, explaining their proposed expansion. Standing inside their fenced grounds it seems they are out in the middle of nowhere, there doesn't seem to be much to see or impact. We invite to view the Peaker Plant from our view points, we are sure you will have an entirely different perspective of it's visual impacts to this our neighborhood.

No. 2, They have taken our quite use and enjoyment of our land and our homes. How will it be peaceful and tranquil with 2 massive 145 mega watt steam turbine generators roaring next door. At the October 2008 site tour, the generators were conveniently not running. We can only assume the noise level would have been deafening to have

conducted the tour. We are directly downwind from these turbines and that is the direction the sound travels straight to our homes.

No. 3, Taking the quality of our air. We have all heard of the studies regarding air credits purchased in neighboring states and counties, how much less pollutants will be registered in Visalia 175 miles from the Power Plant and how clean and safe it seems to be. But, to us, we know the heaviest, most cancer causing pollutants will fall shortly after leaving the Plant Site and fall directly on the land we farm and the homes we live in. We are concerned with every breath we take, what the impact will be on our health and well being. This is creating a stress and anxiety that also is health damaging.

No. 4, Taking the value of our homes. We don't know anyone that would consider an obstructed view, loud noise and potential deadly air an amenity to increase the value of their home. These are all very negative disclosures that deteriorate the value and create huge liabilities for future sales.

No. 5, Taking our land value, our property is in the City Of Tracy's sphere of influence. Meaning it will transition from farm land to a higher and better use. Once again the factors mentioned, view, noise and air quality will be negative disclosures that will undermine the value of our land.

No. 6, Our quality of life, when you take away a persons-

- quality of view
- quality of peace and quiet
- quality of the air they breathe
- the value of their homes
- the value of their land
- create daily stress and anxiety

You are robbing them of their Quality of Life! If this project is for the public good and something has been taken from neighboring property owners then compensation is due to those who suffer the impacts and loss. For us this could be in the hundreds of thousands to the millions of dollars. It's hard to put a price on quality of life.

Our big question is, how will all this taking and negative impacts be mitigated to satisfy our losses?

We are firm believers in private property rights and we know one thing-

- no one has the right to come into a neighborhood create negative life changing impacts
- disturb quality of life
- make huge financial benefits for themselves at the expense, deterioration and well being of surrounding property owners without drastic mitigation and fair compensation.

Any compromise less than fair is stealing and stealing is a crime. For anyone here to say our concerns are unfounded, we say, you do not live and work next to this Plant as we do. To us, this is everyday real life, not studies, graphs and models.

The high priced consultants and fancy reports are nothing more than a smoke screen of abstract theory and twisted legal jargon to make this project seem a benefit to the area. Common sense tells us before the Tracy Peaker Plant was our neighbor-

-we had a zero view issue

-zero noise issue

-zero air quality issue

Anything above zero, is 100 times greater than it was and that is what our towering neighbor has created to us, contrary to all the high priced studies.

I assume that 95-100% of you who are either applicants, applicants paid consultants or are part of the decision making process do not live in the Tracy area, possibly not even in San Joaquin County. Your influence here will not negatively impact your life. So please keep this in mind. We are here and have been here for 60 years, farming our land, growing up, living here raising our families and minding our own business. But once again, we have been put in the ring to fight a very experienced well trained professional and all of their well paid consultants. We get no Public Defense, we are left to battle on our own. This doesn't seem to be a fair fight.

At the end of this process, we need to be made whole, compensated for our damages and not left any less than before GWF came into our lives. After all, we are the ones left to suffer the burden of your decision and the impacts that come with it for the rest of our lives.

The Tusso Family

