

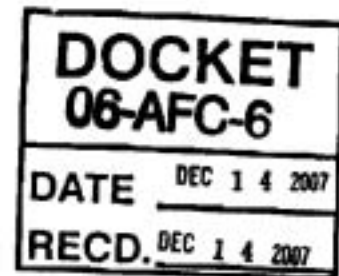
From: Jewell Hargleroad <jewellhargleroad@mac.com>
To: Susan Geffer <Sgeffer@energy.state.ca.us>
CC: <docket@energy.state.ca.us>
Date: 12/14/2007 12:13 PM
Subject: (w/ attachment) Reviewed & Corrected Eastshore Exhibit List for Group Petitioners
Attachments: CEC Eastshore EXHIBIT LIST.doc

Attached is the exhibit list you sent with our corrections and modifications to the portion applicable to Group Petitioners.

Did you want us to serve this also? If so, please advise.

Also, as I will notify the City Manager today, we will not need a telephone connection after all. So, you can scratch that. Thanks.

Jewell J. Hargleroad
Ph: 510-331-2975
jewellhargleroad@mac.com



IMPORTANT/CONFIDENTIAL: This message is intended only for the individual or entity to which it is addressed. It contains information which may be privileged, confidential and exempt from disclosure under law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, please be aware that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me immediately.

RE:

On Dec 12, 2007, at 3:05 PM, Susan Geffer wrote:

- > To the parties:
- >
- > In the Notice of Prehearing Conference (PHC), during the PHC, and
- > in the Notice of Evidentiary Hearing (EH), we explained that
- > witness declarations must reference the exhibits sponsored by the
- > witness. We also explained that a sworn declaration presenting
- > direct testimony must be filed for each witness offered by a party.
- >
- > The attached Exhibit List identifies the exhibits that were timely
- > filed. As we stated at the PHC, there are several duplicate
- > exhibits. The attached Exhibit List shows the duplicates in Blue.
- >
- > In particular, Alameda County, Applicant, and Staff each identified
- > ALUC Resolution 02-2007. Since it is a County document, it should
- > be sponsored by Alameda County.
- >
- > The Staff FSA and portions thereof should be sponsored by Staff.
- >
- > The AFC and portions thereof should be sponsored by Applicant.
- >
- > The FDOC is identified by Staff, Applicant, Alameda County. Since
- > Staff is sponsoring BAAQMD witnesses, Staff should sponsor the FDOC.

- >
- > Other exhibits, particularly those offered by Group Petitioners,
- > which are related to AQ and Public Health, are not sponsored by any
- > witness identified by Group Petitioners. If Group Petitioners are
- > planning to cross-examine Staff's AQ and Public Health witnesses on
- > these studies, Petitioners would need to establish a foundation for
- > the documents.
- >
- > Please review the attached Exhibit List sent in MS Word format.
- > Each party should edit your pertinent list and return it to me in
- > MS Word via email. Please add the date of each document and the
- > docket date for each document. None of the exhibits has been
- > received into evidence. The first opportunity for receipt is at
- > the EH on December 17, 2007.
- >
- > Please return your edits to me by Noon, Friday, December 14, 2007,
- > so we can incorporate your changes and distribute the Exhibit List
- > at the EH.
- >
- > Thank you.
- >
- > Susan Geffer
- > Eastshore AFC Committee
- > California Energy Commission
- > Tel: 916-653-6110
- >
- > <EXHIBIT LIST.doc>

**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION
OF THE STATE OF CALIFORNIA**

**APPLICATION FOR CERTIFICATION FOR THE
EASTSHORE ENERGY CENTER IN HAYWARD
BY TIERRA ENERGY**

**DOCKET No. 06-AFC-8
(AFC ACCEPTED 11/8/06)**

TENTATIVE EXHIBIT LIST

APPLICANT EXHIBITS

- EXHIBIT 1** Application for Certification for the Eastshore Energy Center, dated September 22, 2006. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 2** Supplement in Response to Data Adequacy Comments on the Application for Certification for the Eastshore Energy Center, docketed October 31, 2006. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 3** City of Hayward Application for Development Permit for the Eastshore Energy Center, docketed November 2, 2006. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 4** Reserved
- EXHIBIT 5** Eastshore's System Impact Study Report – Revision 2 and Facility Study Report, dated January 11, 2007, docketed January 25, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 6** Eastshore Data Responses Set #1, docketed January 15, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 7** Eastshore's Letter to City of Hayward Planning Commission re: Eastshore Project's conformance with General Plan and Industrial Zoning District, docketed February 15, 2007. Sponsored by Applicant, and received into evidence on _____.

- EXHIBIT 8** Eastshore Data Responses Set #2, docketed March 5, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 9** Eastshore Data Responses Set #3 Docketed April 3, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 10** Response to Committee Questions in Revised Scheduling Order on Alternatives, docketed May 4, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 11** Cumulative Air Quality Impact Analysis Modeling Files, docketed May 4, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 12** Supplemental Data Response (March 19, 2007 Workshop Questions 1-17), docketed May 4, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 13** Comments on the Preliminary Staff Assessment, docketed September 19, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 14** Project Owner's Supplemental Testimony in Transmission System Engineering and Local System Effects. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 15** Project Owner's Supplemental Testimony in Air Quality. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 16** Project Owner's Supplemental Testimony in Alternatives. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 17** Project Owner's Supplemental Testimony in Land Use. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 18** Project Owner's Supplemental Testimony in Noise. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 19** Project Owner's Supplemental Testimony in Public Health. Sponsored by Applicant, and received into evidence on _____.

- EXHIBIT 20** Project Owner's Supplemental Testimony in Traffic and Transportation. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 21** Declarations of Project Owner's Witnesses. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 22** Letter from the City of Hayward Regarding the Airport Approach Zoning Regulations, docketed June 27, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 23** Reserved
- EXHIBIT 24** Alameda County Airport Land Use Commission Resolution for the Russell City Energy Center, docketed August 16, 2007. Sponsored by Applicant, and received into evidence on _____.
- ▶ *Duplicate of Alameda County Exhibits 512 and 522.*
- EXHIBIT 25** Alameda County Airport Land Use Commission Resolution for the Eastshore Energy Center, Resolution 02-2007, October 17, 2007. Sponsored by Applicant, and received into evidence on _____.
- ▶ *Duplicate of Energy Commission Staff Exhibit 202; and duplicate of Alameda County Exhibits 513 and 523.*
- EXHIBIT 26** Advisory Circular 139-05(0) Guidelines for Conducting Plume Rise Assessments, dated: June 2004. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 27** Bay Area Air Quality Management District's Final Determination of Compliance, docketed October 17, 2007. Sponsored by Applicant, and received into evidence on _____.
- ▶ *Duplicate of Energy Commission Staff Exhibit 201.*
- EXHIBIT 28** CEC's Preliminary Staff Assessment for the Russell City Energy Center. Dated April 3, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 29** CEC's Final Staff Assessment for the Russell City Energy Center, dated July 2, 2007. Sponsored by Applicant, and received into evidence on _____.

- EXHIBIT 30** Katestone Environmental Final Plume Vertical Velocity Assessment for the Russell City Energy Center, dated July 11, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 31** Katestone Environmental Addendum to the Final Plume Vertical Velocity Assessment for the Russell City Energy Center, dated July 11, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 32** CEC's Errata to the Final Staff Assessment for the Russell City Energy Center, dated July 19, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 33** Russell City Energy Center July 19, 2007 Evidentiary Hearing Transcript, dated July 19, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 34** CEC's Preliminary Staff Assessment for the Eastshore Energy Center, dated August 17, 2007. Sponsored by Applicant, and received into evidence on _____.
- This is Staff's PSA and should be sponsored by Staff.*
- EXHIBIT 35** September 5, 2007 electronic mail from Will Walters to Gregory Darvin and Eric Knight re: Eastshore Plume Analysis Dated: September 5, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 36** CEC Business Meeting Transcript, September 12, 2007, dated September 12, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 37** Letter and two e-mails from Federal Aviation Administration dated September 18 and 19, 2007, re FAA Written Response Regarding Hayward Powerplant Issue, dated September 18, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 38** CEC Business Meeting Transcript, September 26, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 39** FAA's Safety Risk Analysis of Aircraft Overflight of Industrial Exhaust Plumes, Safety Study Report DOT-FAA-AFS-420-06-1. Dated January 2006. Sponsored by Applicant, and received into evidence on _____.

- EXHIBIT 40** FAA's Determination of No Hazard to Air Navigation. Docketed May 17, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 41** FAA's Comments and Position Regarding TFR & NOTAM Flight Issues, dated October 16, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 42** Letter from Federal Aviation Administration Regarding the Exhaust Stacks, dated August 3, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 43** Letter from Federal Aviation Administration regarding Russell City Energy Center Impact on Hayward Executive Airport, dated September 25, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 44** Federal Aviation Administration's Comments on the Eastshore Energy Center. Docketed: October 2, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 45** Letter from Federal Aviation Administration regarding Response to 8-23-07 Request for Comments on the Eastshore Energy Center, docketed October 9, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 46** City of Hayward Conditions for the Russell City Energy Center, docketed: May 25, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 47** City of Hayward's Response to Eastshore Energy Center and Russell City Energy Center Projects on One Site, docketed June 1, 2007. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 48** Letter from City of Hayward to CEC re: Application of Airport Approach Zoning Regulations to the Russell City Energy Center, docketed June 27, 2007. Sponsored by Applicant, and received into evidence on _____.

- EXHIBIT 49** City of Hayward City Council, Resolution No. 05-125, Resolution Authorizing the Execution A Cooperation and Option Agreement with the Russell City Energy Center, dated October 11, 2005. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 50** City of Hayward City Council, Resolution #01-104, Resolution Finding the Russell City Energy Center Power Plant Use is Consistent With The General Plan And Zoning Ordinance. Dated July 10, 2001. Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 51** City of Hayward Mayor and City Council Members' Closing Comments on the Eastshore Energy Center, 3/6/2007 and 3/13/2007 City of Hayward City Council Meetings; UNOFFICIAL TRANSCRIPT Sponsored by Applicant, and received into evidence on _____.
- EXHIBIT 52** Letter Report from Trinity Consultants re: stack modeling, dated March 8, 2006. Sponsored by Applicant, and received into evidence on _____.

EXHIBITS 53 – 100 Reserved for additional exhibits.

ENERGY COMMISSION EXHIBITS

- EXHIBIT 200** Eastshore Energy Center Final Staff Assessment, dated October 9, 2007, docketed October 9, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- EXHIBIT 201** Final Determination of Compliance. Bay Area Air Quality Management District, dated October 17, 2007, docketed October 23, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- ▶ *Duplicate of Applicant Exhibit 27 and Alameda County Exhibit 503.*
- EXHIBIT 202** Resolution 02-2007, Alameda County Airport Land Use Commission, dated and adopted October 17, 2007, docketed October 26, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- ▶ *Duplicate of Alameda County Exhibits 513 and 523.*

- EXHIBIT 203** Letter from Gary Cathey, Chief, Office of Airports, California Department of Transportation, Division of Aeronautics, regarding the Eastshore Energy Center project. Dated November 1, 2007, docketed November 5, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- EXHIBIT 204** Letter from Joseph Rodriguez, Supervisor, Environmental Planning and Compliance Section, Western-Pacific Region, Airports Division, regarding the Eastshore Energy Center, dated October 9, 2007, docketed October 12, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- *Duplicate of City of Hayward Exhibit 415.*
- EXHIBIT 205** Port of Oakland Letter comments on the Preliminary Staff Assessment for the Eastshore Energy Center, dated September 14, 2007, docketed September 17, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- EXHIBIT 206** E-mail from David Butterfield, Flight Standards, Western Region, to Eric Knight, California Energy Commission, dated October 16, 2007, docketed October 17, 2007. Sponsored by Staff; received into evidence on December __, 2007.
- EXHIBIT 207** Letter from Gregory T. Jones, City of Hayward City Manager, Comments on the Eastshore Preliminary Staff Assessment. Dated October 9, 2007, docketed October 10, 2007. Sponsored by Staff; received into evidence on December __, 2007.

INTERVENOR PAUL HAAVIK

- EXHIBIT 300** Energy Commission Memorandum to Bill Pfanner, from Shahab Khoshmashrab regarding Response to Applicant's Comments on Noise and Vibration, Preliminary Staff Assessment, dated and docketed November 6, 2007. Sponsored by Intervenor Haavik; received into evidence on December __, 2007.
- EXHIBIT 301** Letter from the City of Hayward to Bill Pfanner, dated October 9, 2007, comments on the Energy Commission Preliminary Staff Assessment. Sponsored by Intervenor Haavik; received into evidence on December __, 2007.

- EXHIBIT 302** Letter from the Bank of Fremont from Terrence Stinnett, dated September 24, 2007. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 303** Letter from the City of Hayward, Jesus Armas, City Manager to Bill Pfanner, dated May 31, 2007 regarding location feasibility. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 304** Letter from the City of Hayward, David Rizk, Planning Manager to Lorne Prescott, dated April 4, 2007 regarding land use issues. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 305** Letter from the City of Hayward, Jesus Armas, City Manager to Paul Richins, dated April 19, 2007 regarding inconsistencies with Zoning and the General Plan. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 306** Letter from the California Energy Commission, William Pfanner, Project Manager, to Jesus Armas, City Manager, City of Hayward, dated May 14, 2007 regarding feasibility of common sites. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 307** Hayward City Council Agenda for the March 6, 2007 City Council Meeting. Determination of whether the EASTSHORE project is consistent with the General Plan and Industrial Zoning District. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 308** Letter from the City of Hayward, Jesus Armas, City Manager to Lorne Prescott, dated January 12, 2007 regarding items for discussion. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 309** Report of Conversation with Lorne Prescott and Jesus Armas, Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 310** Testimony of Jesus Armas, City Manager, City of Hayward. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.
- EXHIBIT 311** Testimony of Beth Fancher, dated November 19, 2007. Sponsored by Intervenor Haavik; received into evidence on December ___, 2007.

INTERVENOR CITY OF HAYWARD EXHIBITS

- EXHIBIT 401** Land Use Testimony and Resume of David Rizk, Planning Manager, dated December 6, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 402** Land Use and Traffic and Transportation Testimony and Resume of Robert Bauman, Director of Public Works, dated December 6, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 403** Letter from Larry Arfsten, Hayward Fire Chief to Roger Johnson, CEC, dated October 20, 2006. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 404** Resolution 07-028 of the Hayward City Council, dated March 13, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 405** Letter from Jesus Armas, Hayward City Manager to Shaelyn Stratten, CEC, dated June 27, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 406** Hayward General Plan Land Use Element, dated March 2002. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 407** Hayward General Plan Economic Development Element, dated March 2, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 408** Hayward Municipal Code Zoning Ordinance, current. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 409** Hayward Municipal Code Airport Approach Zoning Ordinance, current. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.
- EXHIBIT 410** Hayward Executive Airport, Airport Master Plan, dated April 2002. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.

EXHIBIT 411 Department of Transportation, Federal Aviation Administration, Order 5190.6A – Airport Compliance Requirements, dated October 2, 1989. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.

EXHIBIT 412 Resolution 02-2007 of the Airport Land Use Commission of Alameda County, dated October 17, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.

► *Duplicate of Alameda County Exhibits 513 and 523; and duplicate of Energy Commission Staff Exhibit 202.*

EXHIBIT 413 City of Hayward, City Services, Pilot Guide, current. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.

EXHIBIT 414 California Department of Transportation, Airport Land Use Planning Handbook, dated January 2002. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.

EXHIBIT 415 Letter from Joseph Rodriguez, FAA to Bill Pfanner, CEC, dated October 9, 2007. Sponsored by Intervenor City of Hayward; received into evidence on December ___, 2007.

► *Duplicate of Energy Commission Staff Exhibit 204.*

INTERVENOR ALAMEDA COUNTY EXHIBITS

EXHIBIT 500 Testimony of Dr. Paolo Zannetti. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 501 Declaration and Resume of Dr. Paolo Zannetti. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 502 Application for Certification, Air Quality Section, September 2006. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

► *Duplicate of Applicant Exhibit 1.*

- EXHIBIT 503** Final Determination of Compliance, Bay Area Air Quality Management District, dated October 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- *Duplicate of Energy Commission Staff Exhibit 201; and Applicant Exhibit 27.*
- EXHIBIT 504** Testimony of Eileen Dalton. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 505** Declaration and Resume of Eileen Dalton. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 506** Final Eden Area Redevelopment Plan, dated July 2000. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 507** Map of all Redevelopment Subareas. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 508** Eden Area Redevelopment Project Five-Year Implementation Plan, FY 2004/05 – 2008/09, May 2005. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 509** Joint Redevelopment project Five Year Implementation Plan, FY 2004/05 – 2008/09, May 2005. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 510** Redevelopment Plan for the Alameda County – City of San Leandro Redevelopment Project, dated June 1993. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 511** Declaration of Dave Needle, dated December 4, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- EXHIBIT 512** Resolution of the Airport Land Use Commission of Alameda County., dated August 15, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.
- *Duplicate of Alameda County Exhibit 522; and Applicant Exhibit 24.*

EXHIBIT 513 Resolution of the Airport Land Use Commission of Alameda County, dated October 17, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

► ***Duplicate of Energy Commission Staff Exhibit 202; Applicant Exhibit 25; and Alameda County Exhibit 523..***

EXHIBIT 514 Staff Report of the Airport Land Use Commission Proposed Russell City Energy Center Project, dated July 18, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 515 Staff Report of the Airport Land Use Commission Proposed Russell City Energy Center Project, dated August 15, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 516 Staff Report of the Airport Land Use Commission Proposed Eastshore Energy Center Project, dated September 19, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 517 Staff Report of the Airport Land Use Commission Proposed Eastshore Energy Center Project, dated October 17, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 518 CEC Preliminary Staff Assessment, Eastshore Energy Center, Land Use Section. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

► ***Duplicate of Commission Staff Exhibit 200; and is the County referring to the "FINAL" Staff Assessment, not the Preliminary Staff Assessment?***

EXHIBIT 519 Testimony of Larry Berlin, dated December 4, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 520 Declaration and Resume of Mr. Larry Berlin. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 521 Declaration and Resume of Dave Needle. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 522 Resolution of the Airport Land Use Commission of Alameda County, dated August 15, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

► *Duplicate of Alameda County Exhibit 512.*

EXHIBIT 523 Resolution of the Airport Land Use Commission of Alameda County, dated October 17, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

► *Duplicate of Alameda County Exhibit 513.*

EXHIBIT 524 Staff Report of the Airport Land Use Commission Proposed Russell City Energy Center Project, dated July 18, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 525 Staff Report of the Airport Land Use Commission Proposed Russell City Energy Center Project, dated August 15, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 526 Staff Report of the Airport Land Use Commission Proposed Eastshore Energy Center Project, dated September 19, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 527 Staff Report of the Airport Land Use Commission Proposed Eastshore Energy Center Project, dated October 17, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 528 FAA Safety Risk Analysis of Aircraft Overflight of Industrial Exhaust Plumes, DOT-FAA-AFS-420-05-1, dated January 2006. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 529 Katestone Environmental, Plume Vertical Velocity Assessment of a Proposed Gas-Fired Power Station at Russell City Energy Center, dated July 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 530 Addendum to the Katestone Environmental, Plume Vertical Velocity Assessment of a Proposed Gas-Fired Power Station at Russell City Energy Center, dated July 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 531 **CEC Preliminary Staff Assessment** Report, Traffic and Transportation Section. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

► ***Duplicate of Commission Staff Exhibit 200; and is the County referring to the "FINAL" Staff Assessment, not the Preliminary Staff Assessment?***

EXHIBIT 532 Testimony of Dr. Sandra Witt, dated December 5, 2007. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

EXHIBIT 533 Declaration and Resume of Dr. Sandra Witt. Sponsored by Intervenor Alameda County; received into evidence on December ___, 2007.

INTERVENOR CHABOT-LOS POSITAS COMMUNITY COLLEGE DISTRICT EXHIBITS

EXHIBIT 600 Testimony of Carolyn Arnold, and the Student Characteristics Report, Fall 2007, and the Biennial Student Survey, Fall 2007. Sponsored by Intervenor Chabot-Los Positas Community College District; received into evidence on December ___, 2007.

EXHIBIT 601 Testimony of Susan Sperling. Sponsored by Intervenor Chabot-Los Positas Community College District; received into evidence on December ___, 2007.

EXHIBIT 602 Testimony of Rachel Ugale. Sponsored by Intervenor Chabot-Los Positas Community College District; received into evidence on December ___, 2007.

EXHIBIT 603 A report referenced and cited in the written testimony of Dr. Sperling entitled Opportunities for Environmental Justice in California – Agency by Agency. Sponsored by Intervenor Chabot-Los Positas Community College District; received into evidence on December ___, 2007.

EXHIBIT 604 Ensuring Risk Reduction In Communities with Multiple Stressors: Environmental Justice and Cumulative Risks/Impacts, National Environmental Justice Advisory Council. Sponsored by Intervenor Chabot-Los Positas Community College District; received into evidence on December ___, 2007.

EXHIBIT 605 Resume of Dr. Susan Sperling. Sponsored by Intervenor Chabot-Los Positas Community College District; received into evidence on December ___, 2007.

INTERVENOR GROUP PETITIONERS

EXHIBIT 700 Toxicological Profile for Acrolein, U. S. Department of Health and Human Services, Public Health Service Agency for Toxic Substances and Disease Registry, dated August 2007. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 701 Prioritization of Toxic Air Contaminants, Children's Environmental Health Protection Act, dated October 2001. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 702 AB 2588 Appendix F – Criteria for Inputs for Risk Assessment Using Screening Air Dispersion Modeling. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 703 National Emission Standards for Hazardous Air Pollutants for Stationary Combustion Turbines. U. S. Environmental Protection Agency, Federal Register, dated March 5, 2004. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 704 South Coast Air Quality Management District Board Meeting, date March 2, 2007, Agenda Item 3, Execute Contract to Demonstrate Feasibility of Refinery Fenceline Monitoring. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 705 Emission Factor Documentation for AP-42 section 3.2, Natural Gas Fired Reciprocating Engines, prepared for the U. S. EPA, dated July 2000. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 706 California Air Toxics Emission Factor Database, front page, last updated October 12, 2007. Sponsored by Intervenor Group

Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 707 California Air Toxics Emission Factors, Detail Report, available on line December 6, 2007. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 708 A Survey of Monitoring Instruments for Measurement of Airborne Pollutants, prepared for the Energy Commission by New York State Energy Research and Development Authority, dated October 2002. Sponsored by Intervenor Group Petitioners; received into evidence on December ___, 2007.

EXHIBIT 709 June 2005 Bay Area Air Quality Management District Air Toxics NSR program Health Risk Screening Analysis; docketed December 12, 2007 [listed December 6, 2007 by Group Petitioners]; received into evidence on December ___, 2007.

EXHIBIT 710 Environmental Justice, Frequently Asked Questions, California Energy Commission, CEC Public Adviser's Office. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007 [listed December 6, 2007 by Group Petitioners]; received into evidence on December ___, 2007.

► *Committee can take Administrative Notice of this Exhibit; the Energy Commission Environmental Justice Policy is available on the CEC web site.*

EXHIBIT 711 Declaration of Jay White, dated December 4, 2007. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 712 Declaration of Jay White, dated October 24, 2007, filed in the Russell City Energy Center. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 713 Declaration of Carol Ford, dated December 6, 2007. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

EXHIBIT 714 Declaration of Carol Ford, dated November 6, 2007, filed in the Russell City Energy Center. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

- EXHIBIT 715** Federal Aviation Administration Grant Agreement, Part 1 – Offer, Project No. 3-06-0103-13, dated September 16, 2002. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.
- EXHIBIT 716** Declaration of Sherman Lewis, dated October 24, 2007, filed in the Russell City Energy Center. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.
- EXHIBIT 717** Declaration of Michael Toth, dated October 23, 2007, filed in the Russell City Energy Center. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.
- EXHIBIT 718** Declaration of Michael Toth, dated November 6, 2007, filed in the Russell City Energy Center. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.
- EXHIBIT 719** Letter dated November 2, 2007, to James Adams, California Energy Commission, from Carol Ford, California Pilots Association, with attachments: Assurances, Airport Sponsors, dated 9/99, and the Hayward Executive Airport Economic Benefit Study Executive Summary. Sponsored by Intervenor Group Petitioners; docketed December 7, 2007; received into evidence on December ___, 2007.

**Exhibits submitted with Group Petitioners' amendment to exhibit listed
executed and served on December 11, 2007**

EXHIBIT

- 719-A** Scientific Journal Article: "Acrolein is a major cigarette-related lung cancer agent: Preferential binding at p53 mutational hotspots and inhibition of DNA repair", Feng et al., PNAS 103 (42): 15404. (2006). Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ___, 2007. (Exhibit number inadvertently repeated)
- EXHIBIT 720** Scientific Journal Article: "Lung cancer, cardiopulmonary mortality, and long-term exposure to fine particulate air pollution." Pope, et al., JAMA. 2002 Mar 6;287(9):1132-41. PMID: 11879110 [PubMed - indexed for MEDLINE]. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ___, 2007.

- EXHIBIT 721** Scientific Journal Article: "Reduction in fine particulate air pollution and mortality: Extended follow-up of the Harvard Six Cities study.", Laden, et al., Am J Respir Crit Care Med Vol 173. pp 667-672, 2006. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ____, 2007.
- EXHIBIT 722** Commissioned study: "IN-SITU ENGINE EMISSIONS TESTING AND COMPARISON FOR A HIGH SPEED FERRY AND COMPETING LAND TRANSIT VEHICLE, PHASE I: TASK 7.0: Final Report", Seaworthy Systems Inc., P.O. Box 965, Essex, CT 06426, prepared for Center for Commercial Deployment of Transportation Technologies (CCDoTT) California State University, Long Beach 6300 State University Drive, Long Beach, CA 90815. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ____, 2007.
- EXHIBIT 723** Product literature: "Gasmet In Situ Continuous Gas Monitoring analyzer", Avensys Inc. 400 Montpelier, Montreal, Quebec H4N 2G7, Tel: (514) 428-6766, Fax: (514) 428-8999. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ____, 2007.
- EXHIBIT 724** Product literature: "Extractive FTIR Air Emissions Testing", GE Energy, 4200 Wildwood Parkway, Atlanta, GA 30339. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ____, 2007.
- EXHIBIT 725** Scientific Journal Article: "Origin, Occurrence, and Source Emission Rate of Acrolein in Residential Indoor Air", Seaman, et al., Environ. Sci. Technol. 2007, 41, 6940-6946. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ____, 2007.
- EXHIBIT 726** "Source contributions to the mutagenicity of urban particulate air pollution.", Hannigan, et al., J Air Waste Manag Assoc. 2005 Apr;55(4):399-410. Sponsored by Intervenor Group Petitioners; docketed December 12, 2007; received into evidence on December ____, 2007.

INTERVENOR ROBERT SARVEY EXHIBITS

- EXHIBIT 800** Testimony, Declaration, and Resume of Robert Sarvey. Docketed on December 7, 2007. Sponsored by Intervenor Sarvey; received in evidence on December ___, 2007.
- EXHIBIT 801** ARB New Release "Air Board Approves Stronger Nitrogen Dioxide Standards" docketed on December 7, 2007. Sponsored by Intervenor Sarvey; received in evidence on December ___, 2007.
- EXHIBIT 802** EPA AP-42 Emission Factors for Reciprocating Engines, docketed on December 7, 2007. Sponsored by Intervenor Sarvey; received in evidence on December ___, 2007.
- EXHIBIT 803** BAAQMD Reply Comments to ARB on PDOC Comments, docketed on December 7, 2007. Sponsored by Intervenor Sarvey; received in evidence on December ___, 2007.
- EXHIBIT 804** BAAQMD Reply comments to PDOC Comments, docketed on December 7, 2007. Sponsored by Intervenor Sarvey; received in evidence on December ___, 2007.
- EXHIBIT 805** ARB Fremont Chapel Way Maximum 1 hour average Data, docketed on December 7, 2007. Sponsored by Intervenor Sarvey; received in evidence on December ___, 2007.