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April 19, 2010

Energy Resources Conservation and  
Development Commission of the State of California  
1516 Ninth Street  
Sacramento, CA 95814

**Re: *Statement of Concern and Opposition from Redbridge Owners Association  
to GWF Proposal for Peaker Power Plant (Docket 08-AFC-7)***

Dear Members of the Commission:

Our firm represents the interests of the Redbridge Owners Association (the "Association"). Our client writes this letter of concern and opposition on behalf of itself as well as its residents and members with respect to the pending *Application for Certification* pending before your commission from GWF Energy, LLC to modify and expand production at the GWF Tracy Peaker Combined Cycle Power Plant. As proposed, the project will take place within the existing GWF-owned 40-acre parcel in an unincorporated portion of San Joaquin County located immediately southwest of Tracy, California.

Redbridge is an established, large and well-maintained planned development located in the City of Tracy (the "Development"). The Redbridge Owners Association is the nonprofit mutual benefit corporation formed, in part, to ensure that property values within the Development are enhanced and protected.

The Board of Directors has reviewed the final staff recommendation regarding the Peaker Plant and has grave concerns with respect to the project's proposed impacts on property values in neighboring developments. Additionally, and perhaps more importantly, the Board is concerned with significant negative detrimental environmental

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implications with respect to the health and safety of the residents of Redbridge should the plant expansion be approved by your commission.

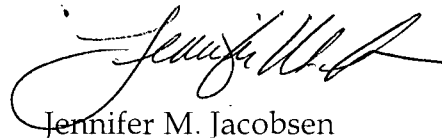
Most notably, your own staff's report does not try to hide and actually clearly acknowledges that there are *significant existing violations* of state and federal air quality standards in the San Joaquin Valley. The standards being violated are those that are specifically established for the purpose of protecting public health. Staff's report concedes that approval of the Peaker Plant will contribute to the existing violations which include *severe and serious* nonattainment for Ozone as well as nonattainment for PM 10 and PM 2.5 under the state and federal standards. The report indicates that with mitigation credits in other areas, however, "*the GWF Tracy project would likely conform with applicable federal, state and San Joaquin Valley Air Pollution Control District . . . air quality laws, ordinances, regulations and standards (LORS).*" (Page 4.1-1, October 2009 staff report, Testimony of Brewster Birdsall P.E., QEP).

In all due respect, a prediction that a proposed project "would likely" succeed in satisfying state and federal air quality standards in a vacuum would provide little solace to our membership. Taking that same statement and applying it to San Joaquin Valley which is, by staff's concession, *significantly out of compliance* with existing state and federal air quality standards provides *no comfort* to our members. For this reason, we do not support this project. We do not believe the City of Tracy is the appropriate venue for this project given the significant existing air quality concerns in the entire San Joaquin Valley.

Thank you for your time and consideration.

Very truly yours,

**BAYDALINE & JACOBSEN LLP**



Jennifer M. Jacobsen

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