

DOCKETED

Docket Number:	15-AFC-01
Project Title:	Puente Power Project
TN #:	214026
Document Title:	Grace Chang Comments: No on the Puente Power Project
Description:	N/A
Filer:	System
Organization:	Grace Chang
Submitter Role:	Public
Submission Date:	10/17/2016 1:52:01 PM
Docketed Date:	10/17/2016

Comment Received From: Grace Chang

Submitted On: 10/17/2016

Docket Number: 15-AFC-01

No on the Puente Power Project

Additional submitted attachment is included below.

No on the Puente Power Project (P3)
Statement of Opposition by UCSB Faculty and Students

We, the undersigned, oppose the power plant that NRG proposes to build in the city of Oxnard, California, in addition to NRG's existing plants that have been polluting these communities for decades. NRG corporate headquarters are located in a wealthy suburb of New Jersey, stationed almost three thousand miles away. In other words, NRG corporate executives are so far removed from the consequences of their actions and their toxic power plants that they don't have to face them--either in the abstract in their minds, or in the actual surroundings of their homes, while they sleep comfortably, night after night.

Meanwhile, the people of Oxnard are facing the potential siting of another power plant in their communities, threatening them with even greater hazards to their health and the wildlife and the environments that they should be enjoying with their children for decades to come. Instead, they have absorbed a disproportionate burden of the pollution from these toxic power plants, literally shouldering the costs and impacts of producing electricity for neighboring cities up and down the coast of California, from Simi Valley to Goleta, including the UCSB campus. Unlike the residents of Santa Barbara, Ventura and Malibu, many don't feel the warmth on their faces as they sunbathe on the beach, but instead feel the heat on their backs while they do stoop labor in the fields, picking fruit and vegetables for the rest of the country's tables. Nearby, their children are the youth who are most likely in the country to be attending schools next to fields doused with toxic pesticides. Oxnard has also been "home" to three landfills and the Halaco Superfund site.

These disparate realities are indeed the very definition of environmental racism, which happens when communities where poor people of color live and work are specifically targeted for building toxic waste or power plants, and using pesticides and other pollutants. According to the California Environmental Justice Alliance (CEJA), "within the environmentally overburdened communities in Oxnard, 85% of the population is Latino, 29% lives in linguistic isolation, 56% lives below two times the federal poverty level, and 46% of those over 25 years of age have less than a high school education."¹ Thousands of farmer workers also work in even closer proximity to the proposed plant than local residents, in fields less than half a mile from the site. (CEJA, 3)

The term "environmental justice communities" has become popular lately because it "softens" things through this language—but it has become a euphemism for communities who are victims and targets of toxic racism, and lets polluting corporations off the hook too easily for all of the suffering they cause, knowingly, and profit from, handsomely. So, while NRG has adopted this term and acknowledged that Oxnard is an "EJ community," it has repeatedly tried to claim that the threat of health and environmental impacts of the plants will be low, and the risk of disasters, such as tsunami and flooding from natural disasters and sea level rise that is clearly happening, is negligible. In other words, NRG is willing to risk the lives, health and safety of the people of these communities because it is not their own families or communities who will be at the epicenter of these so-called low risks.

Yet the young residents of these targeted areas dubbed “EJ communities” have bravely and astutely called this reality of their lives what it is—environmental racism. For the last two years, CAUSE youth and local students have shown up repeatedly at public hearings before the California Energy Commission to seek justice, to ask the CEC to fulfill its public duty to protect vulnerable populations from identifiable and avoidable environmental threats, to hold NRG accountable to existing standards and requirements, and to name the real experiences that they have had and seen as these living “targets.” Their lives cannot be brushed aside by corporate or bureaucratic double-speak that seeks to minimize their experiences of genuine health hazards of all kinds. Indeed, the Puente Power Project, dubbed P3, could easily be renamed Parasitic, Predatory, and Poisonous. Many of the comments submitted following the release of the CEC’s preliminary staff assessment (PSA) raise serious questions about the project that demand a response. The comments submitted by the California Environmental Justice Alliance (CEJA) were the most helpful, because they exposed just how much NRG and other dirty energy corporations have gotten away with to date and obviously expect to continue to do.

For example, CEJA points out that the decommissioning and removal of the existing Mandalay Generating Station (MGS) units should not have been included in the project description. This is merely a continuation of a game of deception and blackmail that NRG has played from the outset. At first, NRG kept asserting that it intended to leave these MGS units where they are, implying (or perhaps threatening) that their removal would only happen if the construction of the new power plant goes forward. Yet in fact these units are already mandated to be decommissioned by 2020, regardless of whether the Puente Power Project is approved or not. (CEJA, 8) At that time, the city of Oxnard may mandate their demolition, but the burden of this should not be left to be shouldered by that community, once again, for the clean-up of this mess. Including the termination of the existing units in the project description reinforces misinformation (or a perception that NRG perhaps created deliberately) that is precisely what NRG wants the public to believe—that the removal of the existing units is contingent on their getting what they want. This is foul play, and the CEC should not allow NRG to play this way.

Similarly, it seems that many greedy corporations--instead of actually having to clean up or reduce emissions of their own local projects--have been allowed to buy credits to offset their pollution impacts from projects run by another company elsewhere. As CEJA explains, “Theoretically, these projects reduce GHGs, and buyers get to include the saved GHGs as part of their legal requirement to reduce.” (CEJA,15) This is of course very cost-effective for the corporations buying the credits, but offer no benefits to the local residents who are still suffering the toxic impacts of the offending companies’ emissions. NRG is among the top 10 “large emitters” or polluting companies in the country to use these offsets, who coincidentally accounted for about 36% of the total emissions and 65% of the offsets used. (CEJA, 16) This maneuver essentially enables companies like NRG to be parasites and predators of the worst kind to vulnerable communities like the people of Oxnard, simply because they can afford to evade responsibility by buying their way out. Residents of Oxnard, on the other hand, can’t simply buy or move their way out of the dangers and health hazards they face every day.

Finally, NRG has been able to get away with another charade for quite a while now--with the assistance of the Public Utilities Commission (PUC)--insisting that there are no viable alternatives, or all possible alternatives have already been explored. Before reading the comments of CEJA, anyone might reasonably expect that public agencies such as the CEC and PUC surely would have sought the cleanest, safest possible options to provide energy needs while protecting people, through some legitimate public process. But it seems that that is not a safe assumption—in fact, it's a very unsafe one. Under the California Environmental Quality Act (CEQA), a proposed activity should not be approved “if there are feasible alternatives or feasible mitigation measures available that would substantially lessen a significant adverse [environmental] effect.” (CEJA, 16)

Instead of fulfilling the duty to seek and analyze alternatives, the CEC instead relied on the PUC's prior decision that all such options were explored and deemed not viable. In other words, when the PUC approved the contract with NRG/SCE for the Puente Power Project, they asserted that they found no feasible, cost-effective alternatives. The CEC merely accepted the PUC's flawed assumptions and assertion instead of doing its own assessment. In fact, CEJA says “It is undisputed in the PUC's record that SCE did not, in either its solicitation or procurement efforts, express any preference for renewables in Oxnard, or at any location other than Goleta—an area that has not been recognized as having environmental justice communities.” (CEJA, 17) CEJA reminds the CEC of its duty to do its own independent analyses. (CEJA, 16) We as the public demand that CEC conduct a new RFO for companies to bid to provide renewable energy and storage options, facilitating a legitimate process to explore alternative options.

In fact, many initiatives for alternative energy solutions are already underway in California and in the region. SB32 was recently enacted, requiring greater greenhouse gas (GHG) emission reduction measures so that direct emission reductions should be achieved after the year 2020. Its companion legislation, AB197, requires the Air Resources Board to prioritize “direct emission reductions” to achieve these reductions beyond the 2020 limit. (CEJA, 14) In other words, some measures have been taken already to reduce the existing and potential toxic impacts of dirty energy companies like NRG. We need to give these initiatives a chance to be effective, before we blindly accept that there are no alternatives and keep letting corporations pollute and plunder from our communities. We cannot keep letting the likes of NRG get away with murder, slowly killing the wildlife, the environment, and most importantly, the people of these communities while they are quickly filling their own pockets and letting other people suffer the consequences.

While there are many unknowns in this situation, as we all face the realities of global warming, climate change, or whatever euphemism we might use, one thing is clear: Oxnard residents--children, youth, parents and elders—are people who are already overburdened and continue to be vulnerable as targets of environmental injustice. That they have been the first victims of past and ongoing toxic racism is certainly well known. In the future too, they will likely be the first victims of whatever disasters, natural or man-made, are yet to come. We have a responsibility, at the very least, to prevent and protect them from those harms that are indeed avoidable.

We, the undersigned, are faculty and students, currently or formerly at UCSB, who hereby voice our clear opposition to the Puente Power Project being proposed by NRG Corporation to be sited on the Oxnard coastline. We do so in clear recognition that we are or have been residents of the area serviced by the existing and proposed power plants. We do not wish to perpetuate the environmental harms and toxic racism wrought by these plants upon the poor, immigrant communities of color living and working in Oxnard. We call upon the California Energy Commission to fulfill its public duty to protect vulnerable communities from these documented and foreseeable harms, and seek alternative sources of clean and sustainable energy and storage for the future health of our people and planet.

Grace Chang, Associate Professor
Pickels Pepino, Doctoral Student, UC Riverside
Annie Alexandrian, Masters in Public Health, UC Berkeley
Sandibel Borges, Doctoral candidate, UCSB
Molly Talcott, Assistant Professor, California State University Los Angeles
Francesca DeGuili, Assistant Professor, CUNY Staten Island
Justin Obcena, Doctoral student, UCSC
Rosie Bermudez, Doctoral candidate, UCSB
Jessica Ko, UCSB graduate
Ashley Kiria Baker, UCSB graduate
Eric Arce, Doctoral student, UCSB
Erika Matadamas, UCSB graduate
Eddy F. Alvarez, Assistant Professor, SUNY Oneonta
Tara Villalba, Doctoral candidate, UCSB
Idalia R De Leon, Doctoral student, UCSB
Karen Hanna, Doctoral candidate, UCSB
Ocil Yuleima Herrejon Rivera, CAUSE community organizer
Brenda Mendez, graduate student, University of Southern California
Jennifer Zapata, Masters in Education, UCLA, teacher
Jackie Paredes, Masters, California State Long Beach, teacher
Roxana Curiel, Doctoral student, University of Utah
Ibeth Arriaga, UCSB graduate, SoSLA community organizer
Pasami Hokulani Emosi, UCSB graduate
Cristina Serna, Assistant Professor, Colgate University
Michelle Rubio, UCSB graduate
Jessica Lopez Lyman, Assistant Professor, University of Minnesota
Dolores Mondragon, US Navy Veteran
Damian Leon, Master of Translational Medicine (MTM), UC Berkeley
Jade DaVon, Assistant Professor, Miami University
Lucia Diaz, California Western School of Law student
Bashir Hassan, Yale University School of Nursing student
Eziaku Nowkocha, Doctoral Student, University of Pennsylvania
Teresa Vargas, Masters in Counseling, SF State University, Mental Health Specialist

ⁱ “Communities for a Better Environment Comments on PSA,” comments submitted by Shana Lazerow of California Environmental Justice Alliance (CEJA) to California Energy Commission (CEC) Preliminary Staff Assessment (PSA) of the Puente Power Project, 9/15/16, p. 3, hereafter referred to as CEJA.