

DOCKETED

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Puente Power Project, AFC (15-AFC-01)

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Thank you, Commissioners Janea Scott and Karen Douglas, for coming to our community to take comments on the FSA.

My name is Steve Nash, resident of Oxnard. I have followed this process closely and have read much of the material.

I served on the City of Oxnard's Planning Commission for 6 years. In the course of my duties I have read and reread the City's 2030 General Plan. For the Energy Commission staff to present to you that the Puente Power Project is inconsistent with one GP policy is the height of absurdity. In my review, I found no less than 65 Policies that this project is inconsistent with. Now we can argue about the number but it is surely greater than one. I will submit the list to your staff.

NRG's tactics are clear; sap our will through litigation until we cry "Uncle!" How can we, a community struggling to avoid civic bankruptcy, fight these nameless, faceless bureaucracies such as the CEC and the CPUC and billion-dollar corporations like NRG and SCE?

At each successive public meeting attendance has declined. I sit and watch NRG's attorneys smirk at the public comment. The two CEC members sit with concerned looks on their faces but will their decision reflect that concern?

I, and many others, believe the fix is in.

The FSA brought up one concern and that was a single policy in Oxnard's GP. Every single environmental issue has been ignored. Every single social justice issue has been ignored. The CEC is going to force this unwanted dinosaur down our throats.

Dr. Chris Williamson stated, "How do we ever escape the legacy of these unwanted coastal energy facilities?" We can't and we won't, thanks to Big Oil, Big Money and their bought-and-paid-for "public servants" who don't live, work or recreate in this community. In fact, at a recent symposium on the local use of desalination, an industry expert stated that it is a natural fit to colocate desal plants next to coastal energy facilities. So, Oxnard is looking at further industrialization of its precious coast to provide for the needs of other communities as long as outside interests force us to allow these facilities on our beaches.

To conclude I just want to point out the sheer hypocrisy in allowing outside special interests to determine local land use. We have told you over and over and over we don't want this on our beach. You cannot mitigate sea level rise and coastal flooding. You cannot mitigate the significant impact to endangered species. You cannot mitigate the significant air quality impacts and threat to local aviation. We have given you alternative sites. There exists alternative energy sources and technologies. Oxnard has borne the burden of environmental degradation for too long. Our residents are tired of being exploited because of their social class and skin color. Do the right thing.

The Puente Power Project (PPP) is not consistent with the following 2030 General Plan Goals and Policies.

Policy SC-1.2. Support Statewide Global Warming and Climate Change Mitigation Continue to monitor and support the efforts of the California Air Resources Board and other agencies as they formulate Global Warming and Climate Change adaption and mitigation strategies and programs.

Policy SC-1.3. Develop a Climate Action and Adaptation Plan (CAAP) That Supports the Regional SB 375 Sustainable Communities Strategy Develop a Climate Action and Adaption Plan that implements requirements adopted by the California Air Resources Board and/or the Ventura County APCD that establishes a GHG emissions qualitative and quantitative threshold of significance, establishes GHG reduction targets, and supports the regional SB 375 Sustainable Communities Strategy.

Policy SC-1.4. Awareness of Environmental Justice Advise other agencies regarding and incorporate environmental justice within City planning, policies, programs, projects, and operations.

Policy SC-2.3. Sea Level Rise Consideration in Decision-Making Ensure that all planning, public works, and related decisions take rising sea level into consideration and take steps to reduce risk of damage or loss of life and property.

Policy SC-2.4. Avoidance of Coastal Armoring or Hardening Wherever feasible, avoid coastal armoring or hardening in new development or in mitigating current and future risk to existing development.

Policy SC-3.7. Renewable Energy Production Requirement As part of the City and Community EAP's, require that master planned commercial and industrial developments incorporate solar, wind, and other renewable energy generation and transmission equipment unless demonstrated to the satisfaction of a qualified renewable energy consultant to be infeasible.

Policy SC-3.10. Alternatives to Power Plant Generation Evaluate the feasibility of incorporating alternative sources of power generation such as wind and tidal power into the regional existing power supply grid to reduce reliance on GHG emission producing public utility and privately-owned power plants.

Policy SC-5.4. Coordinate with Local Utility Providers and VCREA Coordinate with local utility providers and the Ventura County Regional Energy Alliance (VCREA) to promote public education and energy conservation programs to increase the use of solar photovoltaic systems and other technology in new and existing residential, commercial, institutional and public buildings.

Policy CD-1.8. Natural Resource Conservation Promote a high quality of life within the community, incorporating the retention of natural open space areas, greenbelts, and the provision of adequate recreational facilities.

Policy CD-1.11. Recreation Opportunities Promote improved coastal access and enhanced recreation opportunities with access from all areas of the City.

Policy CD-2.1. Zoning and General Plan Consistency Amend the zoning code, zoning map, Coastal Land Use Program, and other land use regulations to make them consistent with the adopted and/or subsequently amended 2030 General Plan.

Policy CD-3.1. Neighborhood Preservation Protect existing residential neighborhoods from the encroachment of incompatible activities and land uses as determined through environmental review and/or determination by the Planning Commission.

Policy CD-4.1. Mitigate Land Use Conflicts Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.

Policy CD-5.1. Industrial Clustering Encourage the clustering of industrial uses into areas that have common needs and are compatible in order to maximize their efficiency.

Policy CD-5.2. Compatible Land Use Ensure adequate separation between sensitive land uses (residential, educational, open space, healthcare) to minimize land use incompatibility associated with noise, odors, and air pollutant emissions.

Policy CD-5.3. Available Services Encourage industrial activities to locate where municipal services are available including adequate storm drainage and water facilities, as well as easy access to multiple modes of transportation.

Policy CD-5.4. Environmentally Friendly and "Green" Industry Seek to attract industrial development that avoids or minimizes substantial pollution, noise, glare, odor, use of hazardous materials, or other offensive activity and/or is a component of the emerging Green industry.

Policy CD-8.5. Impact Mitigation Ensure that new development avoids or mitigates impacts on air quality, traffic congestion, noise, and environmental resources to the maximum extent feasible.

Policy CD-9.2. Revitalization and Redevelopment As part of the City's redevelopment programs and planning, promote the revitalization of residential, commercial, and industrial properties that are deteriorated or detract from the visual quality of the City.

Policy CD-9.3. Gateway Enhancement Designate major entryways as gateways into the City. The City shall use landscaping, decorative lighting, signage and/or other streetscape design techniques to enhance the City's identity, sense of place, and provide visual emphasis to the streetscapes into the City.

Policy CD-9.4. View Corridor Preservation Ensure all public and private investments positively contribute to the overall character of the City by minimizing impacts on important view corridors by creating edge treatments along greenbelt areas and a landscaped buffer corridor of at least 30 feet along designated scenic corridors and other major transportation corridors.

Policy CD-9.5. Unique Character Preservation Ensure that new public and private investment maintains the unique coastal and agricultural character of the City.

Policy CD-15.1. Quality of Life Strive to maintain and enhance the City's quality of life through better business opportunities; increased leisure, cultural, and recreational opportunities; upgraded public facilities and amenities; and a range of residential opportunities.

Policy CD-15.2. City Image and Vision Enhance Oxnard's image as a city that is responsive to the vision desired and expressed by its residents.

Policy CD-16.2. Mobility Improvements Encourage the improvement and enhancement of intermodal freight connections, railways, roadways, and airports to support existing and future economic development opportunities.

Policy CD-16.5. Industrial and Commercial Development Standards Require high quality development standards that increase the efficient use of existing industrial and commercial development areas so as to preserve agricultural land and minimize adverse environmental impacts.

Policy CD-16.8. Public / Private Partnerships Pursue partnerships to encourage the implementation of public facilities and infrastructure improvements that benefit the community.

Policy CD-18.4. Identify Target Business and Industries Identify businesses and industries in high value job markets (i.e., biotechnology, computer software, communications, entertainment, multimedia, education, business, and financial services) that lead to a diversified economic base and provide for a higher quality of life for Oxnard residents while minimizing environmental impacts.

Policy CD-18.8. Destination Expansion Expand efforts to develop Oxnard as a travel and convention destination.

Policy CD-21.2. Modify non-Coastal Dependent Energy Uses When the LCP is being updated, clarify that non Coastal-dependent energy facilities are not allowed in the Energy Coastal zone

with exceptions for renewable energy installations such as solar panels and wind turbines under certain conditions and consistent with the Coastal Act.

Policy CD-21.3. Future Use of Coastal Power Plants Initiate an update to the Oxnard LCP that has the intent and effect of eventual decommissioning of the SCE Peaker Plant, Mandalay and Ormond Beach power generation facilities by: 1) land use designation change, 2) amortization, 3) revised development standards, 4) transferable development rights and/or other methods. After adoption and Coastal Commission certification of an updated Local Coastal Plan, initiate and implement policy and regulatory actions, and support actions of other relevant agencies that implement the LCP with regard to the future use of the SCE Peaker Plant, Mandalay and Ormond Beach power plants.

Policy ICS-2.11. Scenic Highway Preservation Preserve and enhance the character of scenic highways, and publicly owned and utility rights-of-way.

Policy ICS-2.12. Gateway Enhancements Continue to enhance gateways (including but not limited to Ventura Road, Oxnard Boulevard, Vineyard Avenue, Rose Avenue, Rice Avenue, Del Norte Boulevard, Highway-101, Highway 1, Fifth Street, Channel Islands Boulevard, Pleasant Valley Road, Harbor Boulevard, Victoria Avenue, and Hueneme Road).

Policy ICS-8.10. Coastal Trail Development Encourage, plan, and participate in development of an aesthetic, educational, safe and convenient trail program in the coastal resource areas in cooperation with other agencies, where environmentally appropriate.

Policy ICS-9.11. Beach and Coastal Parking Maintain and improve beach and coastal area access and parking that accommodate visitors while monitoring and protecting the impacts of parking on the natural environment and surrounding neighborhoods.

Policy ICS-10.1. Support Oxnard Airport Continue to support commercial air service at Oxnard Airport as outlined in the Oxnard Airport Master Plan

Policy ICS-10.2. Oxnard Airport Compatible Land Use Continue to ensure that the land use and zoning adjacent to Oxnard Airport is compatible in order to minimize potential noise and safety problems.

Policy ICS-10.3. Airport Operations Monitoring Monitor impacts, such as vehicle congestion, overflight noise, and air pollution, from operations at the Oxnard Airport and work with the County Department of Airports to reduce these impacts if they are excessive.

Policy ICS-11.6. Water Conservation and/or Recycling Connection as Mitigation Require the use of water conservation offset measures (efficient low flow fixtures and irrigation systems, drought tolerant landscaping, leak detection programs, water audits, and public awareness and education programs) and/or proportional contributions to recycled water production and/or

conveyance infrastructure related to the GREAT Program as mitigation for water supply shortage as determined by a Water Supply Assessment, CEQA documentation, or similar analysis as part of new or master plan development review.

ICS-11.13. Water Neutral Policy and Urban Water Management Plans Incorporate the City's Water Neutral Policy regarding new development into the 2010 Urban Water Management Plan and develop appropriate ordinances, policies, and/or programs to fully implement the policy.

Policy ICS-13.1. 100-year Floodplain Discourage development, major infill, and structural improvements (except for flood control purposes) within the 100-year floodplain as regulated by FEMA. Recreational activities that do not conflict with habitat uses may be permitted within the floodplain.

Policy ICS-17.1. Electric Facilities Ensure that electric facilities (such as the Southern California Edison generating facilities located within the City) are built in accordance with the California Public Utilities Commission regulations and incorporate feasible solar, wind, and other renewable sources of energy.

Policy ICS-17.3. Promoting Renewable Energy Production Encourage the use of renewable solar, wind, and other electric generation technologies instead of new or expansion of fossil fuel-based generation facilities.

Policy ICS-23.5. Resident Access to Scenic Areas and Ormond Beach Work with appropriate organizations and agencies to provide Oxnard residents with access and possibly interpretive and/or visitor centers to natural/scenic areas such as the Santa Clara River Greenbelt, Ormond Beach, and Oxnard Dunes consistent with resource protection objectives.

Policy ER-1.1. Protect Oxnard's Natural and Cultural Resources Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

Policy ER-2.2. Designation and Protection of Sensitive Habitat Areas Evaluate existing and potential sensitive habitat areas (Environmentally Sensitive Habitat Area in the Coastal Zone – ESHA) as resource protection or open space land uses, including but not limited to: 1) Ormond Beach wetlands and upland areas, 2) Santa Clara River estuary and riverbed, 3) Edison Canal and harbor-related habitat areas, and 4) various dune habitat areas.

Policy ER-2.3. Promote Areas for Open Space Reserve, preserve, and promote areas particularly suited for open space/recreational uses. Appropriate public access to these resources shall be preserved, enhanced, restored, and properly controlled.

Policy ER-2.4. Design Review Process Use the environmental and design review process to protect designated sensitive habitat, and promote open space.

Policy ER-3.1. Preservation of Riparian Habitat Require the preservation and enhancement of the riparian habitat along the Santa Clara River, Edison Canal, the McGrath Lake vicinity, and within the Ormond Beach wetlands.

Policy ER-3.2. Review of Development Proposals Review development proposals in accordance with applicable Federal, State, and local statutes protecting special-status species and jurisdictional wetlands and be open to requiring greater protection.

Policy ER-4.1. Encourage Protection of Sensitive Habitat Identify and encourage protection of sensitive habitat areas, with attention to habitat that may span small parcels.

Policy ER-4.2. Limiting Activities in Sensitive Areas Limit the recreational activities in open space areas with sensitive habitats to those activities that have minimal impact.

Policy ER-4.3. Designation of Resource Protection Areas Designate areas that encompass sensitive habitat areas and provide areas for educational and research purposes.

Policy ER-4.4. Loss of Sensitive Habitats Consider loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate appropriate feasible mitigation.

Policy ER-4.5. Planning in Sensitive Areas Require careful planning of new development in or near areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat.

Policy ER-4.6. Resource Protection Zoning Policies Adopt and/or continue to maintain resource protection zoning designation for sensitive habitats to prevent the encroachment of detrimental land uses.

Policy ER-5.3. Reducing Dependence on Groundwater The City shall maintain a minimal dependence on Basin 4A groundwater consistent with the Groundwater Resource Encroachment and Treatment (GREAT) Program and support the policies of the Fox Canyon Groundwater Management Agency to protect, enhance, and replenish the aquifers underlying the Oxnard Plain.

Policy ER-6.2. Protect and Enhance Major Scenic Resources Protect and enhance the scenic resources of the beaches, Channel Island Harbor, windrows, farmland, the Channel Islands, and surrounding mountains.

Policy ER-6.4. Siting of Transmission Lines Work with utility companies to avoid transmission lines interfering with scenic views.

Policy ER-6.6. New Development Private Open Space Ensure that new development incorporates open space areas that provide community and neighborhood identity, private quality exterior private open space for each housing unit, and minimize conflicting land uses and noise generators.

Policy ER-8.1. Protect Shoreline Protect the shoreline and views to and along the Pacific Ocean, recognizing their value as natural and recreational resources.

Policy ER-8.3. Coastal Sand and Habitat Management Work with property owners and appropriate State and County agencies to manage beach sand distribution and quality while avoiding impacting animal and plant sand habitats.

Goal ER-14. Improved air quality and minimized adverse effects of air pollution on human health and the economy.

Policy SH-3.1.

Policy SH-3.2.

Policy SH-9.1.

64 Policies, 1 Goal.

Thank you.

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