

## DOCKETED

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**Statement of Opposition by UCSB Faculty, Staff, and Students and Local Residents**

Duplicate comment of TN 215901

*Additional submitted attachment is included below.*

**No on the Puente Power Project:  
Statement of Opposition by UCSB Faculty, Staff, and Students and Local  
Residents**

We, the undersigned, oppose the power plant that NRG, a Fortune 200 power company, proposes to build in the city of Oxnard, California, in addition to NRG's existing plants that have been polluting these communities for decades. 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, 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. We refuse to benefit from, perpetuate, or add further injury to the injustices suffered by these communities.

Unlike the residents of Santa Barbara, Ventura and Malibu, many residents and workers in Oxnard 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 the use of 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." 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 been popularized recently 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 the CEC has been forced to adopt this term and acknowledge that Oxnard is an "EJ community," it appears to accept NRG's claims 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, if CEC approves NRG's application, it will allow NRG to risk the lives, health and safety of the people of these communities, while it is not their own families or communities



who will be at the epicenter of these so-called low risks. Indeed, NRG corporate headquarters is located three thousand miles away in New Jersey.

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 serious remaining issues and questions about the project demand a response:

1. 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.

2. NRG should not be allowed to buy credits to offset their pollution impacts from projects run by another company elsewhere – instead of actually having to clean up or reduce emissions of their own local projects. 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. Oxnard residents, on the other hand, can't simply buy or move their way out of the dangers and health hazards they face every day.

3. All feasible alternatives or feasible mitigation measures must be explored through a legitimate public process. 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) To date, NRG has been able to get away with a charade – shamefully, with the assistance of the Public Utilities Commission (PUC) – that all possible alternatives have already been explored. Yet, instead of fulfilling the duty to seek and analyze alternatives, the CEC instead relied on the PUC's prior questionable 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 and the CEC merely accepted the PUC's flawed assumptions and assertion, instead of doing its own assessment. In fact, CEJA notes: "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) We as the public demand that CEC conduct a new RFO [Request for Offer] for companies to bid to provide renewable energy and storage options, facilitating a legitimate process to explore alternative options.

4. The CEC should recognize that many recent initiatives for alternative energy solutions have been legislated and are already underway in California and in the region, and allow these to be developed. 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) These measures have been instituted to reduce existing and potential toxic impacts of dirty energy companies like NRG. We need to give these initiatives a chance to take effect, instead of blindly accepting that there are no alternatives and letting greedy corporations continue to pollute and plunder our communities.

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 and/or will be exacerbated by these

ill-advised power plants. We have a responsibility to prevent these harms that are indeed avoidable.

We, the undersigned, are faculty, staff, and students, currently or formerly at UCSB, and California residents, 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.

1. Grace Chang, Associate Professor, Feminist Studies, and Interdepartmental PhD Emphasis in Environment and Society
2. David Pellow, Professor and Dehlsen Chair of Environmental Studies and Director, Global Environmental Justice Project
3. Gaye Johnson, Associate Professor, formerly UCSB Black Studies, currently Black Studies and Chicana/o Studies, UCLA
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5. Omer Blaes, Professor, Physics
6. Avery Gordon, Professor, Sociology
7. Jeffrey Stewart, Professor, Black Studies
8. Marisa Becerra, Aderisa Productions co-founder, artist, business owner, executive producer
9. Adelina Anthony, AdeRisa Productions co-founder, actor, writer, director, producer
10. Sara Gepp, Ventura County Resident
11. Wayne Martin, Resident in Silverstrand Beach, Oxnard
12. Arthur Marcotte, Local Resident
13. Kathleen Curran, Teacher at Oxnard High
14. Gina Odian, So Cal Resident
15. Nancy Myers, 2004 PR student, UCLA
16. Elena Rios, citizen
17. Jill Munn, Local Resident
18. Shannon Celia
19. Sandibel Borges, Doctoral candidate, Feminist Studies
20. Rosie Bermudez, Doctoral candidate, Chicana/o Latina/o Studies
21. Eric Arce, Doctoral student, Sociology, UCSB
22. Tara Villalba, Doctoral candidate, Religious Studies, UCSB
23. Idalia Robles De León, Doctoral Student, Sociology, UCSB
24. Karen B. Hanna, Doctoral candidate, Feminist Studies, UCSB
25. Dolores Mondragon, Doctoral student, Religious Studies, and US Navy Veteran



26. Baron Haber, Doctoral candidate, English
27. Ashley Kiria Baker, undergraduate, Film and Media Studies
28. Hareem Khan, Doctoral Candidate, Anthropology
29. Madison Villanueva, Undergraduate Student
30. Salvador Rangel, Graduate Student
31. Annie Hikido, Doctoral Student, Sociology
32. Jessica Ko, UCSB graduate
33. Erika Matadamas, UCSB graduate
34. Michelle Rubio, UCSB graduate
35. Pasami Hokulani Emosi, UCSB graduate
36. Angelica Camacho, Doctoral Student, UC Riverside
37. Lucia Diaz, California Western School of Law student
38. Bashir Hassan, Yale University School of Nursing student
39. Eziaku Nowkocha, Doctoral Student, University of Pennsylvania
40. Justin Obcena, Doctoral student, Sociology, UCSC
41. Brenda Mendez, graduate student, University of Southern California
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45. Francesca DeGuili, Assistant Professor, CUNY Staten Island
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50. Ibeth Arriaga, UCSB graduate, SoSLA community organizer
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54. Jade DaVon, Assistant Professor, Miami University
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59. Danny Khuu, 2013 UC Santa Barbara Alum
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89. Janet Benner, Ph.D, business owner and local resident
90. Howard Winant, Professor, Sociology
91. Baron Haber, PhD candidate, English
92. Stanley Tzankov, Fund for Santa Barbara, UCSB graduate
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99. Max Golding, co founder, 350 Santa Barbara
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110. Adrianna Alexandrian, Lompoc, CA
111. Alicia Flores, Chico, CA
112. Benjamin Wood, Montclair, CA
113. Erin Runions, Claremont, CA
114. Ingrid Gutierrez, Pomona, CA
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116. Pablo Padilla, Pomona, CA
117. Adrian Lau, Los Angeles, CA
118. Maneeza Hasan, Inglewood, CA
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123. Emily Bautista, Los Angeles, CA
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126. Bridget Harr, Portland ME
127. Chris VanderStouwe, Boise ID
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129. Melissa Nievera, San Jose, CA
130. Trung Nguyen, San Francisco, CA
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132. Lee Moonan, Pomona, CA
133. Shawn Warner-Garcia, Goleta CA
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136. Ednie Garrison, Lompoc, CA
137. Icee Paramio, Los Angeles, CA
138. Jacqueline Kemp, Santa Barbara CA
139. Satya Chima, Ventura CA
140. Rebecca Calisi, Davis, CA
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143. Will Gutierrez, Oakland CA
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159. Shari Sanders, Goleta, CA
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199. Frankie Lopez, Oxnard, CA



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203. Manuel Frausto, Oxnard, CA
204. Carla Cabrera, Oxnard CA
205. Maatimu Brown, Oxnard, CA
206. Lisa Crismon, Port Hueneme, CA
207. Karla Valera, Oxnard, CA