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Central Coast Alliance United for a Sustainable Economy

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July 18, 2016

Commissioner Janea A. Scott, Presiding Member
Commissioner Karen Douglas, Associate Member
California Energy Commission
1516 Ninth Street, MS-29
Sacramento, CA 95814-5512

Subject: 6/28/16 Mission Rock Energy Center Informational Hearing

Dear Presiding Commissioner Scott and Commissioner Douglas:

The California Environmental Protection Agency was the first state in the country to codify a commitment to environmental justice by statute. Accordingly,

The principles of environmental justice call for fairness, regardless of race, color, national origin or income, in the development of laws and regulations that affect every community's natural surroundings, and the places people live, work, play and learn.

Beyond the fair treatment called for in code, leaders in the environmental justice movement work to include those individuals disproportionately impacted by pollution in decision making processes. The aim is to lift the unfair burden of pollution from those most vulnerable to its effects." (<http://www.calepa.ca.gov/EnvJustice/>)

Given this supposed commitment to environmental justice, CAUSE writes to express the shock and deep disappointment felt by members of the Santa Paula community with how the Informational Hearing in Santa Paula for the Mission Rock Energy Center project was conducted on June 28th. CEC hearings are intended to inform residents of proposed projects that may impact them and allow an opportunity for public participation and input. Unfortunately, the lack of organization, inadequate translation, and poor time management seemed to many residents to be a sign of disregard and disrespect for the roughly 200 people who attended the hearing, leading to the spontaneous walkout of the majority of attendees.

The hearing began approximately one hour late, with the presentations of CEC staff beginning around 7:30pm due to confusion with the venue's capacity and the community's translation needs. The small venue met capacity before the hearing started, which denied many people the opportunity to be present in person and see the proceeding.

Translation services were inadequate due to CEC staff failing to bring translation headsets. Without capacity for simultaneous translation, the length of a hearing would have more than doubled, and at a heavily attended meeting with a long staff presentation that began late, it would have been impossible to finish the hearing on a reasonable schedule that evening. Also, many attendees with limited English proficiency feel stigmatized and

uncomfortable moving to one corner of the room to receive oral translation rather than simply putting on translation headphones. This can cause some attendees to forgo translation altogether and listen to the proceeding in a language which they are not fluent, without full comprehension of the presentation. Although the CEC hired an interpreter, they were unprepared to deal with the technical nature of the subject matter and had not been provided the material beforehand, leading her to struggle with accurate translation, causing several Spanish-speaking attendees to raise concerns. Inadequate translation services denied Spanish-speaking attendees the opportunity to fully participate, receive accurate information, and understand the highly technical and complex issues covered by the CEC.

A week before the hearing, CAUSE staff called the CEC Public Adviser line and clearly explained to CEC staff that proper translation was necessary in Santa Paula and were assured that it would be provided. According to Census data, 80% of Santa Paula residents are Latino and 58% of Santa Paula residents speak Spanish at home. In a community like Santa Paula, the negligence displayed by the facilitators of this hearing towards providing translation services is absolutely unacceptable.

Communities like Santa Paula often feel targeted by the burdens of environmental inequalities. Here in Ventura County, there is a long legacy of gas-fired power plants being located exclusively in predominantly Latino communities, and many Santa Paula residents feel that the proposed Calpine plant would continue this legacy. Many see the concentration of power plants in their communities as a direct result of the many barriers that residents of low-income immigrant communities face in trying to participate in the process. We hope that the CEC and all public agencies in California are fully committed to taking all reasonable measures to eliminate these barriers to participation in order to serve communities like Santa Paula. However, when an agency's negligence heightens these barriers rather than reducing them, members of disadvantaged, underrepresented communities like Santa Paula see this as directly contributing to the injustices they face.

CAUSE expects better from the CEC as a public agency with extensive experience working with and facilitating the participation of diverse communities. We appreciate the CEC's public apology posted on your website for the lack of adequate translation. We also appreciate that you have relocated the second Informational Hearing to a larger venue.

We strongly encourage the CEC leadership to continue to reflect on the mistakes that were made at the Santa Paula hearing in order to address these issues at the second hearing on July 28th. We urge you to take whatever measures are necessary to change internal policies to ensure other communities throughout California will always be provided fair opportunities for participation in issues deeply affecting the lives of local residents.

Sincerely,



Maricela Morales, M.A.
Executive Director
CAUSE