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Docket Number:	15-AFC-02
Project Title:	Mission Rock Energy Center
TN #:	218005
Document Title:	Wishtoyo Foundation Petition to Intervene
Description:	N/A
Filer:	Idalmis Vaquero
Organization:	Earthjustice
Submitter Role:	Intervenor Representative
Submission Date:	6/9/2017 9:39:19 AM
Docketed Date:	6/9/2017

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

In the Matter of:

Application for Certification of the
MISSION ROCK ENERGY CENTER

Docket No. 15-AFC-02

**WISHTOYO FOUNDATION
PETITION TO INTERVENE**

ANGELA JOHNSON MESZAROS (State Bar No. 174130)
EARTHJUSTICE
800 Wilshire Boulevard, Suite 1000
Los Angeles, CA 90017
ameszaros@earthjustice.org
Tel: 415-217-2197/Fax: 415-217-2040

HEATHER M. LEWIS (State Bar No. 291933)
EARTHJUSTICE
50 California Street, Suite 500
San Francisco, CA 94111
hlewis@earthjustice.org
Tel: 415-217-2097/Fax: 415-217-2040

Attorneys for Wishtoyo Foundation

PETITION TO INTERVENE

Wishtoyo Chumash Foundation petitions to intervene in the Mission Rock Energy Center licensing proceeding as allowed by section 1211.7 of Title 20 of the California Code of Regulations. This petition sets out the grounds for intervention and the position and interests of Wishtoyo as required by the statute.

Wishtoyo Foundation (“Wishtoyo”) is a Native-led non-profit organization founded in 1997 in Ventura, California. Wishtoyo’s members include more than 1,000 Chumash Native Americans and residents of Ventura, Santa Barbara, and Los Angeles counties.

The Chumash people have lived in villages alongside the Santa Clara River since time immemorial. Descendants of the Chumash people, including Wishtoyo members, live in the Santa Clara River Valley to this day. In addition to being ancestral homelands and the traditional territory of the Chumash people, the Santa Clara River watershed is the largest relatively natural river system in Southern California. This land, its waters, its air, its viewscapes, its species, and its plants are unique and hold deep meaning to Wishtoyo’s members. To honor and continue this history, Wishtoyo preserves, protects, and restores Chumash culture and history, protects the natural resources all people depend upon, and fosters responsibility to waters and watersheds through research, education, community action, and legal action. Wishtoyo also shares traditional Chumash values and practices with the public, through outreach and educational programs that engage participants in traditional Chumash beliefs, cultural practices, songs, dances, and stories. Through these efforts, Wishtoyo instills environmental awareness and responsibility for sustaining the health of our land, air, and water for the benefit of future generations.

The interests of the board, staff, and members of Wishtoyo are directly affected by Calpine's proposal to build the Mission Rock Energy Center. If this proposed power plant is approved, it will be built in Chumash traditional territory in the Santa Clara River Valley. Wishtoyo brings an unrepresented voice and unique expertise to these proceedings. Therefore, Wishtoyo seeks Intervenor status to ensure that Chumash cultural resources, as well as the water, watershed, wildlife, and air of the Santa Clara River Valley and watershed, are protected from harms that will be caused by the construction and operation of the Mission Rock Energy Center. No other party to this proceeding does—or can—represent these interests.

Wishtoyo provided detailed comments to the Committee in opposition to the Project on December 16, 2016, (TN 214872) and two sets of attachments (TN 214873 and 214874) which highlighted numerous concerns about the proposed Project, including, but not limited to, the Project's impacts on: (1) Chumash cultural resources (including sacred places, plants, wildlife, and visual landscapes); (2) water use; (3) endangered species; (4) air quality in the Santa Clara River Valley and surrounding areas; and (5) water quality of the Santa Clara River, Santa Clara River Estuary, and Pacific Ocean from stormwater and wastewater. Wishtoyo has an additional interest in this proceeding to ensure proper consultation with Chumash Native Americans, and all Native Americans, that attach religious or cultural significance to the Santa Clara River Valley area. Finally, Wishtoyo is concerned that this facility is unnecessary and would needlessly harm the people and environment of the Santa Clara River Valley and watershed.

Wishtoyo intends to fully participate as a party in the proceedings, with all the rights and responsibilities that attend party status. Wishtoyo will be represented by Angela Johnson Meszaros and Heather M. Lewis of Earthjustice. All filings should be directed to Wishtoyo's counsel, preferably via e-mail service at:

ANGELA JOHNSON MESZAROS
Earthjustice
800 Wilshire Boulevard, Suite 1000
Los Angeles, CA 90017
ameszaros@earthjustice.org
Tel: 415-217-2197/Fax: 415-217-2040

HEATHER M. LEWIS
Earthjustice
50 California Street, Suite 500
San Francisco, CA 94111
hlewis@earthjustice.org
Tel: 415-217-2097/Fax: 415-217-2040

This petition to intervene is timely and in accordance with the Revised Scheduling Order adopted by the Committee on January 31, 2017.

For the reasons outlined above, Wishtoyo Foundation respectfully requests that the Commission grant its petition to intervene in this proceeding and to allow the Wishtoyo Foundation to participate fully as a party.

DATE: June 9, 2017

/s/ Angela Johnson Meszaros
Angela Johnson Meszaros
Heather M. Lewis

Attorneys for Wishtoyo Foundation