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<b>Project Title:</b>	Puente Power Project
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<b>Document Title:</b>	The CAUSE Comments: Add Socioeconomics to Issues Identification
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Comment Received From: Maricela Morales

Submitted On: 10/15/2015 Docket Number: 15-AFC-01

## Add Socioeconomics to Issues Identification

Dear Presiding Commissioner Scott and Commissioner Douglas:

The Central Coast Alliance United for a Sustainable Economy (CAUSE) submits the following scoping comments regarding staffâ€<sup>TM</sup>s August 10, 2015 Issues Identification Report (â€æIssues ID Reportâ€) and the Puente Power Project Application for Certification (â€æAFCâ€) (15-AFC-01). These comments are supplemental to oral comments presented by CAUSE and many of our members at the California Energy Commissionâ€<sup>TM</sup>s (â€æCommissionâ€) August 27, 2015 Environmental Scoping Meeting and Informational Hearing.

CAUSE is a local nonprofit organization with a 14 year history of community organizing and policy advocacy for social, economic and environmental justice in the Central Coast region. CAUSE's membership is made up of hundreds of predominantly low-income Latino families throughout the Ventura and Santa Barbara Counties area, including Oxnard. CAUSE's Oxnard chapter has worked on environmental justice issues since 2007 including the defeat of a proposed BHP Billiton liquefied natural gas terminal, and the designation of the Halaco toxic waste site as an EPA Superfund site and has identified Oxnard's historic concentration of coastal power plants as a major negative impact on their community. CAUSE represents community members who live in environmental justice communities and are customers that share a concern for the environment.

CAUSE disagrees with staff's conclusion that socioeconomics is not a major issue in this proceeding (Issues ID Report, at p. 3). According to the 2010 Census, the City of Oxnard's population is 74% Latino, and 85% people of color. Oxnard has a median income well below the Ventura County average and a poverty rate well above. 29% of its residents live in linguistic isolation and 47% of residents 25 years or older have less than a high school education. As a textbook environmental justice community, Oxnard has historically served as the site for locally unwanted land uses for the Central Coast region, including bearing the burden of fossil fuel power generation for all of the surrounding cities, with three power plants on its coast. Oxnard residents face several layers of cumulative environmental and health impacts in addition to its concentration of power plants including an EPA Superfund site, landfills, oil and gas development, and heavy fumigant pesticide use. The California EPA's CalEnviro Screen 2.0 characterizes much of the city as disadvantaged, with some census tracts ranking within the top 10% of environmentally burdened California communities and the city overall ranking within the top 20%. Data showing the environmental justice communities impacted by the Puente proposal are attached in a separate document, the testimony of Amy Vanderwalker of the California Environmental Justice Alliance before the California Public Utilities Commission.

The AFC and Issues ID Report state that there are no environmental justice communities within a six mile radius of the Puente proposal. Oxnard does in fact have multiple Census tracts within a 6 mile radius of the plant that are among the most environmentally burdened in the state. These include Census tract 6111004902 that has a score of 96-100%, the highest possible score, and Census tract 6111009100, with a score of 91-95%, each with other 5,000 residents. No other city within the Moorpark Sub-area of the Puente proposal has even one Census tract scoring within the 90th percentile. Oxnard is uniquely burdened with the region's polluting industry, a legacy that the Puente proposal contributes to.

Within the city of Oxnard as a whole, over 50,000 people are residents of Census tracts within the 70th percentile of pollution burden or above. Although some fall just outside the arbitrary six mile radius in NRG's AFC, the Puente location is also immediately adjacent to public beach recreational areas used extensively by working-class

immigrant community members from throughout Oxnard as well as agricultural fields surrounding the site where between 1,000 and 3,000 farmworkers labor daily between half a mile and four miles away.

Oxnard's socioeconomically disadvantaged residents and workers would breathe the air pollution emitted by the proposed Puente plant on a daily basis. These negative environmental impacts add to the heavy existing environmental burden experienced by this community. CAUSE asks that the Commission incorporate socioeconomics as a key issue in its considerations of the Puente proposal.

Sincerely,

Maricela Morales Executive Director CAUSE

Additional submitted attachment is included below.

Counties of Ventura • Santa Barbara • San Luis Obispo • Monterey • Santa Cruz • San Benito

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October 14, 2015 Commissioner Janea A. Scott, Presiding Member Commissioner Karen Douglas, Associate Member California Energy Commission 1516 Ninth Street, MS-29 Sacramento, CA 95814-5512

**RE:** Comments on Proposed Puente Power Project Staff Issues Identification Report (15-AFC-01)

Dear Presiding Commissioner Scott and Commissioner Douglas:

The Central Coast Alliance United for a Sustainable Economy (CAUSE) submits the following scoping comments regarding staff's August 10, 2015 Issues Identification Report ("Issues ID Report") and the Puente Power Project Application for Certification ("AFC") (15-AFC-01). These comments are supplemental to oral comments presented by CAUSE and many of our members at the California Energy Commission's ("Commission") August 27, 2015 Environmental Scoping Meeting and Informational Hearing.

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Sincerely,

Maricela Morales

Marcel Morale

Executive Director

**CAUSE** 

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8	BEFORE THE PUBLIC UTILITIES COMMISSION						
9	OF THE STATE OF CALIFORNIA						
10	Application of Southern California Edison Company (U338E) for Approval of the  Application 14-11-016 (Filed November 26, 2014)						
11	Results of Its 2013 Local Capacity						
12	Requirements Request for Offers for the Moorpark Sub-Area						
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16	PREPARED TESTIMONY OF AMY VANDERWARKER ON BEHALF OF THE CALIFORNIA ENVIRONMENTAL JUSTICE ALLIANCE						
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# I. WITNESS BACKGROUND

My name is Amy Vanderwarker, and I am the co-Coordinator of the California Environmental Justice Alliance (CEJA), a statewide coalition of six grassroots, community-based environmental justice organizations throughout California, and intervenor party in this matter. Since 2010, when I joined CEJA, I have also served as Coordinator of CEJA's Green Zones program, which employs a unique, community-driven model to transition overburdened communities from toxic hotspots into healthy neighborhoods.

In managing the CEJA Green Zones program, I direct campaign research, manage development of CEJA's strategy around Green Zones and CI, and coordinate CEJA's administrative and legislative advocacy around Green Zones and CI. In addition, I am the lead coordinator and author of CEJA's annual Environmental Justice Scorecard, which evaluates the voting records of state legislators on key measures that impact the environment and quality of life in low-income communities and communities of color throughout California. I hold degrees in Development Studies and Geography from the University of California, Berkeley.

See Addendum (Amy Vanderwarker Curriculum Vitae).

CEJA has expertise in environmental Cumulative Impacts (CI), and has worked for years on developing, testing, and using CI methodologies statewide. CI is a critical issue facing low–income communities and communities of color overburdened by pollution. Accordingly, CEJA has invested resources and actively participated in developing a CI screening tool. Several years ago, CEJA formed a partnership with professors and researchers Manuel Pastor (University of Southern California), Rachel Morello-Frosch (UC Berkeley), and Jim Sadd (Occidental College) on the development of their CI screening tool, the Environmental Justice Screening Methodology (EJSM). In 2011, we contracted with the group of researchers to run the EJSM in 11 environmental justice communities throughout California to model and test its accuracy. We field-tested over 15 square miles of California environmental justice communities, in both urban and rural settings.

1 2 Agency's (CalEPA) development, review, and implementation of the California Communities 3 Environmental Health Screening Tool (CalEnviroScreen), a CI tool used to identify areas that are disproportionately affected by pollution and are socioeconomically disadvantaged, as discussed 4 5 in further detail below. These experiences have allowed CEJA to compare the models, 6

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understand how the tools are best applied, and augment our understanding of the science of CI methodologies. In practice, CEJA has become a resource to California decisionmakers seeking advice on how to evaluate which communities meet the criteria of CI, or should be considered to be "disadvantaged" or "environmental justice" communities. For example, I have provided

CEJA has also been closely involved in the California Environmental Protection

CalEnviroScreen in state policy. Most recently, I helped coordinate between CalEPA and CEJA on a presentation on CalEnviroScreen to the California Public Utilities Commission.

legislative testimony on CI screening tools, and also regularly provide trainings on such tools,

II. THE CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT'S CALENVIROSCREEN 2.0.

including CalEnviroScreen, and conducted extensive analysis on the best uses of

A. Background to Development of CalEnviroScreen.

The development of CalEnviroScreen dates back almost 15 years. Since 1999, State law has required "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies[,]" and incorporation of environmental justice policies into all of its programs. In 2000, Senate Bill 89 (Escutia) established a procedural framework for pursuing environmental justice in California. Senate Bill 89 mandated the creation of a Cal/EPA Interagency Working Group on Environmental Justice, as well as the Advisory Committee on Environmental Justice (EJ Advisory Committee), composed of external stakeholders, to assist the Interagency Working

Cal. Gov. Code 65040.12(e). See Cal. Pub. Res. Code §§ 71110-71114.1.

Group in developing a strategy to identify and address environmental justice gaps in Cal/EPA programs.<sup>3</sup>

The EJ Advisory Committee was made up of 17 members, including the Environmental Health Coalition, a founding member of CEJA and thirty-year old environmental justice community group in San Diego. Diane Takvorian, Executive Director of the Environmental Health Coalition, co-chaired the Committee. The EJ Advisory Committee recommended in its Final Report to the Interagency Working Group that the State develop a cumulative impacts screening tool. <sup>4</sup> As a result, in 2009, the Cumulative Impacts/Precautionary Approaches Work Group was created and charged with overseeing the development of such a tool, in which the Environmental Health Coalition also participated. CalEnviroScreen was created by the California Office of Environmental Health Hazard Assessment ("OEHHA") as the tool "to identify areas that are disproportionately affected by pollution and areas that are socioeconomically disadvantaged.<sup>5</sup> CalEnviroScreen is an important tool that was developed through a lengthy public process. <sup>6</sup> Beginning in 2009, CalEPA held numerous public meetings and workshops to discuss the development of CalEnviroScreen. A "discussion draft" was first released in 2010, and CEJA and our members participated in virtually every opportunity for public engagement since that time, from attending workshops to submitting public comments.

#### B. CalEnviroScreen 2.0.

The current version of CalEnviroScreen, CalEnviroScreen 2.0, released in August 2014, was created in order to "identify communities in California most burdened by pollution from multiple sources and most vulnerable to its effects, taking into account socioeconomic

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<sup>&</sup>lt;sup>3</sup> RECOMMENDATIONS OF THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY (CAL/EPA) ADVISORY COMMITTEE ON ENVIRONMENTAL JUSTICE TO THE CAL/EPA INTERAGENCY WORKING GROUP ON ENVIRONMENTAL JUSTICE, FINAL REPORT (September 30, 2003), at 3-7 available at http://www.calepa.ca.gov/EnvJustice/Documents/2003/FinalReport.pdf; Cal. Pub. Res. Code § 71114. <sup>4</sup> *Id.* at 15 & 20.

See D.15-01-051, pp. 52-53 (describing CalEnviroScreen).

<sup>&</sup>lt;sup>6</sup> OEHHA, CALIFORNIA COMMUNITIES ENVIRONMENTAL HEALTH SCREENING TOOL, VERSION 2.0 iI (Aug. 2014), available at http://oehha.ca.gov/ej/pdf/CES20Finalreport2014.pdf (hereinafter 'CalEnviroScreen Final Report").

<sup>&</sup>lt;sup>6</sup> CalEnviroScreen Final Report, p. i-ii.

characteristics and underlying health status." CalEnviroScreen was designed to assist CalEPA "in carrying out its environmental justice mission to conduct its activities in a manner that ensures the fair treatment of all Californians, including minority and low-income populations."8

CalEnviroScreen gives decision-makers a clear, credible scientific methodology to identify environmental justice communities.<sup>9</sup> It is a strong methodology that has been vetted by environmental justice academics and advocates for the past five years. 10 It provides a reliable definition of disadvantaged communities, using a cumulative impact screening tool.

CalEnviroScreen 2.0 ranks California's approximately 8,000 census tracts using a quantitative analysis of multiple pollution sources and stressors. 11 CalEnviroScreen "includes two components representing pollution burden – exposures and environmental effects – and two components representing population characteristics – sensitive populations (e.g., in terms of health status and age) and socioeconomic factors." <sup>12</sup> CalEnviroScreen 2.0 uses 19 statewide indicators to characterize both pollution burden and population characteristics, as illustrated in the following table:

Exposures	Environmental	Sensitive	Socioeconomic
	Effects	Populations	Factors
□ Ozone □ PM 2.5 □ Diesel PM □ Pesticide use □ Toxic releases from facilities □ Traffic density □ Drinking water quality	☐ Cleanup sites ☐ Groundwater threats ☐ Impaired waters ☐ Solid waste sites and facilities ☐ Hazardous waste facilities and generators	<ul> <li>□ Children and elderly</li> <li>□ Asthma ER visits</li> <li>□ Low birth weight infants</li> </ul>	□ Educational attainment □ Linguistic isolation □ Poverty □ Unemployment

<sup>&</sup>lt;sup>7</sup> OEHHA, APPROACHES FOR IDENTIFYING DISADVANTAGED COMMUNITIES 1 (Aug. 2014), available at http://oehha.ca.gov/ej/pdf/ApproachesnIdentifyDisadvantagedCommunitiesAug2014.pdf (hereinafter "Approaches for Identifying Disadvantaged Communities").

8 CalEnviroScreen Final Papart

CalEnviroScreen Final Report. *Id.*, p. 1.

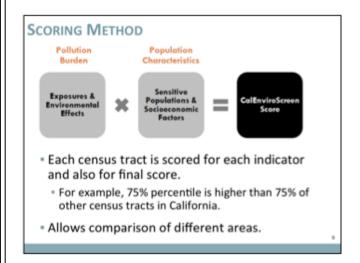
Approaches for Identifying Disadvantaged Communities, p. 2. <sup>12</sup> CalEnviroScreen Final Report, p. 4.

14 Id. 15 Available at:

The exposures indicators of the pollution burden component consist of pollutants with which people come into direct contact. The environmental effects indicators of the pollution component consist of adverse environmental conditions caused by pollutants.

The sensitive populations indicators of the populations characteristics component consist of individual biological characteristics that result in increased vulnerability to pollutants. The socioeconomic factors indicators consist of community characteristics that result in increased vulnerability to pollutants.

The tool's scientific methodology examines how many indicators are present within each Census Tract using a scoring system "to weigh[] and sum each set of indicators within pollution burden and population characteristics components." <sup>13</sup> "After the components are scored, the scores are combined as [shown in the table below] to calculate the overall CalEnviroScreen Score."14



Numerical scores for each census tract, as well as the individual indicator scores for each census tract, are publicly available online at OEHHA's CalEnviroScreen 2.0 web site. 15 An online mapping application shows CalEnviroScreen 2.0 scores for all census tracts across the

 $<sup>\</sup>frac{13}{1}$  *Id.* at p. 5.

http://oehha.maps.arcgis.com/apps/MapJournal/index.html?appid=4b03ebe3789a445b90cb166dbbabf821 &webmap=279ecb0d5c7d470496d116a6ab6586c0

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state, and allows users to search the scores on the scale of individual census tracts. The information is also available in a Microsoft Excel spreadsheet format showing raw data and calculated percentiles for individual indicators, and combined CalEnviroScreen 2.0 scores for individual census tracts with additional demographic information. <sup>16</sup>

#### C. Use of CalEnviroScreen 2.0 in Legislative Programs & Activities.

Cal/EPA has used CalEnviroScreen 2.0 to implement state legislation. For example, CalEnviroScreen 2.0 is being utilized to help inform CalEPA's identification of disadvantaged communities pursuant to SB 535, <sup>17</sup> which requires "that 25 percent of the proceeds from the state's cap-and-trade auctions be invested in projects that benefit disadvantaged communities, including 10 percent for projects located within these areas." <sup>18</sup> Because CalEnviroScreen has been developed to identify areas that are "disproportionately affected by pollution and those areas whose populations are socioeconomically disadvantaged," CalEPA has relied on CalEnviroScreen to meet SB 535 requirements.<sup>19</sup>

The Commission recognized in its SB 43 proceeding that CalEnviroScreen is a reliable tool when it found that it should be used to identify disadvantaged communities. <sup>20</sup> SB 43 uses the term "disadvantaged communities," and defines it to mean vulnerable communities disproportionately affected by "environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation" and "areas with socioeconomic vulnerability."<sup>21</sup> SB 43 states that the communities shall be identified by census tract, and that the communities shall be the most impacted 20 percent.<sup>22</sup> In its decision adopting

<sup>&</sup>lt;sup>16</sup> Available at: http://oehha.ca.gov/ej/ces2.html

Cal. EPA, Designation of Disadvantaged Communities Pursuant to Senate Bill 535 (De León) (Oct. 2014), available at http://www.calepa.ca.gov/EnvJustice/GHGInvest/Documents/SB535DesCom.pdf. 18 OEHHA, CalEPA Finalizes Major Update to Environmental Health Screening Tool CalEnviroScreen 2.0 to Help Direct Investments to Disadvantaged Communities, Press Release (Aug. 14, 2014), available at http://oehha.ca.gov/public\_info/press/ces2pressrelease2014.html (hereinafter "CalEnviroScreen Press

Release"). Cal. EPA, Designation of Disadvantaged Communities Pursuant to Senate Bill 535 (De León) (Oct. 2014), p. 1, *available at* 

http://www.calepa.ca.gov/EnvJustice/GHGInvest/Documents/SB535DesCom.pdf.

D.15-01-051, pp. 53-54.

Cal. Senate Bill 43, Ch. 413, Cal. Pub. Util. Code § 2833 (1)(A) (emphasis added) (hereinafter "SB

the use of CalEnviroScreen 2.0 to identify the most disadvantaged communities for the purpose of directing renewable projects to these communities, the Commission explained that:

First, as required by SB 43, CalEnviroScreen was developed by CalEPA. Second, although CalEnviroScreen was originally implemented for allocation of greenhouse gas (GHG) funds, SB 535 and SB 43 cite almost identical factors to be used in identifying target locations. Third, CalEnviroScreen is committed to continuing to update and refine its methodology. Fourth, CalEnviroScreen will provide a consistent state-wide screening methodology.<sup>23</sup>

Accordingly, CalEnviroScreen 2.0 is the preeminent CI screening tool used to identify communities in California experiencing environmental injustice.

# III. OXNARD IS IDENTIFIED AS A VULNERABLE, ENVIRONMENTALLY BURDENED COMMUNITY.

I reviewed searches of CalEnviroScreen 2.0's online mapping of census tracts within Oxnard and the Moorpark Subarea, in order to determine assigned combined scores of areas pertinent to this matter, as well as scores for individual indicators and racial characteristics. I also reviewed searches of CalEnviroScreen 2.0's findings reflected in OEHHA's Microsoft Excel spreadsheet format showing raw data and percentiles for individual indicators, combined CalEnviroScreen 2.0 scores for individual census tracts, and additional demographic information. These findings are discussed below and shown attachments attached hereto.

A. Oxnard has multiple census tracks within the top 10% most environmentally burdened communities in the state.

CalEnviroScreen indicates that Oxnard has multiple census tracks with a CalEnviroScreen 2.0 score within the 90<sup>th</sup> percentile. *See* Attach. 3 (CalEnviroScreen 2.0 map, Oxnard area); Attach. 4 (CalEnviroScreen 2.0 Excel Spreadsheet). These areas within Oxnard are thus subjected to the highest ranked environmental pollution burdens. One such census tract's western border is on Oxnard Blvd. and 5<sup>th</sup> Street, *see* Attach. 3, which is only 4.7 miles from NRG's existing Mandalay Generating Station and Southern California Edison's proposed site for a new 262 MW natural gas power plant ("the Mandalay Power Plants"), *see* Attach. 5 (Google directions map). Oxnard also has a census tract, number 6111004902, inhabited by at

<sup>&</sup>lt;sup>23</sup> D.15-01-051, pp. 53-54 (internal citations omitted).

least 5.091 people, with a score of 96-100%, the highest possible score. See Attach. 6 1 2 3 4

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(CalEnviroScreen 2.0 map highlighting Oxnard census tract # 6111004902). This area's western border is Rose Ave., and its southern border is 5<sup>th</sup> Street. See id. This top 5<sup>th</sup> percentile census tract lies only 5.7 miles from the Mandalay Power Plants. See Attach. 7 (Google directions map).

No other city within the Moorpark Sub-area suffers from the burdens faced by Oxnard's residents, as not even one census tract of those other cities score within the 90<sup>th</sup> percentile. See Attach. 8 (CalEnviroScreen 2.0 map of Moorpark sub-area region).

Oxnard ranks within CalEnviroScreen's top 20% most environmentally burdened cities in the State.

CalEnviroScreen shows that the City of Oxnard ranks within CalEnviroScreen 2.0's top 80<sup>th</sup> percentile. See Attach. 1 (CalEnviroScreen 2.0 Most Vulnerable Census Tracts map. Oxnard area). This means that Oxnard's pollution burdens, and its population's vulnerability to the pollutants' effects, are higher than 80 percent of all other communities in the State. At least 24.392 Oxnard residents live within the five census tracts ranking in top 80<sup>th</sup> percentile. See Attach. 4 (CalEnviroScreen 2.0 Excel Spreadsheet listing results for census tracts in Oxnard). The western-most 80<sup>th</sup> percentile-ranking tract has a western border of Oxnard Blvd., and intersects with 5<sup>th</sup> Street, see Ex. 1, which again, is only 4.7 miles from the Mandalay Power Plants, see Attach, 5 (Google directions map). The eastern-most 80<sup>th</sup> percentile-ranking tract has a western border of Rice Ave., and northern border of 5<sup>th</sup> Street, see Attach. 9 (CalEnviroScreen 2.0 map, highlighting Census Tract # 6111004704), which is 6.7 miles from the Mandalay Power Plants, see Attach. 10 (Google map).

No other community within the Moorpark Subarea falls within the top 80<sup>th</sup> percentile. See Attach. 2 (CalEnviroScreen 2.0 Most Vulnerable Census Tracts map, Moorpark Sub-area region).<sup>24</sup>

<sup>&</sup>lt;sup>24</sup> Compare Attachment 2 with TESTIMONY OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) ON THE RESULTS OF ITS 2013 LOCAL CAPACITY REQUIREMENTS REQUEST FOR OFFERS (LCR RFO) FOR THE MOORPARK SUB-AREA, PUBLIC VERSION, November 26, 2014, at 5-6 (describing and including map of Moorpark Sub-area).

# C. Oxnard has a census tract ranking in the 76<sup>th</sup> to 80<sup>th</sup> percentile range.

Oxnard census tract number 6111004503, with at least 4,387 residents, ranks in the 76<sup>th</sup>-80<sup>th</sup> percentile range. *See* Attach. 11 (CalEnviroScreen 2.0 map, highlighting Census Tract # 6111004503). The western border of this tract is Saviers Road, and the northern border is W. Pleasant Valley Road. *See id.* This bordering corner is only 7.0 miles in distance from the Mandalay Power Plants. *See* Attach. 12 (Google map).

# D. Oxnard has several census tracts ranking in the 71<sup>st</sup> to 76<sup>th</sup> percentile range. At least 23,640 Oxnard residents live within census tracts scoring in the 71<sup>st</sup> to 76<sup>th</sup> percentile range, thus falling within the top 30% most burdened communities in the State. *See* Attach. 4. The westernmost tract within this range is census tract number 6111004304, and its northwest corner is at S. Victoria Ave. and W. Hemlock Rd. *See* Attach. 13 (CalEnviroScreen 2.0 map, highlighting Census Tract # 6111004304). This bordering corner is only 3.5 miles from the Mandalay Power Plants. *See* Attach. 14 (Google map).

# E. Oxnard's communities are heavily burden by poverty, and language and educational barriers.

All together, at least 52,419 residents live in Oxnard communities ranked in the top 30% by CalEnviroScreen 2.0. *See* Attach. 15 (Summary of Data from CalEnvironScreen 2.0 for all census tracts in Oxnard ranking in at least the top 30%). An examination of these communities demonstrates that they are heavily burdened by poverty, pollution, and language and educational barriers that uniquely impede their meaningful participation in proceedings concerning new power generation facilities in and environment policies affecting their communities.<sup>25</sup>

The CalEnviroScreen 2.0 profile for the top 30% environmentally burdened communities in Oxnard communities includes: <sup>26</sup>

85% Latino population;

<sup>&</sup>lt;sup>25</sup> CalEnviroScreen 2.0, Raw Date Excel Spreadsheet, available at <a href="http://www.oehha.ca.gov/ej/ces2.html">http://www.oehha.ca.gov/ej/ces2.html</a>. See Attach. 15 (Summary of Data for CalEnviroScreen 2.0's results for top 70<sup>th</sup> percentile of Oxnard census tracts) & Exhs. 4 & 21 (CalEnviroScreen 2.0 Excel Spreadsheets).

- 29.03% linguistic isolation (percentage of households in which no one age 14 and over speaks English "very well" or speaks English only), placing these residents in the top 10% of linguistically isolated households;<sup>27</sup>
- 56.44 % percent of the population living below two times the federal poverty level, placing these residents in the top 20% of poverty stricken households;<sup>28</sup> and
- 46.5% of the population over 25 years of age with less than a high school education, placing these residents in the top 10-20% of California residents.<sup>29</sup>

# IV. THE MANDALAY POWER PLANTS ARE SURROUNDED BY AGRICULTURAL FIELDS WHERE 1,000 TO 3,000 FARM LABORERS WORK.

In addition to the number of disadvantaged communities living in close proximity to the Mandalay Power Plants, there are thousands of farm workers who *work* in even *closer* proximity to the plants.

The City of Oxnard is largely an agricultural city. According to a 2013 publication by the Oxnard Chamber of Commerce, agriculture is the largest industry job sector. A search in the U.S. Census Bureau's "Fact Finder" website for "industry by occupation" in Oxnard reveals that agriculture is the second largest job sector, only slightly below the educational, health care, and social assistance services sector. *See* Attach. 16. According to the U.S. Census Bureau, over 15,000 Oxnard residents are employed in the agricultural industry, with well over 90% in non-management, non-sales jobs. *See id*.

A Google map search shows that numerous agricultural fields surround the Mandalay Power Plants. *See* Attach. 17. The agricultural fields and their workers in closest proximity are less than half a mile away from the power plants. *See* Attach. 18. Of the body of fields immediately surrounding the power plants, those furthest out are only about four miles away. *See* Attach. 19. The U.S. Census Bureau provides an estimate of the number of agricultural

<sup>&</sup>lt;sup>27</sup> CalEnviroScreen Final Report, at 111 & 114.

<sup>&</sup>lt;sup>28</sup> *Id.* at 118.

<sup>&</sup>lt;sup>29</sup> *Id.* at 109

<sup>&</sup>lt;sup>30</sup> City of Oxnard Community Profile (October 2013), p. 13. Available at: http://www.cityofoxnard.org/uploads/oxnard%20community%20profile.pdf

1	workers who labor in these fields. <i>See</i> Attach. 20. This data is found in the Census Bureau's					
2	"On The Map" internet application, 31 accessed through a link on the Bureau's website for the					
3	Longitudinal Employer-Household Dynamics, <sup>32</sup> which is part of its Center for Economic					
4	Studies. A search in the Census Bureau's "On the Map" database reveals that between 1,000 and					
5	over 3,000 people labor in the agricultural fields surrounding the Mandalay Power Plants. <sup>33</sup>					
6						
7	DATED: April 8, 2015 By: /s/					
8	Amy Vanderwarker					
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25	31 Available at: http://onthemap.ces.census.gov. 32 Available at: http://lehd.ces.census.gov. 33 This search is conducted on http://onthemap.ces.census.gov by searching "Ventura County" in the Search field, and then selecting the link to "perform analysis of selection area." In the analysis settings					
26	Search field, and then selecting the link to perform analysis of selection area. In the analysis settings,					
27	select and run a search for "all workers," and then from the menu on the right side, select the industry sector of "Agriculture, Forestry, Fishing, and Hunting." Finally, use the zoom feature to view the data for					
•	the agricultural area surrounding the Mandalay Power Plants.					

# **ADDENDUM**

(Curriculum Vitae of Amy Vanderwarker)

# Amy Vanderwarker

1904 Franklin, Suite 600 510.302.0430 x 13 amy@caleja.org

# Work Experience

## California Environmental Justice Alliance

2010 - Present

Co-Coordinator

- Manager for Green Zones program, including facilitating campaign research, strategy development, administrative and legislative advocacy, community engagement
- Responsible for raising the annual organizational budget of approximately \$400,000
- Lead coordinator and author for annual Environmental Justice Scorecard
- Coordinate overall communications work, managing and drafting content for website, email blasts and advocacy petitions
- Co-facilitate overall legislative advocacy for the alliance
- Support organizational development activities such as Steering Committee meetings and Strategic Planning process
- Co-coordinate major organizational events such as annual Congreso

## **Nonprofit Consultant**

2008 - 2010

Writing, research, fund development and project management Partial list of clients:

- **Community Water Center**
- **Environmental Justice Coalition for Water**
- **Pacific Institute**
- Winnemem Wintu Tribe

#### **Environmental Justice Coalition for Water**

Outreach Manager

2004 - 2007

- Responsibilities included:
- Developing and maintaining coalition membership and outreach program
- Coordinating campaigns and activities with local community groups
- Coordinating strategic communications, including press events and public materials
- Developing workshops and presentations for community groups
- Policy analysis and related technical assistance for community groups
- Grant writing and monitoring program budget and fiscal commitments
- Development and oversight of EJCW Internship program
- Participating in and facilitating coalition-wide organizational development meetings, and monitoring program budget and fiscal commitments

## **Publications**

## "Central Valley Water Woes"

Race, Poverty and the Environment, Fall 2009.

#### "Environmental Justice and Water"

Pacific Institute, chapter in 21st Century Water Policy

"Flaring at the Chevron Refinery," "Access to Shoreline Open Space," and "Water Contamination in Creeks and Bays," in Measuring What Matters: Neighborhood Research for Economic and Environmental Health and Justice in Richmond, North Richmond, and San Pablo Pacific Institute, June 2009

# Amy Vanderwarker

1904 Franklin, Suite 600 510.302.0430 x 13 amy@caleja.org

"Water, Environmental Justice and Land Use Planning: Richmond, California" Progressive Planning Journal, Fall 2006

## Thirsty for Justice: A People's Blueprint for California Water

Principal co-author, Environmental Justice Coalition for Water, June 2005

## Community Engagement

## Co-founder, Eastlake United for Justice

2012 - Present

Helped start and facilitates neighborhood-based organization working for affordable housing, community safety and social justice in Oakland, CA

## President, Board of Directors, Community Water Center

2008 - Present

Board President for environmental justice and water nonprofit based in Visalia and Sacramento, CA (Board President since January 2014)

## Artist and Member, San Francisco Print Collective

2009 - Present

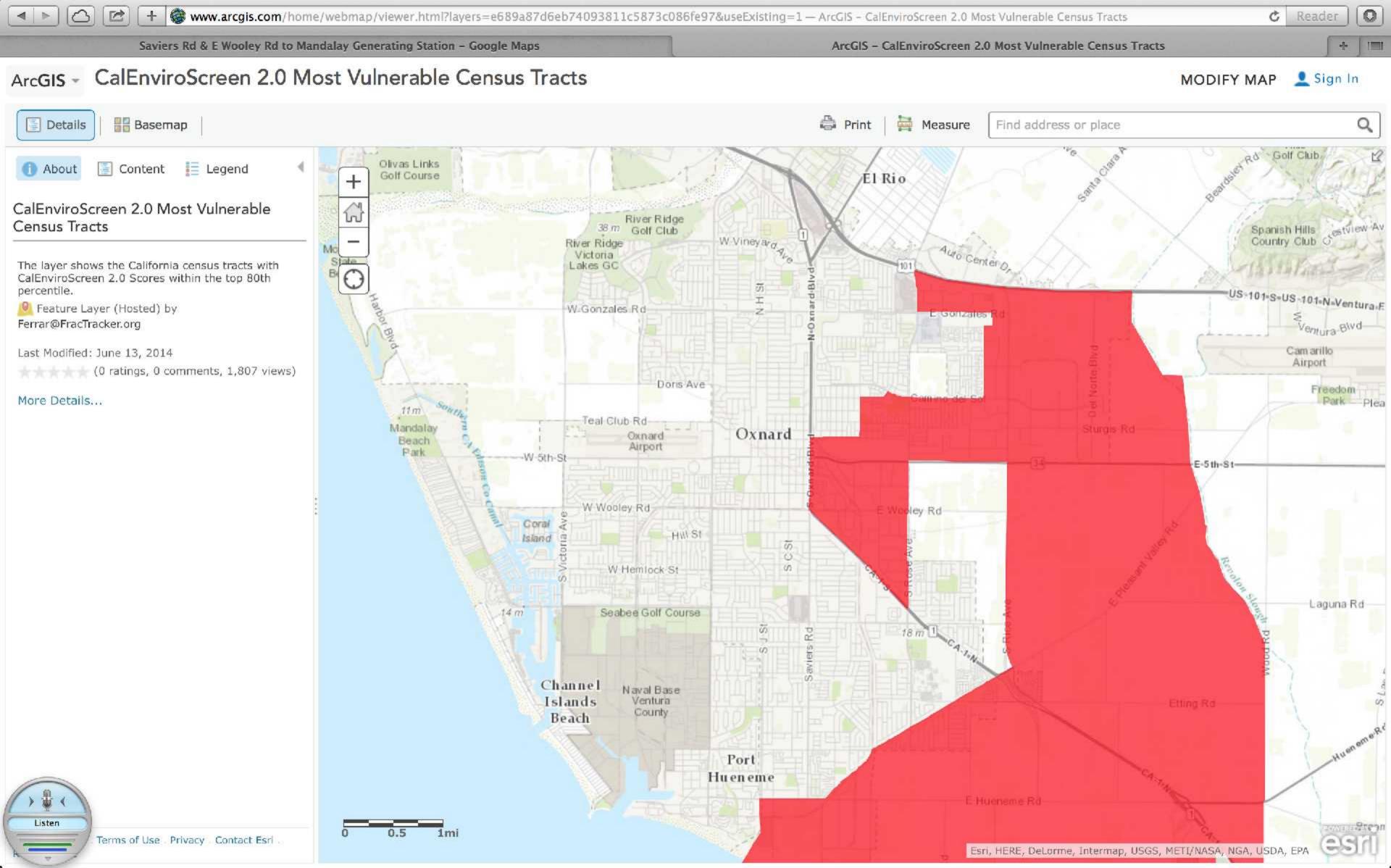
Silk screen artist and member of all volunteer collective that produces graphic art to support community-based campaigns for justice. Co-facilitated screenprinting workshops for organizers and activists and incarcerated people.

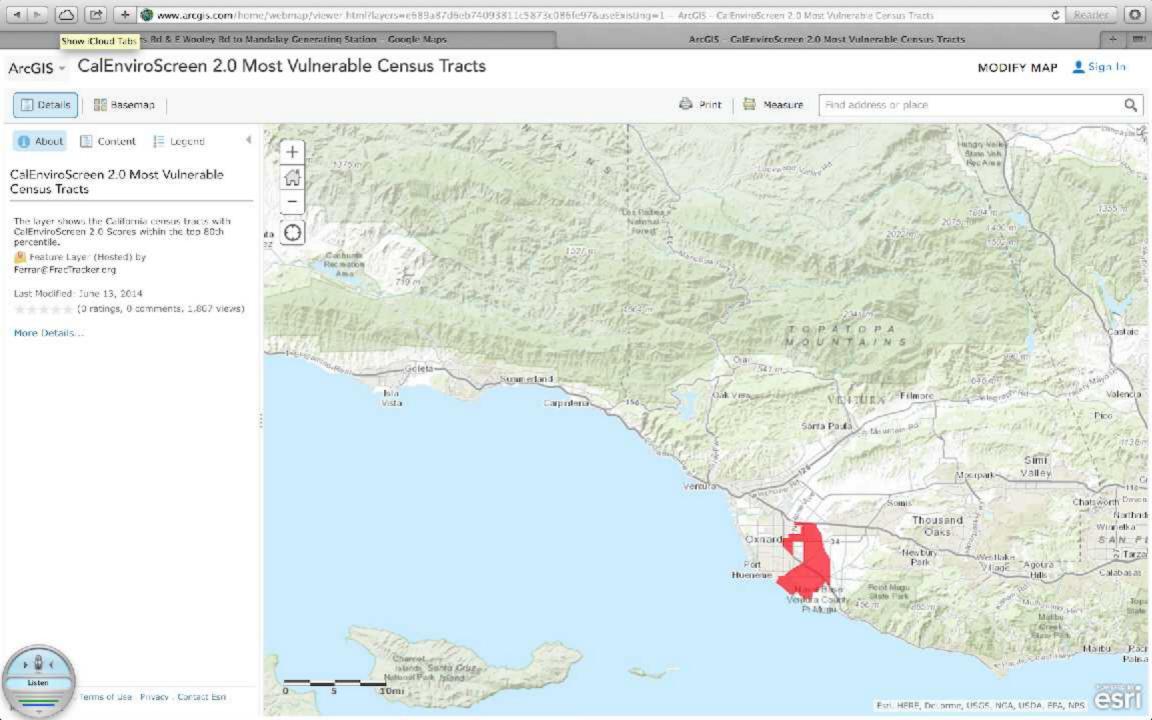
## Skills and education

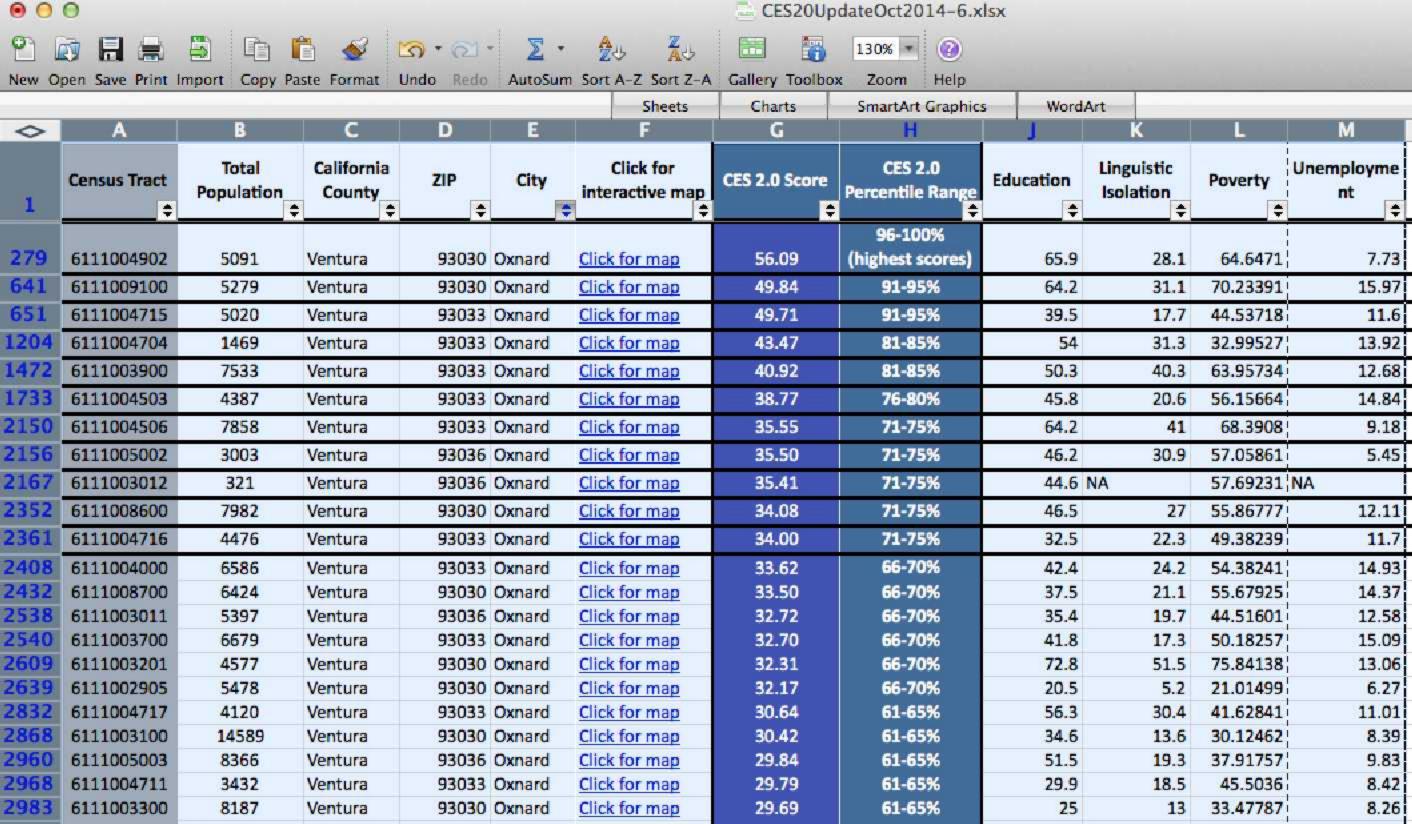
Proficient with Adobe Creative Suite, desktop publishing programs, and webbased Content Management Systems

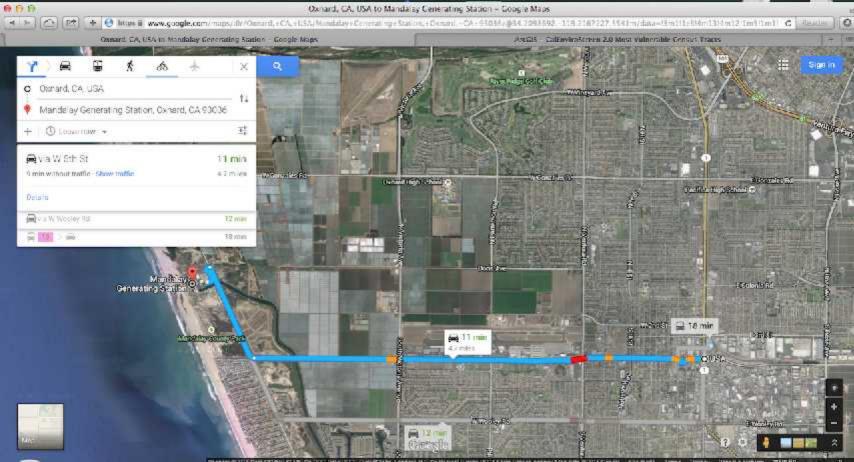
### University of California, Berkeley

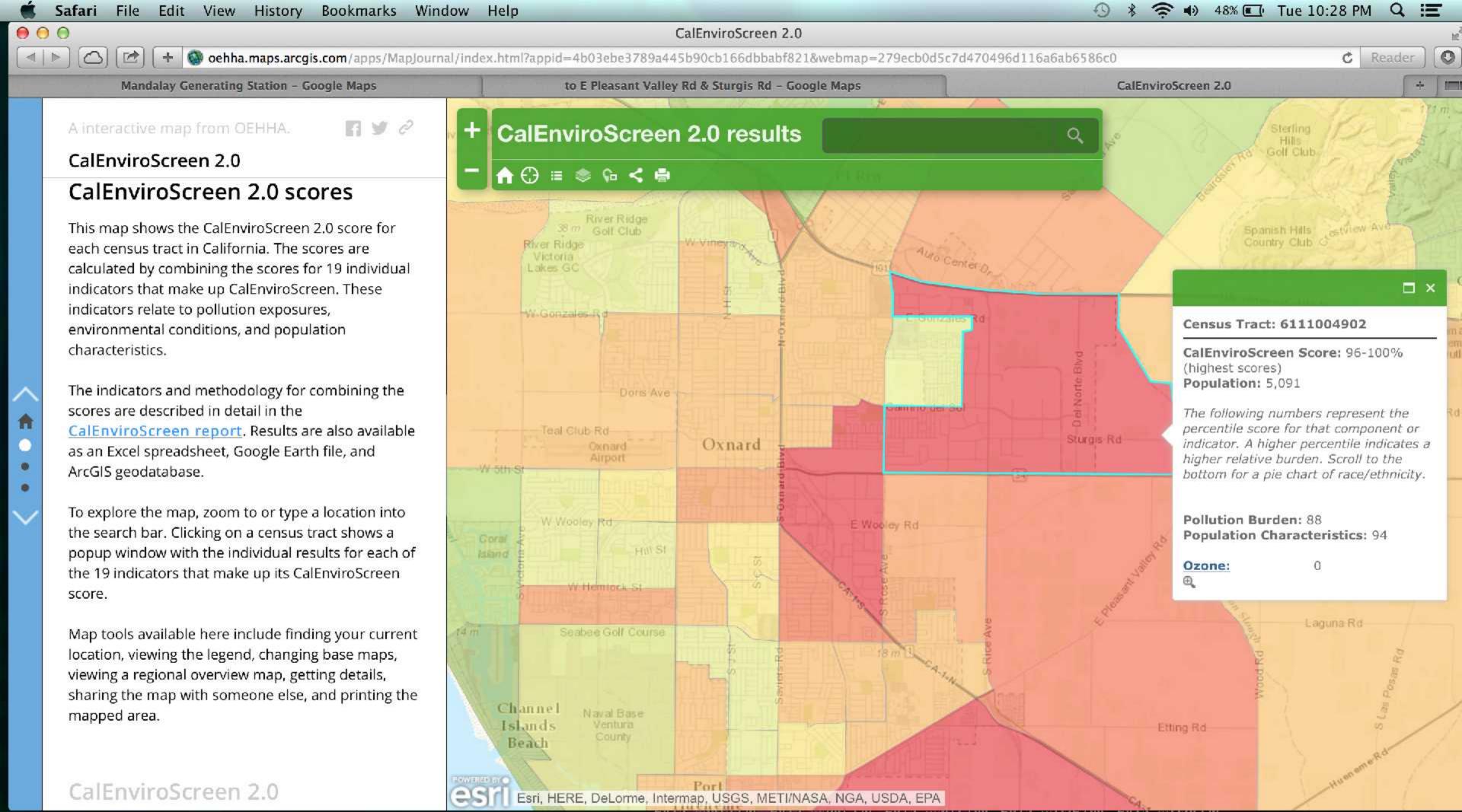
Graduated May 2003 with honors; Development Studies program; Minor in Geography

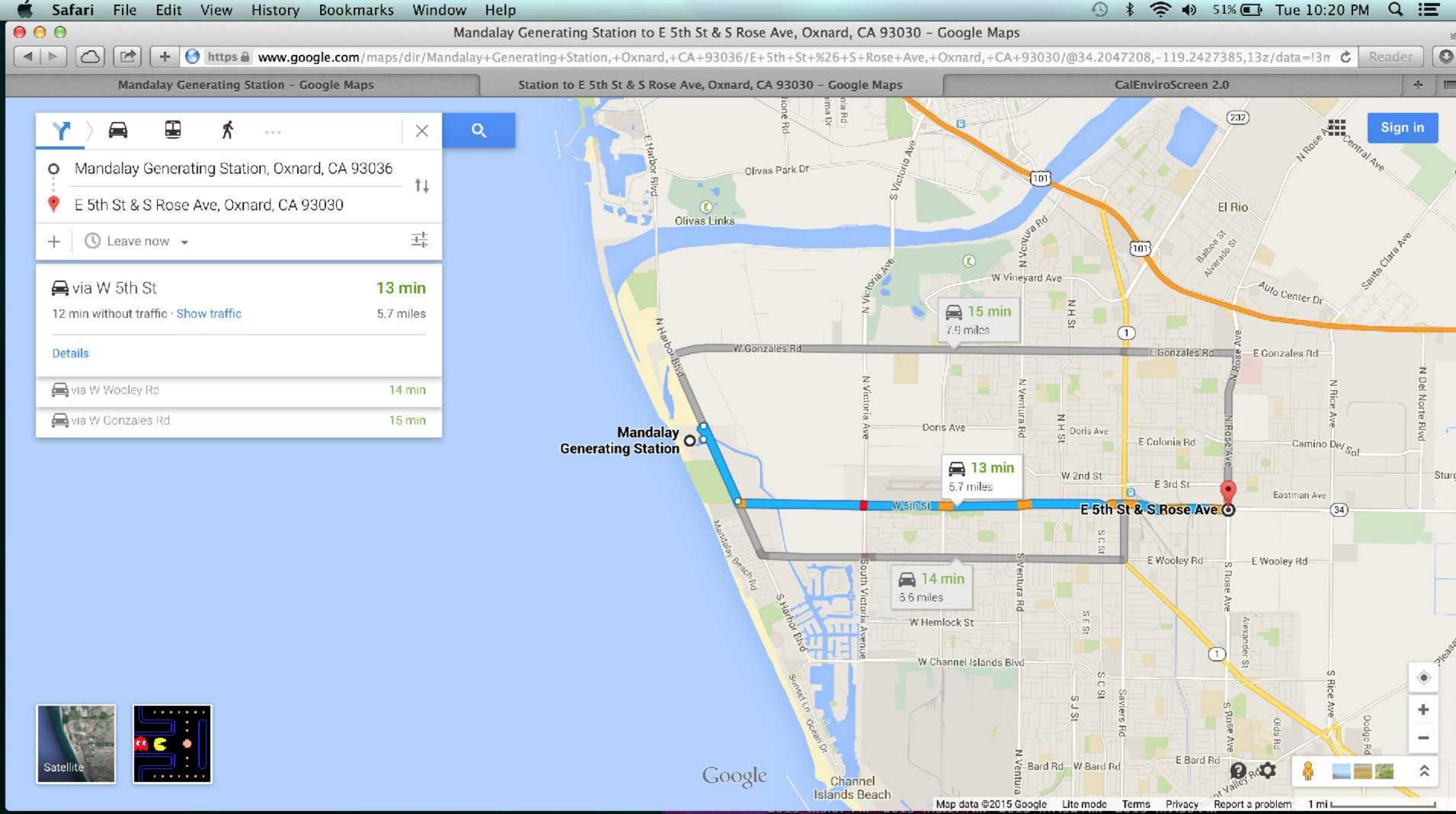


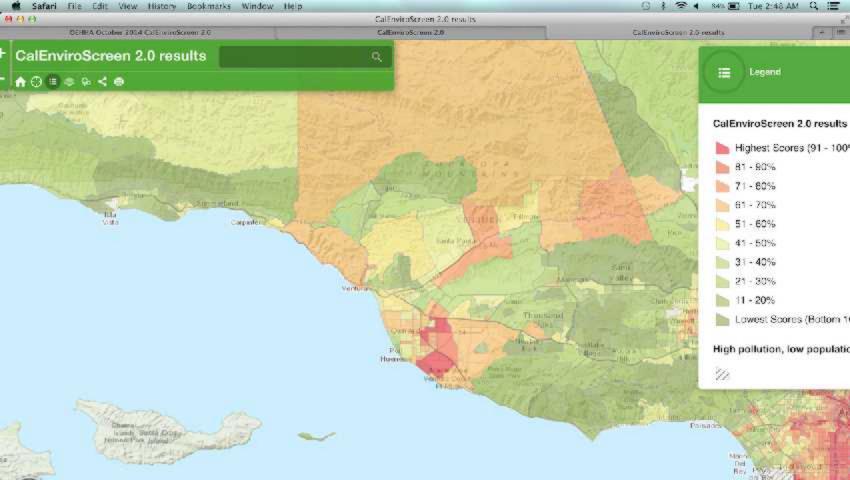


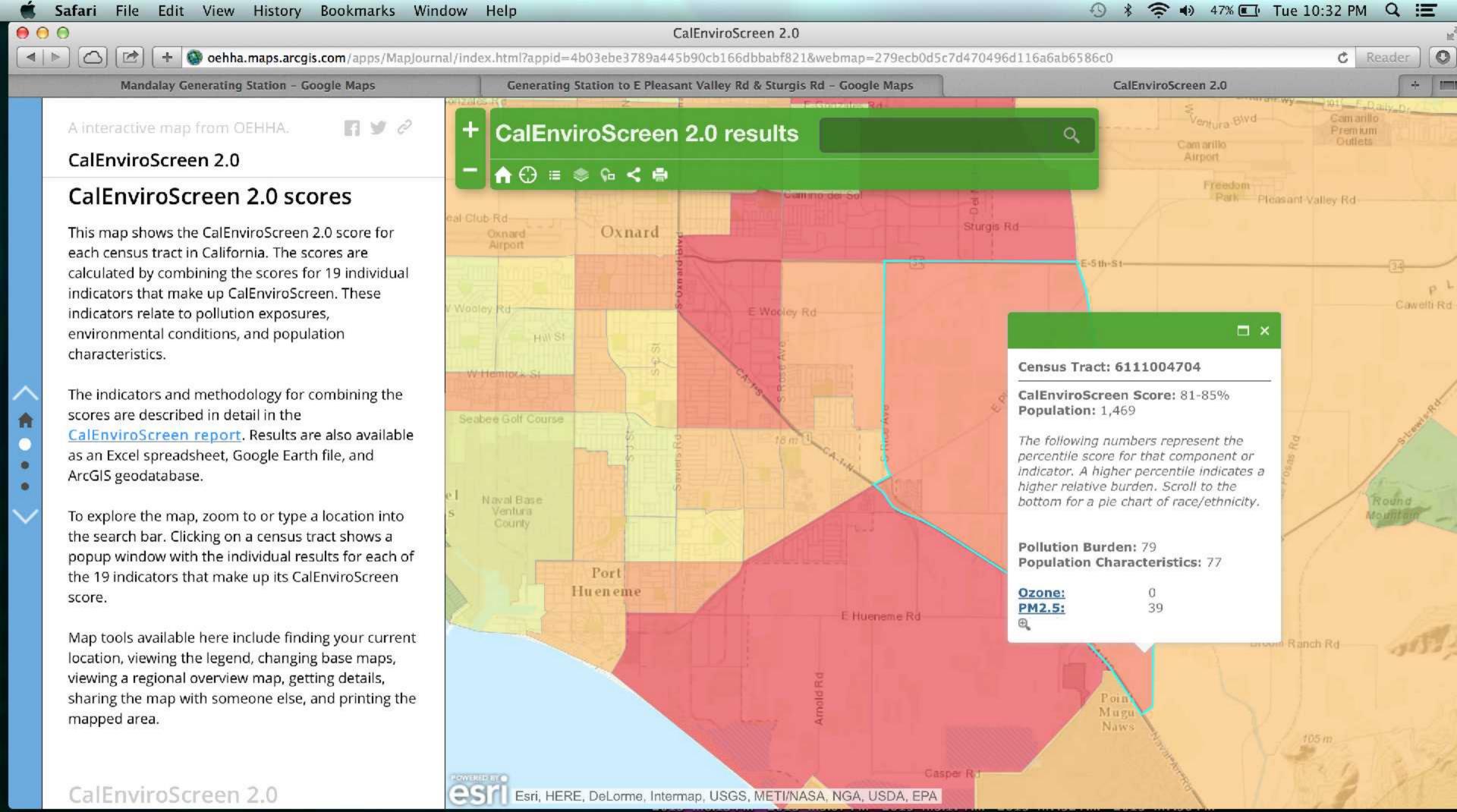


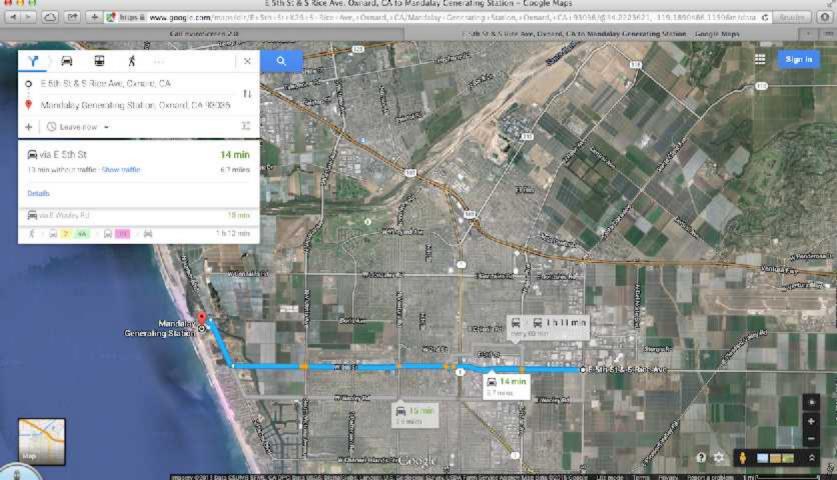














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A Interactive map from OEHHA.

#### B & 6

#### CalEnviroScreen 2.0

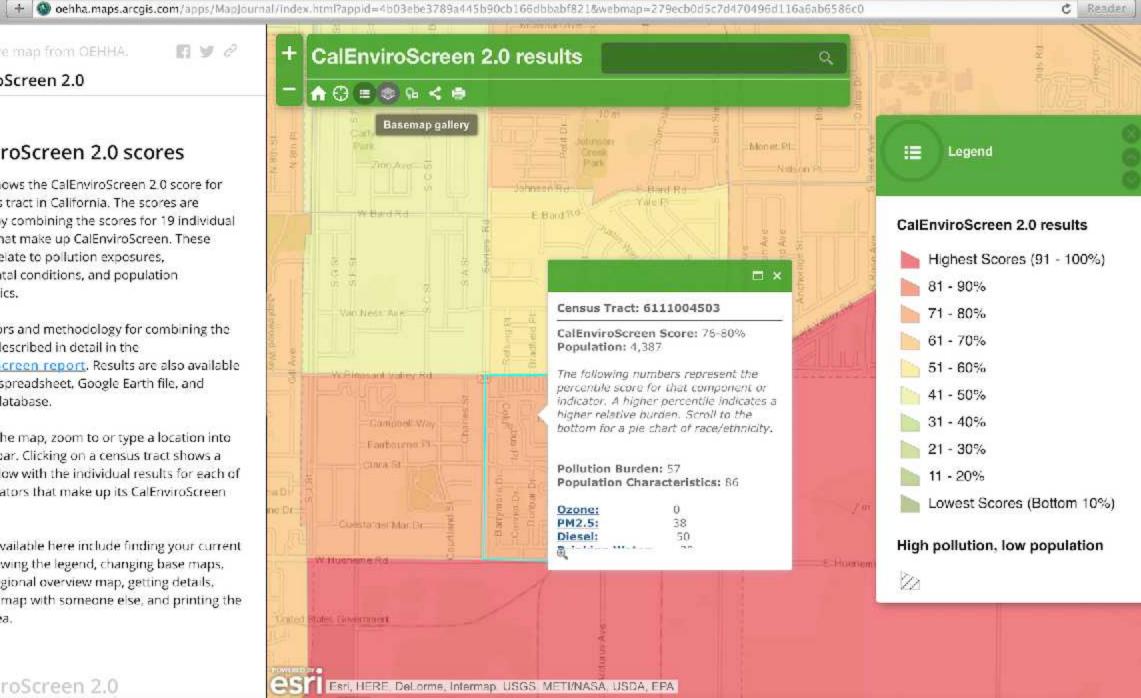
#### CalEnviroScreen 2.0 scores

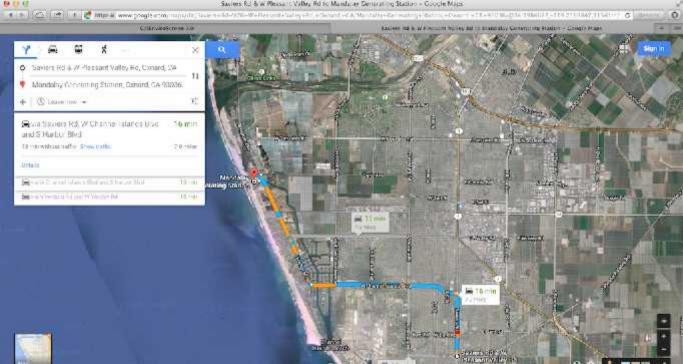
This map shows the CalEnviroScreen 2.0 score for each census tract in California. The scores are calculated by combining the scores for 19 individual indicators that make up CalEnviroScreen. These indicators relate to pollution exposures, environmental conditions, and population characteristics.

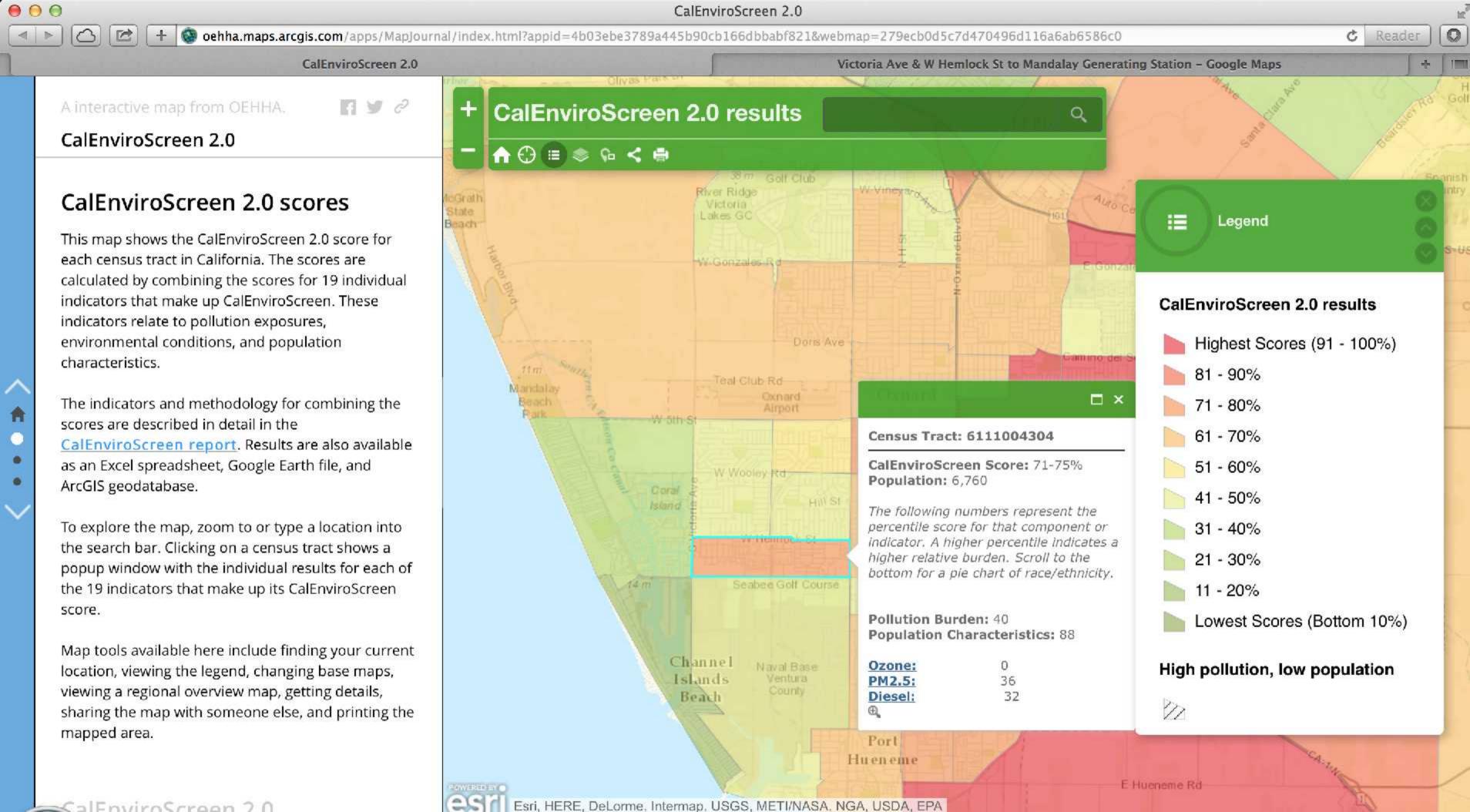
The indicators and methodology for combining the scores are described in detail in the CalEnviroScreen report. Results are also available as an Excel spreadsheet, Google Earth file, and ArcGIS geodatabase.

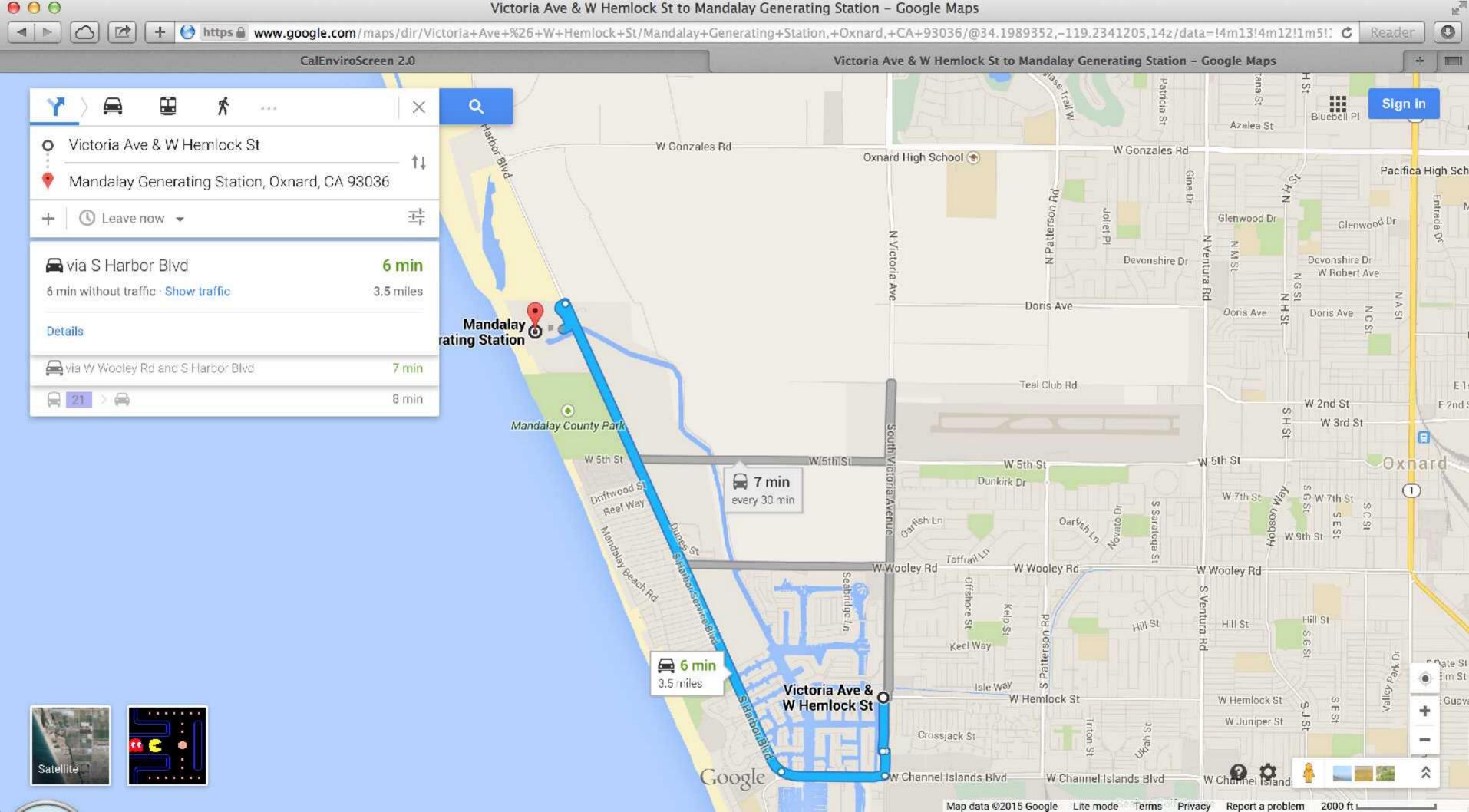
To explore the map, zoom to or type a location into the search bar. Clicking on a census tract shows a popup window with the individual results for each of the 19 indicators that make up its CalEnviroScreen score.

Map tools available here include finding your current location, viewing the legend, changing base maps, viewing a regional overview map, getting details. sharing the map with someone else, and printing the mapped area.









# Summary of Data From CalEnvironScreen 2.0 for All Census Tracts in Oxnard Ranking in the Top 70<sup>th</sup> Percentile.

Census Tract	Pop.	City	CES 2.0	Latino	White	Afr.	Nat.	As.	Other	Edu.	Ling.	Poverty
			Pctl.	%	%	Am.	Am.	Am.		%	Isol.	%
			Range			%	%	%			%	
6111004902	5091	Oxnard	96-100	95.8	1.5	1.2	0.1	0.9	0.5	65.9	28.1	64.64
6111009100	5279	Oxnard	91-95	93	3.6	2.1	0.1	8.0	0.4	64.2	31.1	70.23
6111004715	5020	Oxnard	91-95	73.6	12.4	3	0.2	8.9	1.9	39.5	17.7	44.53
6111004704	1469	Oxnard	81-85	82.3	13.7	1.2	0.1	1.3	1.5	54	31.3	32.99
6111003900	7533	Oxnard	81-85	88.8	5.5	8.0	0.3	4	0.7	50.3	40.3	63.95
6111004503	4387	Oxnard	76-80	79.1	5.6	2	0.1	11.7	1.4	45.8	20.6	56.15
6111004506	7858	Oxnard	71-75	88.6	4.1	1.1	0.2	5.2	0.9	64.2	41	68.39
6111005002	3003	Oxnard	71-75	89.9	8.7	0.2	0.3	0.5	0.4	46.2	30.9	57.05
6111003012	321	Oxnard	71-75	84.7	13.1	0	0.3	1.8	0	44.6	NA	57.69
6111008600	7982	Oxnard	71-75	82	9.9	2.9	0.3	3.8	1.1	46.5	27	55.86
6111004716	4476	Oxnard	71-75	80	6.6	1	0	11.3	1	32.5	22.3	49.38
Total or Avg.	52,419			85.2	6.6%	1.4		5.6		50.33	29.03	56.44

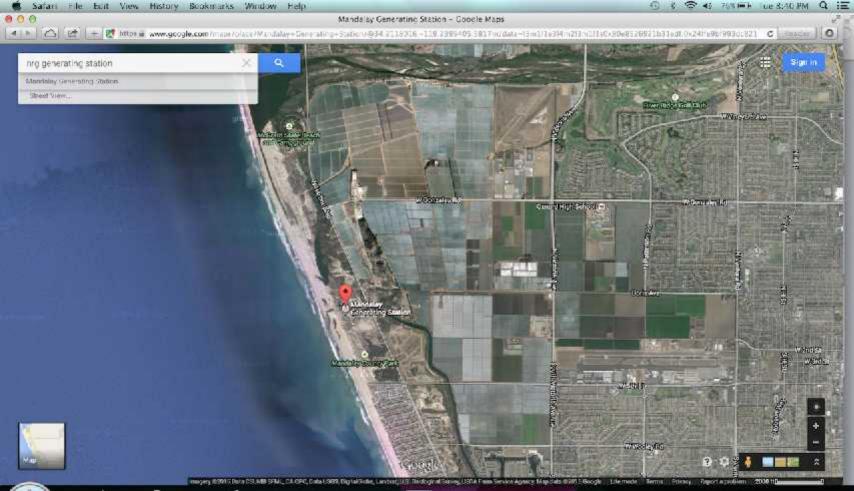


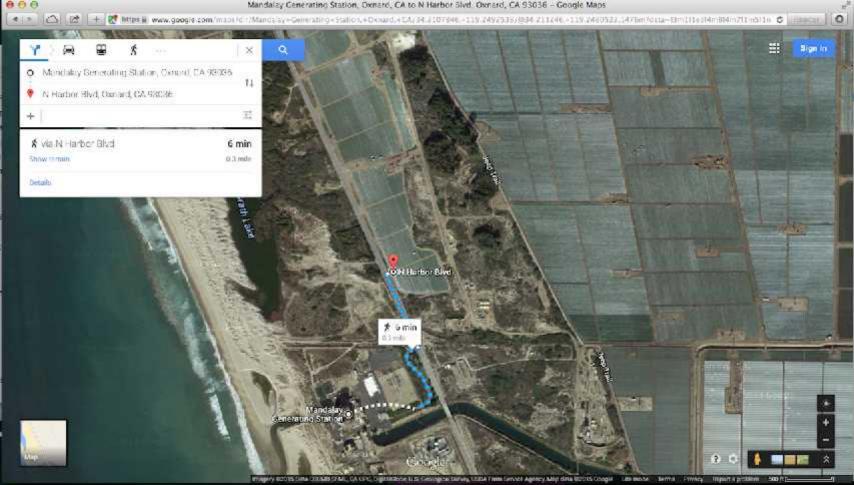
Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities and towns and estimates of housing units for states and counties.

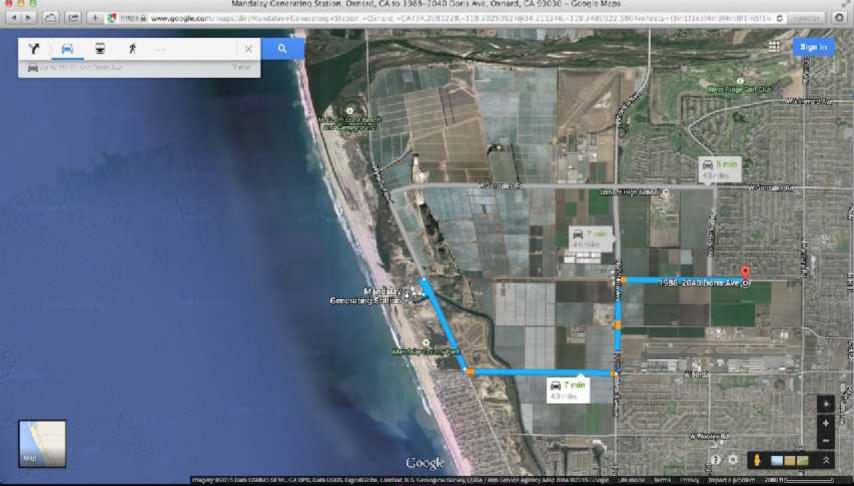
Versions of this table are available for the following years: 2013 2012 2011 2010 2009 200B 2007 2006 2005

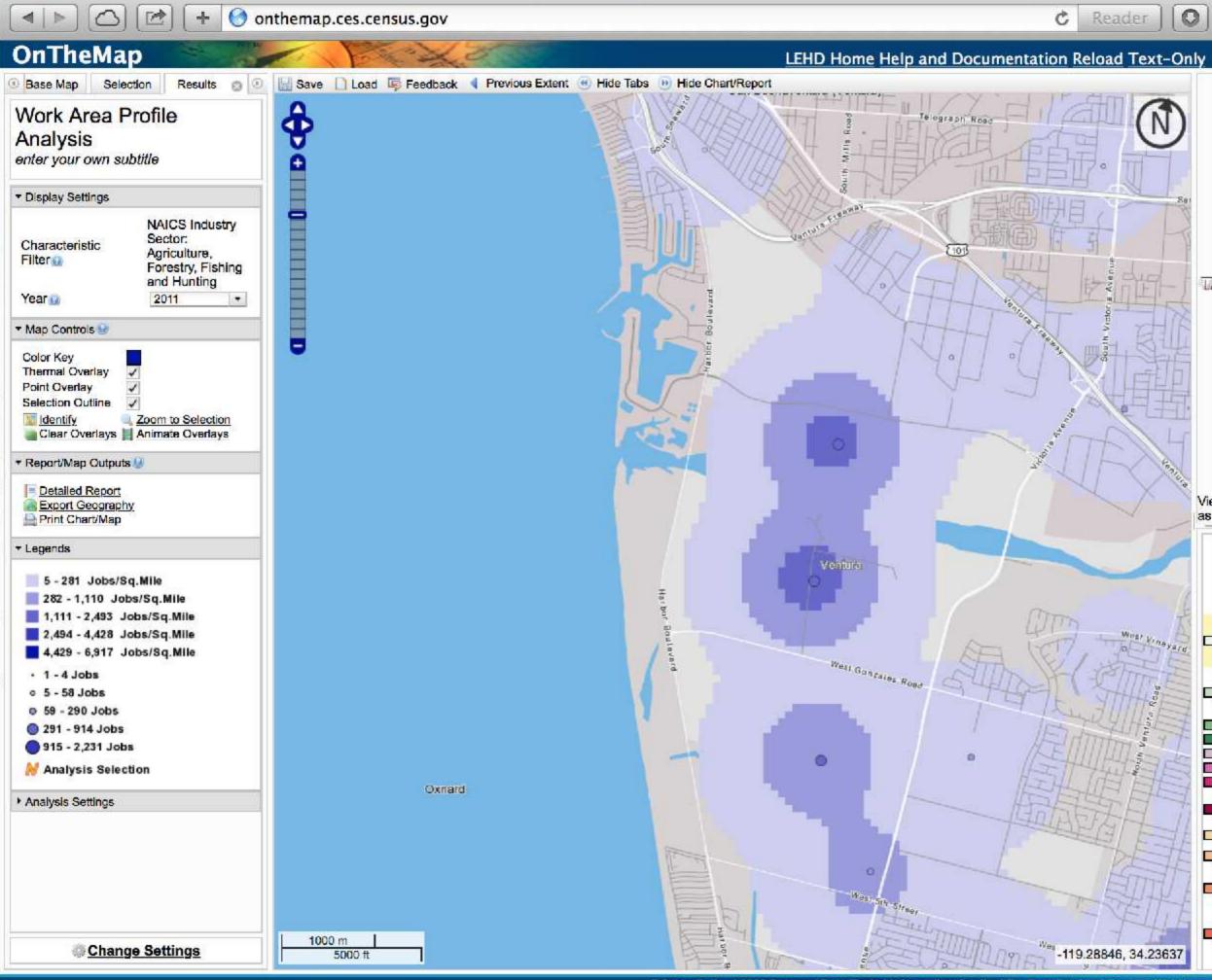
Oxnard city, California 1 Natural Production, 15 of 15 Management, resources, transportation, and material business, science, construction, and arts Service Sales and office and maintenance moving Total occupations occupations occupations occupations occupations Margin Margin Margin Margin Margin Margin of of of of of Subject Estimate of Error Estimate Error Estimate Error Estimate Error Estimate Estimate Error Error Civilian employed population 16 +/-4,018 19.8% +/-2.4 17.8% +/-2.5 21.4% +/-2.5 24.2% +/-3.6 16.7% +/-2.3 96.771 years and over Agriculture, forestry, fishing and +/-2.6 +/-3,192 1.9% 0.0% 0.5% +/-0.6 93.7% +/-3.2 15,079 +/-1.5 +/-1.1 3.9% hunting, and mining Construction 5,429 17-1,396 7.5% 7-5.5 7-2.0 7-5.082.2% 2.9% 1.2% Manufacturing 10,355 +/-1,783 13.5% +/-4.8 0.6% +/-1.0 11.2% +/-5.5 5.4% +/-3.8 69.2% +/-8.0 Wholesale trade 5,051 +/-1,335 5.1% +/-3.5 4.5% +/-4.0 35.5% +/-12.2 15.0% +/-8.2 39.8% +/-12.7 Retail trade 10,611 +/-1,840 7.9% +/-4.5 2.5% +/-1.9 73.7% +/-7.3 7.1% +/-5.5 8.8% +/-4.2 Transportation and 2,927 +/-846 11.3% +/-9.6 0.0% +/-5.6 27.0% +/-12.5 6.2% +/-6.0 55.6% +/-14.7 warehousing, and utilities +/-474 55.2% +/-26.7 1-16.4 +/-25.1 Information 944 0.0% 15.7% +/-17.4 24.2% 5.0% +/-8.3 Finance and insurance, and real 5,754 +/-1,493 37.4% +/-13.8 11.6% +/-8.4 49.0% +/-14. 2.1% +/-3.2 0.0% +/-2.9 estate and rental and leasing Professional, scientific, and management, and administrative 6.756 +/-1,525 27.7% +/-8.4 28.9% +/-9.8 24.6% +/-8.9 2.5% +/-2.2 16.2% +/-8.3 and waste management services Educational services, and health 15,206 +/-1,734 51.4% +/-5.6 +/-6.4 34.1% 9.7% +/-3.7 1.7% +/-1.8 3.1% +/-1.8 care and social assistance Arts, entertainment, and recreation, and accommodation 8.448 +/-1,809 12.0% +/-6.7 61.6% +/-9.8 11.2% +/-5.4 2.2% +/-3.6 12.9% +/-7.6 and food services Other services, except public +/-1,061 6.6% +/-5.0 45.3% +/-13.3 9.9% +/-6.9 20.9% +/-9.6 +/-8.5 5,289 17.3% administration Public administration 4.922 +/-1,068 39.2% +1-9.7 23.9% +/-10.0 24.5% +/-10.2 10.6% +/-7.1 1.8% +/-2.9 PERCENT IMPUTED 8.9% (X) (X) (X) (X) (X) Industry (X) (X) (X) (X) (X) (X)

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OnTheMap

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