

Development Services

Planning Division

214 South C Street
Oxnard, California 93030
(805) 385-7858
Fax (805) 385-7417

September 11, 2014



VIA ELECTRONIC SUBMISSION

**Arsenio Mataka, Assistant Secretary
Office of Environmental Health Hazard Assessment
California Environmental Protection Agency (CalEPA)**

**Shelby Livingston and Matthew Botill
California Air Resources Board (ARB)**

**RE: Identification of Disadvantaged Communities for Administering Greenhouse Gas (GHG)
Reduction Fund Monies pursuant to Implementing SB 535, Cap & Trade.**

Dear CalEPA and ARB Staff:

Thank you for providing an opportunity for local jurisdictions to comment on approaches to identifying Disadvantaged Communities (DC) pursuant to implementing SB 535. The City of Oxnard, population 203,000, is largely surrounded by year-round agricultural production and is home to a farmworker and blue-collar population of low and modest incomes.

The CalEnvironScreen v. 2.0 list of DC census tracts identifies one five Oxnard tract above the 95 percentile screen, two tracts between 91 and 95 percent, and two between 81 and 85 percent. The City supports using the CalEnvironScreen v. 2.0, Method 4, that incorporates both pollution burden and population characteristics. As an alternative, the City supports Methods 1 and 2.

Do the proposed selection methods include recognition of EPA Superfund sites, closed landfills, and large power generation facilities, especially an overconcentration of these type of historic sources of pollution in minority communities, i.e. an historic environmental justice situation? Oxnard has one EPA Superfund site that needs significant funding to fully remediate (Halaco), two once-through cooling (OTC) power plants (NRG Mandalay and NRG Ormond Beach) that may cease operations but may not be removed, and two closed regional landfills.

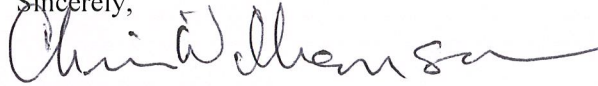
While it is likely emissions from the two NRG power plants are incorporated into the CalEnvironScreen methodology, it is not likely the Halaco site, which is capped and inactive, and the two closed landfills, both of which are capped and have ongoing methane capture systems, and factored into the CalEnvironScreen methodology. Removal of the 26-acre Halaco slag pile with over 700,000 cubic yards of waste is a priority of the City, our State Representative and Senator, and U.S. Senator Feinstein. The Cap & Trade funds may be a source of funding, either through the DC set-aside or another funding category.

In a similar manner, the two NRG OTC power plants are likely to cease operations at the end of 2020 and, potentially, remain in place as "gigantic beach eyesores" that could be at risk of damage from storm events and sea-level rise. The City, and other jurisdictions with similar OTC coastal power plants, may

need funding assistance should the private energy companies somehow abandon the OTC facilities in the future.

Please feel free to contact me regarding this comment letter at (805) 385-7868, or by e-mail at chris.williamson@ci.oxnard.ca.us.

Sincerely,

A handwritten signature in cursive script that reads "Chris Williamson".

Christopher Williamson, AICP
Acting Planning Manager

cc: Honorable Mayor and Members of City Council
Greg Nyhoff, City Manager
Stephen M. Fischer, Interim City Attorney
Matthew Winegar, Development Services Director
Ashley Golden, Interim Planning Manager