

**From:** ericchristen [REDACTED]  
**Subject:** Re: Agenda Item #331 for Today's Meeting  
**Date:** March 7, 2017 at 10:12 AM  
**To:** district1@co.monterey.ca.us, district2@co.monterey.ca.us, district3@co.monterey.ca.us, district4@co.monterey.ca.us, district5@co.monterey.ca.us, COB@co.monterey.ca.us, baumanl@co.monterey.ca.us

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March 7, 2017

Board of Supervisors  
Monterey County  
PO Box 1728  
Salinas CA 93902

**Re: Agenda Item #31 for March 7, 2017 Meeting - Adoption of Ordinance of Community Choice Aggregation Program**

Dear Monterey County Supervisors:

There is still a lack of recognition in materials provided to you that Monterey County participation in Monterey Bay Community Power (MBCP) could ironically end up increasing greenhouse gas emissions, thus harming the environment. The staff report states that "the MBCP proposal could increase the use of clean-source energy in Monterey County, promoting sustainability and a healthier environment." But if the MBCP initially chooses to purchase electricity from outside sources free of nuclear and hydroelectric power generation over 30 megawatts (major sources of generation for Pacific Gas & Electric), the electricity purchase may include generation sources that produce greenhouse gases in a greater amount than PG&E.

Monterey County needs to prepare a full Environmental Impact Report that evaluates and informs the public of this reality. There needs to be environmental review that binds the MBCP Policy board into making decisions that actually benefit the environment. See the letter below to you dated February 13, 2017 that cites reasons for this need.

Sincerely,

Eric Christen  
California Alliance for a Cleaner Tomorrow, Inc. (CACTI)  
P.O. Box 1627  
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(858) 382-2197



February 13, 2017

Board of Supervisors  
Monterey County  
PO Box 1728  
Salinas CA 93902

**Re: Agenda Item #18 for February 14, 2017 Meeting - provide direction to staff to prepare an Environmental Impact Report, as required by CEQA, for joining Monterey Bay Community Power**

Dear Monterey County Supervisors:

One of the directions you need to provide to your staff at your February 14, 2017 meeting is to initiate preparation of a full Environmental Impact Report (EIR) to review, identify, and mitigate environmental harm resulting from the county joining Monterey Bay Community Power. Your decision to join could result in as many as 90% of unincorporated county electric customers switching their electricity sources from Pacific Gas & Electric (PG&E) to Monterey Bay Community Power. Monterey Bay Community Power is a new community choice aggregation program that will purchase electricity from other sources likely to be less clean than PG&E sources.

The leading authority on the negative environmental impacts of community choice aggregation is the International Brotherhood of Electrical Workers. The IBEW has submitted letters to various local governments informing them that the decision of a local government to join a community choice aggregation program triggers full environmental review under the California Environmental Quality Act (CEQA). These letters were prepared for the IBEW by the law firm of Adams, Broadwell, Joseph & Cardozo.

Some of you are familiar with the law firm of Adams, Broadwell, Joseph & Cardozo. This firm submitted comprehensive comments in 2015 on behalf of construction trade unions objecting to Monterey County's environmental review of the proposed California Flats solar project. These objections led to unexpected delays and costs for further review. (The objections faded away after the Board of Supervisors approved the Final Environmental Impact Report, for reasons not provided to the public.)

Joining Monterey Bay Community Power will shift the County's electricity demand away from PG&E to another energy supplier. A June 4, 2014 letter on behalf of the IBEW to Napa County states the following concern about Napa County joining Marin Clean Energy (MCE):

Thus, it does not matter that the "present amount" of electricity consumed by the County may not increase after the County joins MCE. The point is that the sources of the County's electricity supply will change and so will the location of air pollutants that are emitted when the electricity is generated. Again, changing the source of the County's electricity supply is the very purpose of joining a CCA.

Thus, joining MCE is an "activity which may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment." The

environment, or a reasonably foreseeable indirect physical change in the environment. The Board may not approve this action until it complies with CEQA.

The letter makes these additional points:

The very purpose of joining a CCA program is to change the resource portfolio serving customers in the jurisdiction. Indeed, Staff assumes that shifting the County's load away from PG&E and to MCE would be marginally beneficial for the environment. However, the analyses and documentation that we included in our May 14th letter points to the opposite conclusion.

It concludes with the following demand:

The Board's decision to join the MCE CCA is subject to CEQA. We object to the Board approving joining the MCE CCA program without first certifying an EIR and respectfully request that the Board direct Staff to conduct an environmental analysis before the Board approves this action.

The IBEW has been consistent in its perspective regarding environmental review. According to the minutes of the August 13, 2013 meeting of the San Francisco Public Utilities Commission, an Adams, Broadwell, Joseph & Cardozo lawyer representing the IBEW "addressed the City's environmental compliance obligations, and stated that the project is subject to CEQA and recommends that no passage occur until an EIR is prepared."

Our organization is researching and compiling the specific arguments of the IBEW asserting that joining a community choice aggregation joint powers authority requires a full environmental impact report under the California Environmental Quality Act (CEQA). We do not understand why a representative of the IBEW is making presentations to various local governments (including the Monterey County Board of Supervisors) in support of Monterey Bay Community Power without also referring to the IBEW's compelling argument elsewhere for full environmental review. We feel that arguments need to be consistent for all community choice aggregation programs and want to see the same due diligence for Monterey Bay Community Power that the IBEW demanded for CleanPowerSF and Marin Clean Energy.

We also note that construction trade unions and their attorneys have identified deficiencies in the environmental reviews performed by community choice aggregation programs for individual proposed solar photovoltaic projects. One example is the Marin Clean Energy Richmond Solar PV Project. As extensively argued in comment letters submitted by the law firm of Adams, Broadwell, Joseph & Cardozo on behalf of California Unions for Reliable Energy (CURE), the Richmond Solar PV Project had "potentially significant impacts" that needed to be identified and mitigated.

Compliance with the California Environmental Quality Act (CEQA) is essential for a proposal as significant as joining Monterey Bay Community Power. If groups as committed to environmentalism as the International Brotherhood of Electrical Workers (IBEW) and California Unions for Reliable Energy (CURE) are worried about the environmental impact of switching electric customers from PG&E to a community choice aggregation program, you should be too.

CACTI will send you documentation about the environmental dangers of community choice aggregation as we collect and compile them. We recommend that the Monterey County Board of Supervisors direct staff to initiate preparation for a full environmental impact report. This essential step must be completed before the Board of Supervisors proceeds with a vote.

Sincerely,

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