

<b>DOCKET</b>	
<b>09-AFC-3</b>	
DATE	JAN 21 2011
RECD.	JAN 21 2011

State of California  
State Energy Resources Conservation and Development Commission

In the Matter of:	)	Docket # 09-AFC-03
	)	
Mariposa Energy Project	)	
	)	Jass Singh's Rebuttal Testimony
	)	Environmental Justice for Racial Minorities

**Environmental Justice for Racial Minorities of Mountain House**

**Federal laws, guidelines & policies:**

- EPA's 1998 EJ Guidance (provides details and guidance for implementing the federal EJ program)
- Executive Order #12898 of 1994 (established the federal EJ program)
- US Constitution (equal protection) Title VI of the 1964 Civil Rights Act

**CA laws, guidelines & policies:**

- Government Code Section 65040.12 (defines EJ and designates the Office of Planning and Research (OPR) as coordinator for state EJ program)
- Government Code Section 65040.2 (requires the OPR to develop EJ guidelines for local General Plans)

**Mountain House Community**

Mariposa Energy LLC's proposed site is about 2.5 miles west of Mountain House Community. This is a new community facing tremendous economic challenges. Mountain House has been plagued with foreclosures and is epicenter of underwater mortgages. Mountain House master plan when fully implemented will have about 40,000 population. Today the community is at about 3000 to 3500 homes. However, majority of homes are facing foreclosure since 2008.

Mountain House community is a racial minority community with population distribution as follows:-

Census track 5203 for zip code 95391, where Mountain House falls within the zip code has human population distribution as follows:-

- Whites :- 36%
- Blacks – 8%
- Hispanic – 28%
- Asians – 24%
- Other groups – 6%

Sources:- <http://projects.nytimes.com/census/2010/explorer?view=raceethnicity&lat=40.6311&lng=-73.994&l=12>

Local data from the Census Bureau's American Community Survey, based on samples from 2005 to 2009.

It is very clear from the above census that Mountain House is a racial minority community with a population of 64% racial minorities comprising primarily of Blacks, Hispanic, Asians and other group.

**Environment Injustice:**

Mariposa Energy, LLC is taking advantage of this new yet to develop Mountain House Community where minorities are struggling in their foreclosures to keep their homes. Mariposa Energy, LLC and have denied my discovery/data request dated Jan 10, 2011. It clearly establishes that they are hiding the information.

Power Plant so close to troubled minority Mountain House Community is unjust and I request CEC and applicant for not creating environmental injustice, environmental discrimination for racial minorities and should not build power plant in the backyard of Mountain House community.

Pls. docket this document.

Date: Jan 21, 2011

  
\_\_\_\_\_  
Signature

**X Proof of Service and Declaration of Service attached.**

**STATE OF CALIFORNIA**

**State Energy Resources**

**Conservation and Development Commission**

In the Matter of: [DOCKET NUMBER 09-AFC-3]

[MARIPOSA ENERGY PROJECT] **DECLARATION OF SERVICE**

I, Jass Singh declare that on Jan-21-2011, I served and filed copies of this document dated Jan-21-2011. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent *Proof of Service* list (most recent version is located on the proceeding's web page at: <http://www.energy.ca.gov/sitingcases/mariposa/index.html> )

The document has been sent to both the other parties in this proceeding (as shown on the *Proof of Service* list) and to the Commission's Docket Unit, in the following manner:

**For service to the applicant and all other parties:**

X  sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the *Proof of Service* list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

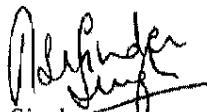
X  sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

**OR**

depositing in the mail an original and 12 paper copies, as follows:

CALIFORNIA ENERGY COMMISSION  
Attn: Docket No. [09-AFC-03]  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct to best of my knowledge.

  
Jass Singh

Jan 21, 2011



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION  
FOR THE *MARIPOSA ENERGY PROJECT*  
(MEP)**

***Docket No. 09-AFC-3***

***PROOF OF SERVICE***  
(Revised 12/23/2010)

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**INTERESTED AGENCIES**

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DECLARATION OF SERVICE

I, \_\_\_\_\_, declare that on \_\_\_\_\_, I served and filed copies of the attached \_\_\_\_\_, The original documents, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [\[http://www.energy.ca.gov/sitingcases/mariposa/index.html\]](http://www.energy.ca.gov/sitingcases/mariposa/index.html).

The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

*(Check all that Apply)*

FOR SERVICE TO ALL OTHER PARTIES:

- sent electronically to all email addresses on the Proof of Service list;
- by personal delivery;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses NOT marked "email preferred."

**AND**

FOR FILING WITH THE ENERGY COMMISSION:

- sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (*preferred method*);

**OR**

- depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 09-AFC-3  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

\_\_\_\_\_