

Settlement: East Contra Costa power plant to pay \$2 million to offset potential environmental harm

By Paul Bugarino Contra Costa Times

Posted: 07/09/2013 06:30:08 AM PDT

Updated: 07/09/2013 06:30:32 AM PDT

ANTIOCH -- The developer of a proposed East Contra Costa natural gas-fired power plant near the Antioch-Oakley border will provide \$2 million to offset any harm it may cause native endangered wildlife and low-income residents, according to a settlement announced this week.

If Danville-based Radback Energy completes construction of the Oakley Generating Station, it would establish a conservation fund over 10 years, according to documents filed in U.S. District Court of Northern California Monday.

"This will help turn the tide for endangered species recovery and public health efforts in Antioch and Oakley," said Brent Plater, executive director of the Wild Equity Institute.

Half of the money would go toward species and land restoration, including breeding and habitat creation for the endangered Lange's Metalmark Butterfly and maintenance and weed clearance at the Antioch Dunes Wildlife Refuge.

The other portion of the money would go toward public health including services at Oakley's La Clinica de la Raza, installation of air filters at local schools and programs on environmental education and stewardship.

Jane Garcia, La Clinica's chief executive officer, said the money will help them manage illnesses, particularly asthma, while keeping health care costs low.

A coalition of conservation and community advocates, including Wild Equity Institute, **Communities for a Better Environment** and the Center for Biological Diversity, filed the intent to sue in December 2011, saying the plant proposal violated the Endangered Species and Clean Air acts.

Similar petitions were sent to four other power plants located within a mile of each other -- just south of the Antioch Bridge and just east of the Dunes. One of those plants, NRG Energy's Contra Costa Generating Station, has since been shut down.

In addition to emitting greenhouse gases that may harmful to people, the petitions say the nitrogen emitted will make weeds in the preserve grow to the point where they crowd out native plants the butterfly depends on.

The Antioch Shoreline is the only place in the world where the bright reddish-orange Lange's metalmark is found. Their numbers have dwindled from more than 25,000 early in the 20th century to 2,500 in the late 1990s and as low as 32 in 2011.

Though calls to Radback were not returned Monday, the company said in the settlement it believes the plant's operation will not cause any of the environmental, species and community health impacts alleged, but it wants to resolve all potential claims.

There is precedent with other Bay Area power plants, especially in the Peninsula and Silicon Valley areas, that proportionate mitigation in the millions of dollars be provided, Plater said. Though the issues are similar, developers have been paying "token amounts" of about \$5,000 each year for wildlife maintenance and public health for recent approvals in East Contra Costa, he said.

"They sought out the next most vulnerable area to place these harmful power plants, areas that weren't well -defended," Plater said. "We're trying to make up for that."

With a settlement on the Oakley Generating Station, Plater said he hopes PG&E, NRG, and Calpine soon follow suit.

Contact Paul Burgarino at 925-779-7164. Follow him at [Twitter.com/paulburgarino](https://twitter.com/paulburgarino).