



---

**Portfolio Media, Inc.** | 111 West 19th Street, 5th floor | New York, NY 10011 | [www.law360.com](http://www.law360.com)  
Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | [customerservice@law360.com](mailto:customerservice@law360.com)

---

## Native Group Gets OK To Join Calif. Power Plant Proceedings

By **Christine Powell**

Law360, New York (July 7, 2017, 9:01 PM EDT) -- A California Energy Commission committee has given a Native-led nonprofit group permission to step into proceedings over a Calpine Corp. unit's proposed natural gas power plant in Ventura County, after said it wanted to protect cultural and natural resources from being harmed by the project.

In a brief July 3 order, the committee overseeing proceedings in which Mission Rock Energy Center LLC is seeking the state energy agency's approval to build and operate its facility, which would sit on a 9.79-acre piece of land in the Santa Clara River Valley, granted the Wishtoyo Foundation's petition to intervene.

The committee said that the group's intervention is "reasonable and relevant," but limited it to participating in topic areas including environmental justice, cultural resources, air quality and alternatives to the so-called Mission Rock Energy Center.

The Wishtoyo Foundation, whose members include Chumash Native Americans and residents of Ventura County and nearby Los Angeles and Santa Barbara counties, had noted in its underlying motion that, if approved, the power plant would be built in traditional Chumash territory on land that holds "deep meaning" to its members.

"Wishtoyo seeks intervenor status to ensure that Chumash cultural resources, as well as the water, watershed, wildlife and air of the Santa Clara River Valley and watershed, are protected from harms that will be caused by the construction and operation of the Mission Rock Energy Center," the motion had said. "No other party to this proceeding does — or can — represent these interests."

According to the motion, the group had submitted comments in opposition to the project to the committee in December, expressing concern about its impacts on Chumash cultural resources, endangered species, water use and air and water quality in the Santa Clara River Valley.

The Wishtoyo Foundation has also questioned whether the project is unnecessary and could "needlessly harm the people and environment of the Santa Clara River Valley and watershed," in addition to voicing a need to make sure that Chumash and other Native Americans are properly consulted about the issue.

Geneva Thompson, a legal fellow at the Wishtoyo Foundation, told Law360 on Friday that "our fear is that if this project is approved, it will not only block access to the Santa Clara River, but it will pollute the environment, both in the air and water, and limit the Chumash peoples' abilities to completely immerse themselves in this wonderful environment that it necessary to their life ways, their well-being and their cultural practices."

Representatives for Mission Rock Energy Center LLC were not immediately available for comment.

Mission Rock Energy Center LLC is represented by Jeffery D. Harris and Samantha G. Neumye of Ellison Schneider Harris & Donlan LLP.

The Wishtoyo Foundation is represented by Angela Johnson Meszaros and Heather M. Lewis of

Earthjustice.

The proceedings are Mission Rock Energy Center, docket number 15-AFC-02, before the California Energy Commission.

--Editing by Katherine Rautenberg.

---

All Content © 2003-2020, Portfolio Media, Inc.