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BY FACSIMILE TO 916-445-0485 AND FIRST CLASS U.S. MAIL

April 2, 2010

Senator Gloria Romero
24th Senate District
Chair, Senate Education Committee
Capitol Office
State Capitol, Room 2090
Sacramento, CA 95814

Re: Union Opposition to Russell City Power Plant Siting Near Chabot College

Dear Senator Romero,

I write at the request of my client, the Chabot-Las Positas Faculty Association (the "Association"). The Association, a labor Union organized under the laws of the State of California, is the exclusive bargaining agent of the faculty of the Chabot-Las Positas Community College District ("District"). The Association represents all faculty of the District. The Association is affiliated with the California Community College Independents or CCCI. The CCCI is a federation consisting of faculty unions in 13 community college districts, including faculty unions at community college districts in Rancho Santiago, Santa Monica, Santa Barbara, Pasadena, Santa Rosa, Los Altos, Cupertino and Contra Costa. Altogether, CCCI represents upwards of 30,000 community college faculty throughout the State.

The Union has been greatly concerned at the potential serious health consequences resulting from the construction of CALPINE's proposed Russell City Energy Center Power Plant, just one and one-half miles from the campus. To this end, the Association intervened before the California Energy Commission on behalf of the faculty, and has fully supported the efforts of the District, and other local governmental bodies, to oppose the siting of this facility proposed by CALPINE.

The Union is also concerned that your letter to the District dated March 18, 2010 gives insufficient weight to the safety interests of local citizens and the thousands of employees, community residents and students who work at, attend or have occasion to frequent Chabot College. Contrary to the implications of your letter, the involvement of the District in protecting

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the safety of Union members, employees and students is viewed by the Union as mandated by law.

The Association supports the District's efforts in this regard. The District has not only the right, but also the legal *duty*, to act to protect the safety of workers who will be exposed to the toxins of the power plant every day it is in operation. Numerous other public agencies in the area have also challenged approval of the Russell City Plant, so the District is hardly alone in this regard. These include the County of Alameda and the Hayward Area Recreation and Park District. And the Union understands that the College sits at "ground zero" for the accumulated toxins. This could have a significant adverse effect on Union members, other employees, students, and visitors to the College.

The Association has adopted a resolution opposing construction of the Russell City Energy Center Power Plant on grounds it will negatively affect the working conditions of hundreds of faculty and thousands of students of Chabot College. A copy of this Resolution is attached.

The Union fully appreciates the importance of generating jobs in today's economy, particularly when many workers and Union members have lost their jobs. Nevertheless, the Union believes that such needs should not be allowed to trump the health and safety rights of Union members. Unfortunately, there is considerable indisputable evidence that the proposed siting of this Plant near the College will have serious adverse health consequences for the Union members who work at the College, and the thousands of students they educate.

We recognize that you are not a legislative representative for this area, and thus may not be informed of the Union's active involvement in this matter, or the serious health concerns it has resulting from CALPINE's proposal. The Union does not oppose the development of clean energy, and the proper siting of new energy sources. This project, however, has stirred the opposition of the Union's members, who are informed about the issues, aware of the mistakes made in the consideration of this proposed plant, and rightfully concerned with the pollutants resulting from the siting of this plant so close to Chabot College. These important concerns, reflected in the Union's Resolution in Opposition, require careful consideration.

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The Union urges you to review the Union's position and read the Union's resolution. The Association hopes you will be supportive of the efforts of both the Union and the District to protect the health and safety of the Chabot College community.

Sincerely,

Robert J. Bezemek
Counsel for the Chabot-Las Positas
Faculty Association

Attachment

cc + attachment: Charlotte Lofft, President, Chabot-Las Positas Faculty Association
Joel Kinnamon, Chancellor, Chabot-Las Positas Community
College District
Jewell Hargleroad, Attorney