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Environmental Groups Sue FEMA for Focusing on Fossil Fuels in Puerto Rico's Grid Rebuild

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Broken electric pole in Puerto Rico following Hurricane Maria in 2017. By. GETTY IMAGES

A coalition of environmental and community groups in Puerto Rico, alongside the Center for Biological Diversity, is suing the Federal Emergency Management Agency for reportedly prioritizing fossil fuel power generation at the expense of renewables in a huge project to rebuild the territory's power grid.

“Fossil fuel power plants produce pollutants that poison our health and kill our neighbors, and other living beings that live nearby,” said Victor Alvarado Guzman of Comite Dialogo Ambiental. “The toxins produced by these facilities also harm the air, water, and land. That’s why the funds

from agencies such as FEMA must be used toward renewable energy, especially rooftop solar.”

The lawsuit, filed on April 11 in Washington D.C, argues that FEMA failed to consider renewable distributed energy generation technology solutions such as rooftop solar and battery storage in developing plans to help communities power themselves, despite the islands’ barely-functioning electrical grid left in shambles after the territory’s devastation by Hurricanes Irma and Maria in 2017 and Fiona in 2022.

The suit also alleges that FEMA violated federal law by not properly considering the environmental harm that would be caused by rebuilding Puerto Rico’s fossil fuel energy infrastructure instead of using federal dollars to secure sustainable, renewable power generation capabilities for the territory.

“The direction promoted by FEMA and the state government to restore the outdated and polluting electrical infrastructure in Puerto Rico is contrary to the need to mitigate and adapt to climate change,” said Federico Cintrón Moscoso, program director of El Puente de Williamsburg’s Latino Climate Action Network in Puerto Rico. “It extends the life of fossil fuels and halts any progress toward renewable energy.

The lawsuit comes in the middle of a [2-year study](#), perhaps ironically funded by FEMA, that is exploring the best ways to get Puerto Rico to meet its stated goal of producing 100 percent of its energy from renewable sources by 2050. During a [briefing](#) in late January 2023, participants were told that preliminary results from the study indicated that over the next three decades, large-scale installations alone – of renewable or fossil fuel generation systems – will not be able to provide all the power Puerto Rico needs. Therefore, distributed systems, namely rooftop solar installations, were recommended to be the main thrust in moving the territory towards its sustainable energy target.

However, in reality FEMA is working counter to the stated goal, the lawsuit alleges, having prepared environmental assessments for two major projects that “have fundamentally failed to address the environmental impacts of the projects, or to consider reasonable alternatives in the manner required by NEPA and the Administrative Procedures Act.”

FEMA’s actions, the lawsuit says, undermine the wishes of the Puerto Rican public, which strongly supports solutions such as rooftop solar in creating sustainable, resilient energy supplies for community needs. The \$12 billion dollars the agency reportedly plans to spend on repairing the grid will trap the territory into additional decades of dependence on fossil fuels, the [58-page complaint](#) argues.

“FEMA has no business committing billions of dollars to a dirty, unreliable, centralized fossil fuel-based grid that’s guaranteed to plunge families back into the dark the next time a climate-driven storm hits,” said Augusta Wilson, a senior attorney at the Center for Biological Diversity. “Puerto Ricans have repeatedly demanded resilient rooftop solar and storage. They want to seize the opportunity to become a global example of what a safe, resilient energy system can look like. FEMA is recklessly ignoring Puerto Ricans and the climate emergency to enrich colonizing fossil fuel companies.”

The complaint asks the court to void the programmatic environmental assessments and findings of no significant impact that FEMA issued for the Puerto Rico Fossil Grid Entrenchment Project and the Puerto Rico Public Facilities Project, and order FEMA to revisit its assessments.