



PO Box 6064, Chula Vista, CA 91909, (619) 425-5771

6/4/08

RE: Comments on Alternatives Section of the PSA for the public record:

First of all why in the world is one of the staff criteria connectability to the Otay substation? SDG&E has stated it does not need peaking power in the southbay. It does not have a contract with MMC, and it does not want a contract with MMC. Also on May 12 it was stated by MMC that they are going to have to install 2 cut-off breakers to insure that their peaker would shut down immediately in the event of a possible overload of the transmission lines, which they declined to upgrade.

<http://www.youtube.com/watch?v=F8OHAEHuWsQ> This would indicate that the peaking power is NOT needed in the Chula Vista area particularly not in the Otay part.

This criteria must be dropped from staff's evaluation of alternatives. Staff also needs to add sites in North County since this is where SDG&E (and the ISO) has stated it needs peaking power. MMC now has a contract with the ISO, indicating that it will be on call for statewide NOT LOCAL peaking power needs!!

<http://www.youtube.com/watch?v=TA5yuuBqW3M> Back in November MMC's engineer stated that this peaker could serve the same purpose located anywhere in the San Diego region. http://www.youtube.com/watch?v=2_aarWUROiU

This plant needs to be located somewhere else. It needs to serve some other substation in some isolated part of the county producing fewer megawatts than down here.

This site is only 3.5 acres, so why was staff using 4+ as a criteria to judge other sites? Again it is necessary for staff look in north county for a suitable site, perhaps using a map of substations. Chula Vista has numerous policies prohibiting heavy industrial uses such as power plants in a light industrial zone. Why is this more important elsewhere than here? (6-6) 4th and Main Street is a ridiculous choice for an alternative. It is an even worse site than the current one. Again the Otay substation should not be a criterium, since the peaking power is **not** needed here.

Staff Alternative C has a substation. Does it not for the two methane generators? There is no reason to connect to the Otay substation. The onsite substation could be enlarged. This site is closer to existing and planned non-potable water lines. Why couldn't the methane gas be used to power the peaker instead of natural gas? This would be cheaper, and it would be more sustainable. Inadequate analysis was done of this site, although again there is no reason to fixate on the Otay substation, which by the way the exact upgrades this project would require **must** be revealed, since this substation is already considered a public nuisance at the size it is. It is noisy. There has been at least one fire caused by a balloon. There is great concern about its negative health effects upon residents and students. It is ugly, and no one wants to see it enlarged. This is another negative of building a 100mw peaker anywhere near by. Exactly how will the appearance of this substation be changed? We have a right to know in detail before anything happens here.

Table 6-9 needs to be redone, not using the Otay substation. There is now a substation in Bonita near 125. Someone needs to look at a map of substations in northern and eastern San Diego County. There certainly are substations in Otay Mesa. Mel Ingals offered 10 acres he owns down there at the November meeting.

6-11 is not correct, according to SDGE they have no need of CVEUP and do not have and do not want a contract with it. This statement of selection needs to be removed from the FSA.

Renewable Energy

This is an inadequate analysis because it is not considering putting solar collectors on the flat roofs of all the commercial and industrial buildings in the southwest, which likely would be over 500 acres. Having solar producing up to 100mw of energy continuously during the day time would provide much better reliability than a quick start peaker. It would actually make the peaker even more unnecessary than it already is.

100mw of peaker power is not needed in the southbay, according to SDG&E and our mw map. This is a figure to provide the amount of profit MMC wants to make. It is irrelevant and should not be being used in the analysis of alternatives.

The objectives of this project are not correct since there is no need for this peaking power in the southbay. We already generate nearly 40mw per square mile, which is way more than other areas of San Diego do using natural gas and/or landfill gas. The need clearly is north and east in the county.

No Project Alternative

This is clearly the superior alternative. 6-13 is incorrect. MMC cannot continue to operate the existing facility, because this would be a violation of CVMC 19.64.070 Cessation of use defined – Time limits.

A use shall be deemed to have ceased when it has been discontinued either temporarily or permanently, whether with the intent to abandon said use or not.

A. *Cessation of Use of Building Designed for Nonconforming Use. A building or structure which was originally designed for a nonconforming use shall not be put to a nonconforming use again when such use has ceased 12 months or more.*

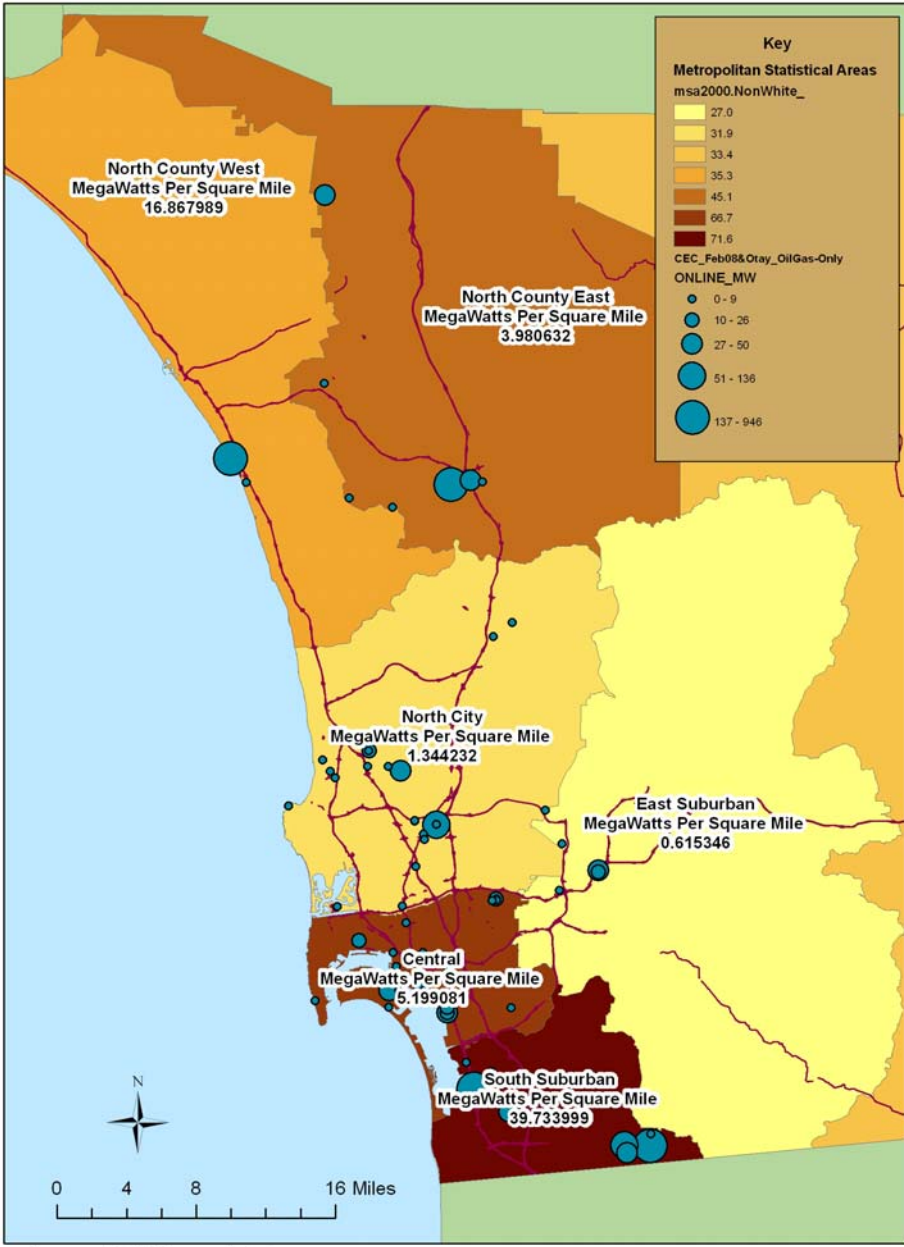
This peaker did not operate for two years. It was illegally restarted several times by MMC Energy. For any other business in the I-L zone this would be considered illegal. For this business it should also be considered illegal. By ceasing operations for more than a year they voided their SUP and have been operating without a permit. They are a non-conforming use with no SUP. This is in violation of zoning codes and city code enforcement policy. City ordinance specifically says that electrical generating plants belong in a heavy industrial zone. This is a light industrial zone. A peaker is a non-conforming use and it is city policy to eliminate non-conforming uses. It is also the policy of code enforcement to require that the site be returned to bare ground before the code violation case is closed.

CVMC 19.64.010 Declaration of policy.

Many nonconforming uses within the city are detrimental to the orderly development of the city and adverse to the general welfare of persons and property, in that said nonconforming uses constitute a special benefit or monopoly. In conformance with good zoning practices, it is the policy of the city that nonconforming uses shall be eliminated as soon as it is economically feasible and equitable to do so. (Ord. 1212 § 1, 1969; prior code § 33.1101 (A)). 19-181 Chula Vista Municipal Code 19.64.080

SDG&E has said that there is no need for peaking power in the southbay as the map below shows. ISO has said the the RMR status of the SBPP will not be removed unless Otay Mesa comes on line and either two peakers further north or The Sunrise Powerlink come on line. In any case it will not close before 2010. CVEUP has no relationship to closing SBPP. This statement needs to be removed from the FSA. Therefore, staff's conclusions are not correct and need to be rewritten for the FSA.

MegaWatts Per Square Mile and Percent NonWhite Population, Natural Gas & Landfill Gas Facilities Only



Sources: CEC (Power plants)
SANDAG: MSA map layer

Feature edit map.mxd
Environmental Health Coalition, 2008.

Sincerely,

Theresa Acerro
President of Southwest Chula Vista Civic Association.