

**From:** Raoul Renaud  
**To:** Docket Optical System  
**Date:** 9/22/2008 8:38 AM  
**Subject:** Fwd: Fw: Voice of San Diego article

<b>DOCKET</b>	
<b>07-AFC-4</b>	
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please docket, 07-AFC-4

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>>> THERESA ACERRO <[thacerro@yahoo.com](mailto:thacerro@yahoo.com)> 9/22/2008 8:28 AM >>>

--- On Mon, 9/22/08, [stevewood@cox.net](mailto:stevewood@cox.net) <[stevewood@cox.net](mailto:stevewood@cox.net)> wrote:

From: [stevewood@cox.net](mailto:stevewood@cox.net) <[stevewood@cox.net](mailto:stevewood@cox.net)>  
Subject: Voice of San Diego article  
To: [cmihos@yahoo.com](mailto:cmihos@yahoo.com), [kwright@psomas.com](mailto:kwright@psomas.com), [Pamelabens@cox.net](mailto:Pamelabens@cox.net), [thacerro@yahoo.com](mailto:thacerro@yahoo.com), [georgies@cox.net](mailto:georgies@cox.net), [ejentz@gmail.com](mailto:ejentz@gmail.com), [jwjsd@aol.com](mailto:jwjsd@aol.com), [mrteddy42@yahoo.com](mailto:mrteddy42@yahoo.com), [skwright1@cox.net](mailto:skwright1@cox.net), [sdfxz19@sbcglobal.net](mailto:sdfxz19@sbcglobal.net), [m.tuite@yahoo.com](mailto:m.tuite@yahoo.com)  
Date: Monday, September 22, 2008, 6:09 AM

They Bought It, We Breathe It  
By: Steve Padilla

Monday, Sept. 22, 2008 | We have all heard someone cynical say it before:  
"There are the rules, and then there are the rules."

In life and particularly in our adolescence, we delight in asserting our independence in small ways when we don't exactly follow every letter of every rule. Beat the parking meter, hope that those six extra inches and the rear bumper blocking the driveway won't matter, sneak some icing from the cake when the cook is away.

Those small indulgences we can brush aside with a smirk or a smile, and they rarely represent the betrayal of high principle. However, there should be no smirks or smiles when you consider what's gone on at Chula Vista City Hall where matters of our health and power plants are concerned.

There are times when the letter of the law gives way instead to the spirit of its intent, and there are times when high principles matter very much, and they must be defended. Sadly, Chula Vista's civic leaders recently decided that our city policy avoiding placing power plants or their expansions near neighborhoods and schools wasn't such a principle. The City Council's paving the way for the proposed expansion of a "peaker" power plant further endangering public health, and placing yet another plant in a community with more than its fair share is nothing to smirk about.

The neighborhood where the proposed expansion is located just happens to be made up of working class people of color, and South Bay already has the highest concentration of pollution-emitting plants in the county.

We expect our local government to protect our community's health, at a

minimum by enforcing the standards and regulations we put in place. They took the easy way out and let us down. They failed to allow their very own guidelines to provide what the word indicates -- guidance -- when they decided (or at least a majority of them) to accept a package of benefits from MMC Energy Inc, who have applied to the California Energy Commission to expand a "peaker" power plant in southwest Chula Vista.

Under the law, the Commission must find that the proposed plant or expansion meets the regulations of the local jurisdiction to a significant degree in order to be approved. Relying on technicalities and a negotiated package of "mitigations" for the benefit of the affected citizens (including \$210,000 dollars in "direct funds" from the energy company to city coffers) our city's leaders in private dropped their prior and very legitimate objections about the proposal, and have communicated to the Energy Commission that they now believe the proposed plant conforms to Chula Vista's land use regulations.

Wow, what a difference a day makes. This about-face will make it very likely the expansion will be approved.

What they won't tell the public are many of the following:

The overwhelming evidence indicates this plant is not the only option which can provide additional peak power, indeed it is inconsistent with the Energy Action Plan for California which places a low priority on fossil fuel fired energy plants like this proposal, in favor of numerous preferred alternatives. In fact, the plant developers didn't consider alternatives and believe it or not, once the application for the plant expansion is filed, the Energy Commission in deciding whether to allow it cannot consider alternatives to their proposal.

They will argue that the proposal received a determination from the Air Pollution Control District that the expansion will meet air quality standards. Whoop-de-do.

What you will not hear is that many of the documented health impacts such as heart, lung and developmental problems attributed to air pollution occur from exposure levels below pollution standards. Even the current evaluation admits that there will be days in which the plant will increase harmful effects on air quality. Did I mention that the south suburban area of San Diego County is home to more than twice the regional average of industrial power producing facilities?

According to studies on the risks of small particles that penetrate deep into the lungs, nearly 24,000 deaths per year in California are linked to constant exposure to fine particulate pollution. Studies have also documented elevated levels of hospitalization by asthma patients in proximity to industrial plants in south bay.

In 2005 the City Council unanimously adopted a General Plan Policy designed to prevent sensitive receptors such as schools, day care, and residential neighborhoods from being impacted by the placement of industrial facilities which give off toxics. The policy specifically named new or re-powered energy facilities, stating the city should avoid locating them within 1000 feet of protected areas. The power plant expansion would occur only 350 feet from residential housing.

Chula Vista's leaders were the only real obstacles to approval of the plant expansion, particularly had they defended the General Plan and other land use regulations, or had the guts to take issue with the air quality study. It would have been much more difficult for the energy company to get approval with the city stating their local standards would be violated, instead of cleverly and conveniently reversing themselves.

There was a time when Chula Vista was lauded for being the first city in California to even include the words "environmental justice" in our General Plan. I'm afraid it has now contributed to an unacceptable and continuing environmental injustice.

Stephen Padilla is the former mayor of Chula Vista. Agree with him? Disagree? Submit a letter to the editor here.

<http://voiceofsandiego.org/articles/2008/09/22/opinion/01padilla092208.txt>