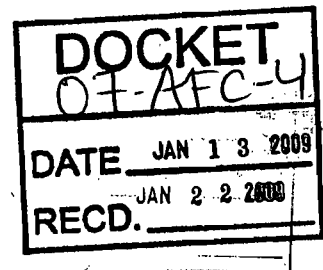


**COUNCILMEMBER**  
Pamela Bensoussan



January 13, 2009

Honorable Jackalynne Pfannenstiel, Presiding Member  
Honorable James Boyd, Associate Member  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Docket No. 7-AFC-4

Re: OPPOSITION to the Chula Vista Energy Upgrade Project (07-AFC-4) as proposed

Dear Honorable Commissioners Pfannenstiel and Boyd:

For some time now I have been following the proposed 100 MW Chula Vista Upgrade Project (MMC Peaker Plant) with great concern and would like to express my opposition to the CVEUP as proposed.

As a former member of our City's General Plan Update Environmental Sub-Committee, I was involved in many discussions about appropriate and inappropriate locations in our city for energy plants. In crafting the General Plan language on this type of land use we had in mind the current peaker plant and its inappropriate location in one of our most vulnerable low-income, communities of color. My first concern revolves around this proposed location, its inconsistency with our General Plan (Policy E6.4), and its conflict with the city's zoning ordinance. Chula Vista adopted the state's first Environmental Justice element into our General Plan in order to make sure that we are protecting the health of our most impacted residents.

Additionally, the certification process has revealed several troubling issues related to the siting of gas-fired process, ability of the state to overrule local land use laws, insufficient requirements for analysis of less-harmful alternatives, and the inappropriateness of more gas-fired peakers in a time when most state energy policies point in the direction of reducing climate changing emissions.

I recommend that the Commission deny this application as inconsistent with our local ordinances, in conflict with our sustainable energy goals, and our principals of environmental justice.

Respectfully,

Pamela Bensoussan  
Chula Vista City Councilmember