

Memorandum

Date: April 14, 2008
 Telephone: (916) 654-4679

To: Chairman Jackalyne Pfannenstiel, Presiding Member
 Vice Chair James Boyd, Associate Member

From: **California Energy Commission** – Christopher Meyer
 1516 Ninth Street Project Manager
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DOCKET	
07-AFC-4	
DATE	APRIL 14 2008
RECD.	APRIL 14 2008

Subject: **CHULA VISTA ENERGY UPGRADE PROJECT (07-AFC-4) STATUS REPORT 3**

Pursuant to the Committee Scheduling Order dated December 7, 2007, the following is staff's Status Report 3 for the proposed Chula Vista Energy Upgrade Project (CVEUP).

Current Activity and Issues for Resolution

Staff has been working to complete the Preliminary Staff Analysis (PSA) phase of the Application for Certification (AFC) process for the proposed CVEUP. The applicant provided responses to the Energy Commission staff's data requests on December 12, 2007, January 25, 2008, and March 7, 2008. Staff has received additional information from the San Diego Air Pollution Control District (SDAPCD) and the California Independent System Operator (CA-ISO) since the last status report on February 14, 2008. An electronic version of the Preliminary Determination of Compliance (PDOC) was received from the SDAPCD on March 6, 2008 and the CA-ISO Final Interconnection Facilities Study was received on April 2, 2008, including the downstream impacts information required by staff to complete the Transmission System Engineering section for the PSA.

The proposed laydown areas for the project are outside the boundary of the Chula Vista Subarea Plan Boundary, but within the Multiple Species Conservation Plan (MSCP) 75 – 99 percent Conservation Area – Habitat Preserve. The Energy Commission's Land Use and Biological Resources staff together continue to work on the issue of land use compatibility resulting from recent changes in the City of Chula Vista's general plan for the area and the designation of the two existing laydown areas.

On January 31, 2008, the city provided limited responses to the questions posed by Energy Commission staff in its December 26, 2007 letter regarding the project's conformance with the city LORS. The city has requested additional time to respond definitively to staff's questions on Land Use, Visual Resources, and Traffic and Transportation. Staff has proceeded with the completion of the PSA and the city will be able to provide additional information and comments at the PSA workshop and/or prior to the filing of the Final Staff Assessment (FSA).

The Environmental Health Coalition (EHC), an intervener in the AFC process, filed a second set of data requests (Data Requests #36-54) with the applicant on February 13, 2008 and a third set (Data Requests #55-56) on March 13, 2008. The applicant responded to the EHC Data Requests #36-54 on February 29, 2008 and Data Requests #55-56 on April 2, 2008. Staff is currently reviewing the data responses. In addition to the formal data requests and data responses, EHC sent a letter to the City of Chula Vista City Manager on March 3, 2008

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 ORIGINAL MAILED FROM SACRAMENTO ON 4/14/08

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outlining the EHC’s position on City of Chula Vista General Plan Policy E6.4. The Energy Commission staff is currently reviewing the General Plan and the information provided in the letter.

Schedule

Delays in the completion of the PDOC by the SDAPCD until March 6, 2008 delayed the completion of the Air Quality section of the PSA until April 4, 2008 and are impacting the Siting Committee’s proposed schedule. The receipt of the Final Interconnection Facilities Study from the CA-ISO on April 2, 2008 delayed the completion of the Transmission System Design section of the PSA until April 11, 2008. In addition, the unusually heavy workload facing the Energy Commission staff will also impact the schedule. Assuming the ability to gain a obtain a priority status in the PSA review process, staff anticipates filing the PSA on April 23, 2008 and plans to hold the PSA workshop prior to May 9, 2008.

The following table summarizes the currently proposed schedule.

**Current Proposed Schedule
 Chula Vista Energy Upgrade Project**

Projected Schedule	Event
September 26, 2007	AFC data adequate
November 29, 2007	Informational Hearing and Site Visit
November 7, 2007	Staff transmits Data Request Set 1
December 7, 2007	Applicant provides Data Responses – Set 1
December 19, 2007	Applicant provides supplemental Data Response (#42)
December 21, 2007	Parties file Status Report 1
January 17, 2008	Data Response and Issue Resolution Workshop 1
February 22, 2008 (Latest received April 2, 2008)	Local, state and federal agency draft determinations and Air District PDOC
April 23, 2008	Staff files Preliminary Staff Assessment (PSA)
May 8, 2008	PSA Workshop
June 6, 2008	Local, state and federal agency final determinations and Air District FDOC
To Be Determined	Staff files Final Staff Assessment (FSA)

(Shaded events have already taken place)

cc: Docket (07-AFC-4)
 Proof of Service List

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE
STATE OF CALIFORNIA

Application for Certification
For the **CHULA VISTA ENERGY
UPGRADE PROJECT**

Docket No. 07-AFC-4

PROOF OF SERVICE
(Revised: 1/3/08)

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DECLARATION OF SERVICE

I, Maria Sergoyan, declare that on April 14, 2008, deposited copies of the attached Chula Vista Energy Upgrade Project (07-AFC-4) Status Report 3 in the United States mail at Sacramento, CA with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.

Maria Sergoyan