

***ENVIRONMENTAL DECLARATION**

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

CALIFORNIA ENERGY
COMMISSION
1516 NINTH ST., MS-15
SACRAMENTO, CA 95814

FOR COUNTY CLERK USE ONLY

ENDORSED
FILED
ALAMEDA COUNTY

APR 29 2010

PATRICK O'CONNELL, County Clerk
By [Signature] Deputy

FILE NO: 10-143

CLASSIFICATION OF ENVIRONMENTAL DOCUMENT:
(MARK ONLY ONE)

1. NOTICE OF EXEMPTION / STATEMENT OF EXEMPTION

- A - STATUTORILY OR CATEGORICALLY EXEMPT
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

FILED
ALAMEDA COUNTY

APR 29 2010

2. NOTICE OF DETERMINATION

- A - NEGATIVE DECLARATION (OR MITIGATED NEG. DEC)
\$ 2,010.25 - STATE FILING FEE
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

PATRICK O'CONNELL, County Clerk
By [Signature] Deputy

- B - ENVIRONMENTAL IMPACT REPORT
\$ 2,792.25 - STATE FILING FEE
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

DOCKET	
08-AFC-10	
DATE	APR 29 2010
RECD.	JUN 03 2010

- 3. OTHER (SPECIFY)** CRC NOTICE OF DETERMINATION
\$ 50.00 (Fifty Dollars) - CLERK'S HANDLING FEE

*A COPY OF THIS FORM MUST BE COMPLETED AND SUBMITTED WITH ALL COPIES OF ENVIRONMENTAL DECLARATIONS BEING FILED WITH THE ALAMEDA COUNTY CLERK.

FOUR (4) COPIES OF ALL NECESSARY DOCUMENTATION ARE REQUIRED FOR FILING PURPOSES. FIVE (5) COPIES ARE REQUIRED FOR IN-OFFICE FILINGS.

ALL APPLICABLE FEES MUST BE PAID AT THE TIME OF FILING.

FEES ARE EFFECTIVE JANUARY 1, 2010

MAKE CHECKS PAYABLE TO: ALAMEDA COUNTY CLERK.



STATE OF CALIFORNIA
 DEPARTMENT OF FISH AND GAME
 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFG 753.5a (01/2002)

Receipt No: **4030**

Date: **4/22/2010**

Lead Agency: **Department of Forestry**
 State Agency of Filing: **Department of Fish and Game**
 Project Title: **Lodi Energy Center Combined Project**

Invoice Date:
 Document No: **08-AFC-10**
 Deposit No: **4798**

Northern California Power Agency
 651 commerce Dive
 Roseville, CA 95678

Project Applicant Name
 Project Applicant Address:
 City, State, Zip

Project Applicant (check appropriate box) Local Public Agency School District Other Special District
 State Agency Private Entity

APPLICABLE FEES:

Environmental Impact Report:	\$0.00
Negative Declaration:	\$0.00
Application Fee Water Diversion (State Water Resources Control Board Only):	\$0.00
Projects Subject to Certified Regulatory Programs	\$949.50
Lien fee:	\$0.00
Penalty:	\$0.00
County Administrative Fee:	\$0.00
<input type="checkbox"/> Project exempt from fees	\$0.00
Total Received	\$949.50

Person receiving payment: Bill Terry, Accounting Technician

2 copies - Project Applicant, DFG/ASB

**ENDORSED
 FILED
 ALAMEDA COUNTY
 APR 29 2010**

FILED PATRICK O'CONNELL, County Clerk
 ALAMEDA COUNTY Deputy

APR 29 2010

PATRICK O'CONNELL, County Clerk
 By [Signature] Deputy

Notice of Determination

Appendix D

To:

Office of Planning and Research
For U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St. Sacramento, CA 95814

County Clerk
County of: Alameda
Address: 1106 Madison Street Oakland, CA 94607
Phone: (510) 272-6362

From:

Public Agency: Bay Area Rapid Transit
Address: 300 Lakeside Dr. 16th Floor Oakland, CA 94612
Mail: P.O. Box 12688, Oakland, CA 94604-2688
Contact: Frank Schultz
Phone: (510) 464-6435

Lead Agency (if different from above): California Energy Commission
Address: 1516 Ninth Street, MS- 15 Sacramento, CA 95814
Contact: Rod Jones
Phone: 916-654-5191

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse):

Project Title: Lodi Energy Center ("LEC") Project.

Project Location (include county): The site for the LEC project is 4.4 acres of land in the city of Lodi, 6 miles west of the Lodi city center, located near Interstate-5 (I-5) approximately 1.7 miles south of State Route 12. (San Joaquin County).

Project Description:

The LEC is a natural gas-fired, combined-cycle nominal 296-megawatt (MW) power generation facility located in the City of Lodi, CA.

This is to advise that the Bay Area Rapid Transit has approved the above described project on
Lead Agency or Responsible Agency

April 22, 2010 and has made the following determinations regarding the above described project:
(Date)

- 1. The project WILL NOT have a significant effect on the environment.
2. The California Energy Commission ("CEC") is a certified regulatory agency under Public Resources Code section 21080.5 and CEQA Guidelines section 15251. The CEC prepared a substitute document for an Environmental Impact Report pursuant to Guidelines section 15252.
3. Measures to mitigate the impacts of the LEC were made conditions of approval of the project.
4. The CEC, through a Compliance Project Manager, will monitor, oversee, and verify compliance with the conditions of CEC approval of the project.
5. A Statement of Overriding Consideration WAS NOT adopted for the project.
6. Findings WERE made pursuant to the provisions of CEQA.

This is to certify that the CEC's substitute document in place of an EIR and the record of project approval is available to the General Public at:

300 Lakeside Drive, Oakland, CA

CLERK'S CERTIFICATE OF POSTING. Pub. Res. 21152: I certify that a copy of this document was posted at the Recorder's Office, Oakland, CA, for the period prescribed by law.

Signature (Public Agency) Jamie Lantz
Title Environmental Administrator

Executed at COUNTY CLERK
Oakland, CA

Date April 28, 2010

Date Received for filing at OPR

Date 6-3-10 By L. dye Deputy



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2010 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#
 1456950
 STATE CLEARING HOUSE # (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY
 CALIFORNIA ENERGY COMMISSION

DATE
 04/29/2010

COUNTY/STATE AGENCY OF FILING
 ALAMEDA COUNTY

DOCUMENT NUMBER
 10-143

PROJECT TITLE
 LODI ENERGY CENTER PROJECT

PROJECT APPLICANT NAME
 FRANK SCHULTZ

PHONE NUMBER
 (510) 464-6435

PROJECT APPLICANT ADDRESS
 1516 NINTH STREET, MS-15

CITY
 SACRAMENTO

STATE
 CA

ZIP CODE
 95814

PROJECT APPLICANT (Check appropriate box):
 Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

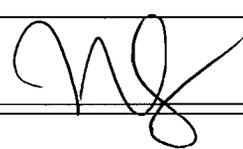
CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,792.25	\$	\$0.00
<input type="checkbox"/> Negative Declaration (ND)(MND)	\$2,010.25	\$	\$0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	\$0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$949.50	\$	\$0.00
<input type="checkbox"/> County Administrative Fee	\$50.00	\$	\$0.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input checked="" type="checkbox"/> Other <u>CEC NOTICE OF DETERMINATION</u>		\$	\$50.00

PAYMENT METHOD:

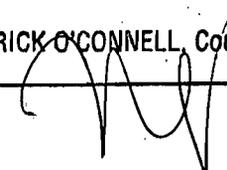
Cash
 Credit
 Check
 Other _____

TOTAL RECEIVED \$ _____ \$50.00

SIGNATURE  TITLE
 X DEPUTY CLERK

FILED
 ALAMEDA COUNTY

APR 29 2010

PATRICK O'CONNELL, County Clerk
 By  Deputy