*ENVIRONMENTAL DECLARATION*

(CALIFORNIA FISH AND GAME CODE SECTION 711.4)

LEAD AGENCY NAME AND ADDRESS

CALIFORNIA FISH AND GAME COMMISSION
1516 NINTH ST., MS-15
SACRAMENTO, CA 95814

FOR COUNTY CLERK USE ONLY

ENDORSED
FILED
ALAMEDA COUNTY
APR 29 2010

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

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

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

3. OTHER (SPECIFY)
   $ 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

Invoice Date:

Document No: 08-AFC-10
Deposit No: 4798

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

Northern California Power Agency
651 Commerce Drive
Roseville, CA 95678

Project Applicant Name
Northern California Power Agency
651 Commerce Drive
Roseville, CA 95678

Project Applicant Address:

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:

- Project exempt from fees $0.00

Total Received $949.50

Person receiving payment: Bill Terry, Accounting Technician

2 copies - Project Applicant, DFG/ASB

ENDORSED
ALAMEDA COUNTY
APR 29 2010

FILED
ALAMEDA COUNTY
APR 29 2010

PATRICK O'CONNELL, County Clerk
By Deputy
Notice of Determination

To: Office of Planning and Research
For U.S. Mail: 300 Lakeside Dr. 16th Floor
P.O. Box 3044
Sacramento, CA 95814-3044

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

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

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

and has made the following determinations regarding the above described project:

April 27, 2010
(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

Signature (Public Agency)

Date

Authority cited: Section 21083, Public Resources Code.

Revised 2005
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<th>CALIFORNIA ENERGY COMMISSION</th>
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<td>FRANK SCHULTZ</td>
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ORIGINAL - PROJECT APPLICANT    COPY - DFG/ASB  COPY - LEAD AGENCY  COPY - COUNTY CLERK  FG 753.5a (Rev. 10/09)