

Notice of Decision by: California Energy Commission

To: Office of Planning and Research
P.O. Box 3044
1400 Tenth Street, Room 222
Sacramento, CA 98512-3044

Clearinghouse No: _____

California Resources Agency
1416 9th Street, Room 1311
Sacramento, CA 95814

From: California Energy Commission
1516 9th Street
Sacramento, CA 95814

Subject: Filing of Notice of Decision in compliance with Public Resources Code Section 21080.5 and Title 20, California Code of Regulations, Section 1768

Project Title: **CARLSBAD ENERGY CENTER PROJECT (CECP)**

Energy Commission Docket Number: 07-AFC-06

Energy Commission Contact Person: Mike Monasmith Telephone: (916) 654-4894

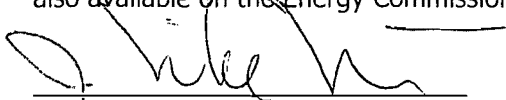
Project Location: The 23-acre CECP site is located in the city of Carlsbad, in San Diego County in a recessed location at the eastern end of the existing Cabrillo Power I LLC's Encina Power Station (which, like Carlsbad Energy Center, LLC, is an indirect wholly owned subsidiary of NRG Energy, Inc.). The project is 85 miles south of Los Angeles, and 35 miles north of San Diego.

Project Description: CECP will be a 540.4 megawatt (MW) net / 558 MW gross combined-cycle generating facility configured using two trains with one natural-gas-fired combustion turbine and one steam turbine per train (or unit). The CECP units (6 and 7) will connect to the electrical transmission system via 138-kilovolt (kV) and 230-kV lines to nearby SDG&E switchyards at the existing Encina Power Station.

On May 31, 2012, the California Energy Commission approved the above-described project pursuant to a regulatory program certified by the California Secretary of Resources under Section 21080.5 of the California Public Resources Code.

1. With mitigation, the project will not have a significant effect on the environment;
2. Mitigation measures were made a condition of approval of the project;
3. The project was in compliance w/ all Laws, Ordinances, Regulations and Standards, save those articulated in the Final Decision related to local land use LORS for the City of Carlsbad, the California Coastal Act and the State Fire Code; and,
4. A statement of Overriding Considerations was adopted for the project.

The Commission docket files containing the final Commission Decision and other information regarding the project are available to the public at: California Energy Commission, 1516 9th Street, Sacramento, California, 95814. The final Decision and other information regarding the Marsh Landing Generating Station project is also available on the Energy Commission's web site located at www.energy.ca.gov/sitingcases/carlsbad


Signature

6/1/2012
Date

Project Manager
Title

Dates received for filing

OPR:

DOCKET 07-AFC-06
DATE <u>6-1-12</u>
RECD. <u>6-1-12</u>

Resources:

FILED JUN 01 2012 Resources Agency of California



2010 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#
STATE CLEARING HOUSE # (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY California Energy Commission			DATE June 1, 2012
COUNTY/STATE AGENCY OF FILING Sacramento, California			DOCUMENT NUMBER
PROJECT TITLE Carlsbad Energy Center Project (07-AFC-6)			
PROJECT APPLICANT NAME Carlsbad Energy Center, LLC			PHONE NUMBER
PROJECT APPLICANT ADDRESS 4600 Carlsbad Blvd.	CITY Carlsbad	STATE CA	ZIP CODE 92008

PROJECT APPLICANT (Check appropriate box):

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

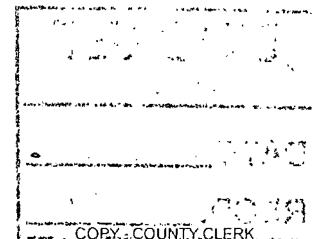
<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,792.25	\$	\$0.00
<input type="checkbox"/> Negative Declaration (ND)(MND)	\$2,010.25	\$	\$0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	\$0.00
<input checked="" type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)		\$	992.50
<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 type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other Check #826886

TOTAL RECEIVED \$ 992.50

SIGNATURE X	TITLE Project Manager
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State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2010 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	0936
STATE CLEARING HOUSE # (If applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY California Energy Commission			DATE June 1, 2012
COUNTY/STATE AGENCY OF FILING Sacramento, California			DOCUMENT NUMBER
PROJECT TITLE Carlsbad Energy Center Project (07-AFC-6)			
PROJECT APPLICANT NAME Carlsbad Energy Center, LLC			PHONE NUMBER
PROJECT APPLICANT ADDRESS 4600 Carlsbad Blvd.	CITY Carlsbad	STATE CA	ZIP CODE 92008

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 checked="" type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)		\$	992.50
<input type="checkbox"/> County Administrative Fee	\$50.00	\$	\$0.00
<input type="checkbox"/> Project that is exempt from fees			
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<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

Cash
 Credit
 Check
 Other Check #826886

TOTAL RECEIVED \$ 992.50

SIGNATURE 	TITLE Project Manager
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NOTICE

Each project applicant shall remit to the county clerk on or before filing a Notice of Determination (see Public Resources Code, Section 21152) the fee required under Fish and Game Code Section 711.4(d). Without the appropriate fee, statutory or categorical exemption, or a valid no effect determination form, issued by the Department of Fish and Game (DFG), the notice of determination is not operative, vested, or final, and shall not be accepted by the clerk.

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

1. The original cash receipt is to be issued to a project applicant when payment is made in conjunction with filing a Notice of Determination. The second copy is to be submitted to the DFG on a monthly basis. The remaining copies will be retained by the county (one for the lead agency and one for the county clerk).
2. For projects that are statutorily exempt or categorically exempt (Sections 15260-15285 or 15300-15333, Title 14, California Code of Regulations) and are filed with the county clerk, the cash receipt shall be completed and attached to the Notice of Exemption. No fee is due for statutorily exempt or categorically exempt projects.
3. For projects that the DFG has found to have no effect, the cash receipt shall be completed, and attached to the Notice of Determination; it is mandatory that a copy of the DFG No Effect Determination Form be attached to the Notice of Determination. If the project applicant does not have a No Effect Determination Form from DFG, then the appropriate filing fee is due.
4. Within 30 days after the end of each month in which the filing fees are collected, each county will summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer.

Identify the remittance on the State of California Form No. CA25 (TC31) as "Environmental Document Filing Fees" per Fish and Game Code Section 711.4.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND GAME FINES.

The following documents are to be mailed by the county clerk to DFG on a monthly basis:

- (A) A photocopy of the monthly State of California Form No. CA25 (TC31);
- (B) DFG/ASB copies of all cash receipts (including all voided receipts);
- (C) A copy of all DFG No Effect Determination Forms;
- (D) A copy of all DFG Notice of Determination filed with the county during the preceding month; and
- (E) A list of the complete name, address and telephone number of all project applicants for which a Notice of Determination has been filed. If this information is contained on the cash receipt filed with DFG under Section 753.5(e)(5), Title 14, CCR, no additional information is required.

Mail to:

Department of Fish and Game
Accounting Services Branch
1416 Ninth Street, Box 944209
Sacramento, California 94244-2090