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

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

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

Clearinghouse No: "02-AFC-3

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: Pico Power Project

Energy Commission Docket Number: 02-AFC-3

Energy Commission Contact Person: Matt Trask

Telephone: 916-654-4067

Project Location: City of Santa Clara, California

County: Santa Clara

Project Description: The City of Santa Clara’s Pico Power Project is a natural gas-fired, combined-cycle electric generating facility. The 3-acre project site is located west of the intersection of Lafayette Street and Duane Avenue and immediately north of SVP’s Kifer Receiving Station in the City of Santa Clara, Santa Clara County, California. The new combined-cycle facility is expected to generate 122 megawatts (MW) under nominal conditions, with the ability to generate up to 147 MW with supplemental duct firing.

On September 9, 2003 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. The project [ ] will [X] will not have a significant effect on the environment.
2. Mitigation measures [ ] were [X] were not made a condition of approval of the project.
3. A statement of Overriding Considerations [ ] was [X] was not 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 project is also available on the Commission’s web site--www.energy.ca.gov.

Signature 9/9/03

Date

Title

Dates received for filing

Resources

Revised June 2001
State of California - The Resources Agency
Department of Fish and Game
Environmental Filing Fee Cash Receipt

Lead Agency: California Energy Comm
County / State Agency of Filing: Santa Clara
Project Title: Pico Power Plant
Project Applicant Name: M. TRACK

CHECK APPLICABLE FEES:

- Environmental Impact Report $850.00
- Application Fee Water Diversion (State Water Resources Control Board Only) $850.00
- County Administrative Fee $25.00

TOTAL RECEIVED $850

Signature and title of person receiving payment: [Signature]
WHITE-PROJECT APPLICANT PINK-LEAD AGENCY
YELLOW-CFO-FASB GOLDENROD-STATE AGENCY OF FILING
CITY OF SANTA CLARA
1500 WARBURTON AVENUE
SANTA CLARA, CA 95050

BANK OF AMERICA
485 EL CAMINO REAL
SANTA CLARA, CA 95050-4900

DATE 08/21/03 PAY AMOUNT 850.00***

PAY EIGHT HUNDRED FIFTY DOLLARS AND ZERO CENTS *********

CA DEPT OF FISH & GAME
1416 NINTH ST
TO THE
SACRAMENTO MAIN OFFICE
ORDER OF
SACRAMENTO, CA 95814

NOT VALID AFTER 90 DAYS

Mary Jo Walker
J. C. Boccigana
I, Raquel Rodriguez, declare that on September 9, 2003, I deposited copies of the attached Notice of Decision by California Energy Commission for Santa Clara Pico Power Project 02-AFC-3 in the United States mail in Sacramento, CA with first class postage thereon fully prepaid and addressed to the following:

DOCKET UNIT

Send the original signed document plus 12 copies to the following address:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 01-AFC-17
DOCKET UNIT, MS-4
1516 Ninth Street
Sacramento, CA 95814-5512

In addition to the documents sent to the Commission Docket Unit, also send individual copies of all documents to:

APPLICANT

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South San Francisco, CA 94080

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

[Signature]
Parties **DO NOT** mail to the following individuals. The Energy Commission Docket Unit will internally distribute documents filed in this case to the following:

JOHN L. GEESMAN, Commissioner
Presiding Member
MS-31

ARTHUR H. ROSENFELD,
Commissioner
Associate Member
MS-35

Gary Fay
Hearing Officer
MS-9

Mathew Trask
Project Manager
MS-3000

Dick Ratliff
Staff Counsel
MS-14

Jonathan Blees
Chief Counsel
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Roberta Mendonca
Public Adviser
MS-12