

## CALIFORNIA ENERGY COMMISSION

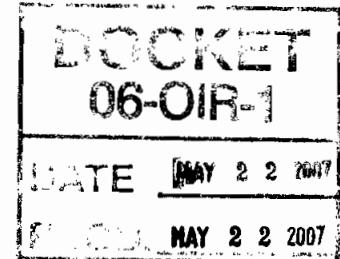
1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



May 22, 2007

**Memorandum**

To: Docket Clerk  
From: Gary Collord *GC*  
Subject: Docket No. 06-OIR-1 (GHG Proceeding)



This memo serves to memorialize the steps taken by Energy Commission staff to ensure that the Notice of Intent to adopt a Negative Declaration for proposed adoption of Regulations Establishing and Implementing a Greenhouse Gases Emission Performance Standard for Local Publicly Owned Electric Utilities, was noticed and mailed in accordance with California Code of Regulations, Title 14, Section 15072.

Staff prepared and mailed a Notice of Intent on two separate occasions. The first notice was issued on March 30, 2007, with a 20-day comment period ending on April 18, 2007. The notice was posted on the Commission's website and distributed through the Energy Commission's climate change service list. Because the project consists of regulations with statewide application and no particular location, the notice was mailed to all of California's county clerks on March 30, 2007. Additionally, the notice was mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing. The notice was published in the Los Angeles Times on March 29 through April 1 2007. Finally, a copy of the notice was sent electronically to the email member database of the California Municipal Utilities Association. There are no trustee or associate agencies with regard to this project.

On April 18, 2007, staff mailed a second notice of intent to adopt, this time establishing a 30-day comment period ending on May 21, 2007. This notice also identified a May 23, 2007 hearing date for possible adoption of the Negative Declaration. Again, this notice was posted on the Commission's website and distributed through the Energy Commission's climate change service list. The notice was mailed to all of California's county clerks and to the last known name and address of all organizations and individuals who have previously requested such notice in writing on March 30, 2007. The notice was published in the Los Angeles Times on April 13 2007. Additionally staff mailed the notice to the State Clearinghouse, who submitted the document to various State Agencies for their review.

The attachments to this letter includes (1) a listing of parties that received notification via regular mail and email; (2) affidavits of notice publications in the Los Angeles Times on March 29 through April 1, 2007, and on April 13, 2007; (3) State Clearinghouse confirmation of the State Agencies that received the Negative Declaration for review and comment; and (4) a "no effect" filing fee determination from the California Department of Fish and Game.

Please add this material to the information filing record for the above referenced docket. If you have questions concerning this letter, please contact me.

Burns Leslie  
County Clerk  
Alameda County  
1221 Oak St.  
Oakland, CA 94612

Grubbs Candace  
County Clerk-Recorder/Registrar  
Butte County  
25 County Center Drive  
Oroville, CA 95965

Weir Stephen L.  
County Clerk-Recorder  
Contra Costa County  
524 Main Street  
Martinez, CA 94553

Salazar Victor  
County Clerk/Registrar of Voters  
Fresno County  
2221 Kern Street  
Fresno, CA 93721

Provencio Dolores  
County Clerk/Recorder  
Imperial County  
940 W. Main St., Ste. 202  
El Centro, CA 92243

Denison Herb  
Clerk  
Kings County  
1400 W Lacey Blvd  
Hanford, CA 93230

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County Clerk-Registrar/Recorder  
Los Angeles County  
12400 E. Imperial Hwy.  
Norwalk, CA 90650

Williams Keith  
County Clerk, Treasurer/Tax Collector  
Mariposa County  
P.O. Box 36  
Mariposa, CA 95338

Madison Maxine  
Clerk of the Board  
Modoc County  
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Alturas, CA 96101

Tuteur John  
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Napa County  
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Napa, CA 94559

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Alpine County  
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Varni Karen  
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891 Mountain Ranch Rd.  
San Andreas, CA 95249

Frazier Vicki  
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981 H Street Suite 160  
Crescent City, CA 95531

Minto Vince  
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Glenn County  
516 W. Sycamore St.  
Willows, CA 95988

Roper Mary  
County Clerk/Registrar of Voters  
Inyo County  
P.O. Drawer F  
Independence, CA 93526

Cochrane Pam  
Auditor - County Clerk  
Lake County  
255 N. Forbes St.  
Lakeport, CA 95453

Martinez Rebecca  
County Clerk-Recorder  
Madera County  
200 West 4th St.  
Madera, CA 93637

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County Clerk-Recorder-Assessor  
Mendocino County  
501 Low Gap Road, Rm. 1020  
Ukiah, CA 95482

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County Clerk-Recorder/Registrar of Voters  
Mono County  
P.O. Box 237  
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Smith Kathleen  
Clerk/Recorder/Elections  
Nevada County  
10433 Willow Valley Road, #E  
Nevada City, CA 95959

Johnson Sheldon  
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810 Court Street  
Jackson, CA 95642-2132

Moran Kathleen  
Clerk-Recorder, County Registrar of Voters  
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546 Jay Street  
Colusa, CA 95932

Schultz William  
Recorder-Clerk  
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360 Fair Lane  
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Barnett Ann K.  
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1115 Truxtun Ave., 2nd Flr.  
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Nagel Theresa  
Clerk of the Board-Co. Clerk-Reg.r of  
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Lassen County  
220 S. Lassen St., Ste. 5  
Susanville, CA 96130

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3501 Civic Center Drive, Rm. 247  
San Rafael, CA 94903

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Setzer Colleen  
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San Francisco, CA 94104

Mike Norris, V. P. Business Mgmt.  
Covanta Energy – West Region  
PO Box 278  
Crows Landing, CA 95313

## Gary Collord - Proposed Negative Declaration

---

**From:** Gary Collord

**To:** alex.leupp@ncpa.com; allens@mid.org; Ann@cmua.org; aorchar@smud.org; barrow@cmua.org; bcarnahan@scppa.org; bduarte@ci.healdsburg.ca.us; berniez@cityofukiah.com; bfotos@smud.org; bhale@sfwater.org; bjeider@ci.burbank.ca.us; blaising@braunlegal.com; braun@braunlegal.com; btang@ci.azusa.ca.us; ccss@ci.pittsburg.ca.us; chrism@mid.org; ColleenR@mid.org; dbreninger@pcwa.net; duanegeorges@msn.com; dwright@riversideca.gov; eklinkner@ci.pasadena.ca.us; elmais@pcwa.net; ffletcher@ci.burbank.ca.us; fmason@ci.banning.ca.us; fong@alamedapt.com; Gerald.McAllister@ci.corona.ca.us; gevans@ci.pittsburg.ca.us; girish@alamedapt.com; gkrause@mercedid.org; henry.martinez@ladwp.com; itroncoso@ci.glendale.ca.us; jane.cirincione@ncpa.com; jearhart@ci.banning.ca.us; jfeider@ci.redding.ca.us; jhsu@ci.azusa.ca.us; jim.pope@ncpa.com; jjonas@svpower.com; jlambeck@mwdh2o.com; joneil@ci.rancho-cucamonga.ca.us; jordan@cmua.org; jschori@smud.org; jshetle@smud.org; kevin\_wattier@lbwater.org; knoller@anaheim.net; ksims@svpower.com; kweisel@tid.org; lquiambao@anaheim.net; lwweis@tid.org; medwards@anaheim.net; mgarcia@ci.vernon.ca.us; mgrandi@lodielectric.com; monique@cmua.org; mrobledo@scppa.org; msteirer@sandiego.gov; mteneyck@ci.rancho-cucamonga.ca.us; mwalker@ci.redding.ca.us; nbassin@ci.glendale.ca.us; ndlselec@citlink.net; paul.wang@ladwp.com; pbrown@scppa.org; pcurrie@ci.pasadena.ca.us; peterholzmeister@tdpud.org; pkeener@ci.redding.ca.us; ptoor@ci.banning.ca.us; pturner@smud.org; r\_ray@ci.lompoc.ca.us; raj.pankhania@ci.hercules.ca.us; randy.howard@ladwp.com; rcarmon@smud.org; rcoleman@trinitypud.com; rcorley@cmua.org; rdavis@ci.burbank.ca.us; ron.deaton@ladwp.com; sbadgett@riversideca.gov; scott.tomashefsky@ncpa.com; seboyd@tid.org; shuff@lodielectric.com; sleal@sfwater.org; tgreen@roseville.ca.us; thabashi@roseville.ca.us; tomb@moval.org; valerie.fong@cityofpaloalto.org; wallis@ebmud.com

**Date:** 3/28/2007 2:34 PM

**Subject:** Proposed Negative Declaration

**Attachments:**

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Attached is a Notice of Intent for the proposed Negative Declaration to be adopted by the California Energy Commission for the proposed SB 1368 regulations. The notice is posted on the Commission's website at [www.energy.ca.us/ghgstandards](http://www.energy.ca.us/ghgstandards)



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>  
Environmental Review and Permitting  
1416 Ninth Street, Suite 1260  
Sacramento, California 95814



## CEQA Filing Fee No Effect Determination Form

**Applicant Name:** California Energy Commission

**Date Submitted:** April 11, 2007

**Applicant Address:** 1516 9<sup>th</sup> Street  
Sacramento, CA 95814

**Project Name:** Regulations Establishing/Implementing a Greenhouse Gases Emission  
Standard for Local Publicly Owned Electric Utilities

**CEQA Lead Agency:** California Energy Commission

**CEQA Document Type:** (ND, MND, EIR) Negative Declaration

**SCH Number and/or Local Agency ID Number:** 2007041028

**Project Location:** California/Western Regional Coordinating Council Territory

**Brief Project Description:** The Energy Commission is proposing to adopt regulations that will prohibit California's local publicly owned electric utilities from entering into long-term financial commitments for baseload power from generation facilities exceeding a numerical greenhouse gases emission performance standard.

**Determination:** Based on a review of the Project as proposed, the Department of Fish and Game has determined that for purposes of the assessment of CEQA filing fees [F&G Code 711.4(c)] the project has no potential effect on fish, wildlife and habitat and the project as described does not require payment of a CEQA filing fee. This determination does not in any way imply that the project is exempt from CEQA and does not determine the significance of any potential project effects evaluated pursuant to CEQA.

Please retain this original determination for your records; you are required to file a copy of this determination with the County Clerk after your project is approved and at the time of filing of the CEQA lead agency's Notice of Determination (NOD). If you do not file a copy of this determination with the County Clerk at the time of filing of the NOD, the appropriate CEQA filing fee will be due and payable.

Without a valid No Effect Determination Form or proof of fee payment, the project will not be operative, vested, or final and any local permits issued for the project will be invalid, pursuant to Fish and Game Code Section 711.4(c)(3).

DFG Approval By:

Date: 4/23/2007

Title: Staff Environmental Scientist, Habitat Conservation Branch





ARNOLD SCHWARZENEGGER  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT  
DIRECTOR

May 7, 2007

Gary Collord  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Subject: Regulations Establishing/Implementing a Greenhouse Gas Emission Standard for Local Publicly Owned Electric Utilities  
SCH#: 2007041028

Dear Gary Collord:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on May 4, 2007, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2007041028  
**Project Title** Regulations Establishing/Implementing a Greenhouse Gas Emission Standard for Local Publicly  
**Lead Agency** Owned Electric Utilities  
Energy Commission

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**Type** Neg Negative Declaration  
**Description** The Energy Commission is proposing to adopt regulations that will prohibit California's local publicly owned electric utilities from entering into long-term financial commitments for baseload power from generation facilities exceeding a numerical greenhouse gases emission performance standard.

---

**Lead Agency Contact**

**Name** Gary Collord  
**Agency** California Energy Commission  
**Phone** (916) 651-9006 **Fax**  
**email**  
**Address** 1516 Ninth Street  
**City** Sacramento **State** CA **Zip** 95814

---

**Project Location**

**County**  
**City**  
**Region**  
**Cross Streets**  
**Parcel No.**  
**Township** **Range** **Section** **Base**

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**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use**

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**Project Issues** Air Quality; Other Issues

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**Reviewing Agencies** Resources Agency; Department of Parks and Recreation; Native American Heritage Commission; Public Utilities Commission; Department of Health Services; Department of Fish and Game, Headquarters; Department of Water Resources; Air Resources Board, Major Industrial Projects; State Lands Commission; Caltrans, Division of Transportation Planning; State Water Resources Control Board, Division of Water Quality

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**Date Received** 04/05/2007 **Start of Review** 04/05/2007 **End of Review** 05/04/2007

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APR 19 2007

California Energy Commission  
1516 Ninth St.

Sacramento, CA 95814

# Affidavit of Publication

—of—

Classified Advertising

Kyndra K. Kinnard \_\_\_\_\_ of said  
County and State being duly sworn, says:

That he is and at all times herein mentioned was a  
citizen of the United States, over 21 years of age, and not  
a party to nor interested in the above entitled matter; that  
he is a principal clerk of the printers and publishers of the  
**LOS ANGELES TIMES** a newspaper printed and  
published daily in the said Los Angeles County; that the

## Legal Notice

in the above entitled matter of which the annexed is a  
printed copy, was published in said newspaper


## LOS ANGELES TIMES

202 West First ST. Los Angeles, CA. 90012

on the following days, to-wit:

Fri., April 13, 2007

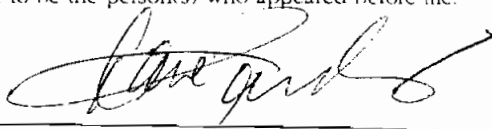
The CALIFORNIA ENERGY COMMISSION hereby provides notice that it intends to adopt a Negative Declaration for proposed Regulations Establishing and Implementing a Greenhouse Gases Emission Performance Standard for Local Publicly Owned Electric Utilities. The proposed Negative Declaration and supporting documents can be viewed at 1516 Ninth Street, Sacramento, CA 95814 or can be obtained from Gary Collard at (916) 651-9006, or through the Commission's website at: [www.energy.ca.gov/ghgstandards](http://www.energy.ca.gov/ghgstandards). The adoption hearing for the proposed regulations is scheduled for May 23, 2007. The comment period for the proposed Negative Declaration ends on May 14, 2007.



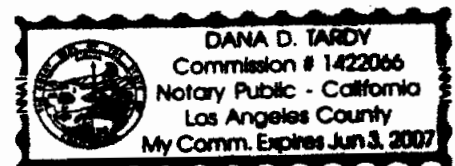
-----  
State of California

County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this 19th day  
of April (month), 2007 (year), by Kyndra Kinnard  
personally known to me or proved to me on the basis of satisfactory  
evidence to be the person(s) who appeared before me.



Notary Public in and for the County of Los Angeles, State of California



APR 05 2007

California Energy Commission  
1516 Ninth St., Room 100

Sacramento, CA 95814

# Affidavit of Publication

—of—

Classified Advertising

Kyndra K. Kinnard \_\_\_\_\_ of said  
County and State being duly sworn, says:

*That he is and at all times herein mentioned was a  
citizen of the United States, over 21 years of age, and not  
a party to nor interested in the above entitled matter; that  
he is a principal clerk of the printers and publishers of the  
**LOS ANGELES TIMES** a newspaper printed and  
published daily in the said Los Angeles County; that the*

## Legal Notice

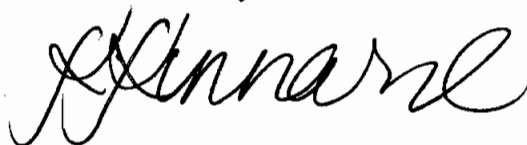
*in the above entitled matter of which the annexed is a  
printed copy, was published in said newspaper*

See Full Tearsheet Attached

## LOS ANGELES TIMES

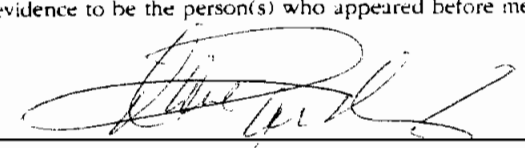
202 West First ST. Los Angeles, CA. 90012  
*on the following days, to-wit:*

Thu., March 29, 2007 thru Sun., April 01, 2007



----- State of California -----

County of Los Angeles  
Subscribed and sworn to (or affirmed) before me on this 5th day  
of April (month), 2007 (year), by Kyndra Kinnard  
personally known to me or proved to me on the basis of satisfactory  
evidence to be the person(s) who appeared before me.

  
\_\_\_\_\_  
Notary Public in and for the County of Los Angeles, State of California

