

# Notice of Decision by California Energy Commission

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

Clearinghouse No: 2009 049 009

X 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: Orange Grove Project

Energy Commission Docket Number: 08-AFC-4

Energy Commission Contact Person: Felicia Miller, Project Manager

Telephone: (916) 654-4640

Project Location: Unincorporated area, approximately 2-miles from community of Pala, CA

County: San Diego

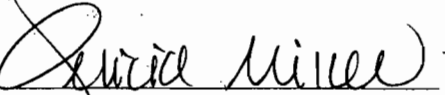
Project Description:

The project is a 96-megawatt (MW) peaking power plant designed with two G.E. LM6000 natural gas-fired turbines and associated electrical generation equipment. Fresh water and reclaimed tertiary treated water will be trucked to the project site. Natural gas supplied from through an approximately 2.4-mile underground gas pipeline. Power will be supplied to the grid via an approximately 0.3-mile underground electric transmission line to the existing substation located at the project site.

On April 8, 2009, 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 **(X) were**  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](http://www.energy.ca.gov).

  
Signature

4/15/09  
Date

Project Manager  
Title

Dates received for filing

OPR.  
**RECEIVED**  
APR 15 2009  
STATE CLEARING HOUSE

Resources:  
**RECEIVED BY**  
Office of the Secretary  
APR 15 2009  
RESOURCES AGENCY OF CALIFORNIA

<b>DOCKET</b>	
08-AFC-4	
DATE	APR 15 2009
RECD.	APR 20 2009

Notice of Completion & Environmental Document Transmittal

Appendix C

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Orange Grove Project
Lead Agency: California Energy Commission Contact Person: Felicia Miller
Mailing Address: 1516 Ninth Street Phonic: (916) 654-4640
City: Sacramento Zip: 95814 County: Sacramento

Project Location:
County: San Diego County City/Nearest Community: Pala
Cross Streets: Unincorporated area, approx. 2-miles west from community of Pala, CA Zip Code: 92059
Assessor's Parcel No.: APN 110-072-26 Section: Twp.: Range: Base:
Within 2 Miles: State Hwy #: SR-76 Waterways:
Airports: Railways: Schools:

Document Type:
CEQA: [ ] NOP [ ] Draft EIR NEPA: [ ] NOI Other: [ ] Joint Document
[ ] Early Cons [ ] Supplement/Subsequent EIR [ ] EA [x] Final Document
[ ] Neg Dec (Prior SCH No.) [ ] Draft EIS [ ] Other
[ ] Mit Neg Dec [x] Other Notice of Decision [ ] FONSI

Local Action Type:
[ ] General Plan Update [ ] Specific Plan [ ] Rezone [ ] Annexation
[ ] General Plan Amendment [ ] Master Plan [ ] Prezone [ ] Redevelopment
[ ] General Plan Element [ ] Planned Unit Development [ ] Use Permit [ ] Coastal Permit
[ ] Community Plan [ ] Site Plan [ ] Land Division (Subdivision, etc.) [x] Other Development

Development Type:
[ ] Residential: Units Acres
[ ] Office: Sq.ft. Acres Employees
[ ] Commercial: Sq.ft. Acres Employees
[x] Industrial: Sq.ft. Acres 8.5 Employees 9
[ ] Educational
[ ] Recreational
Total Acres (approx.) 12.5
[ ] Water Facilities: Type MGD
[ ] Transportation: Type
[ ] Mining: Mineral
[x] Power: Type Electric Generating Plant MW 96
[ ] Waste Treatment: Type MGD
[ ] Hazardous Waste: Type
[ ] Other:

Project Issues Discussed in Document:
[x] Aesthetic/Visual [ ] Fiscal [x] Recreation/Parks [x] Vegetation
[x] Agricultural Land [x] Flood Plain/Flooding [x] Schools/Universities [x] Water Quality
[x] Air Quality [x] Forest Land/Fire Hazard [x] Septic Systems [x] Water Supply/Groundwater
[x] Archeological/Historical [x] Geologic/Seismic [x] Sewer Capacity [x] Wetland/Riparian
[x] Biological Resources [x] Minerals [x] Soil Erosion/Compaction/Grading [x] Wildlife
[ ] Coastal Zone [x] Noise [x] Solid Waste [x] Growth Inducing
[x] Drainage/Absorption [x] Population/Housing Balance [x] Toxic/Hazardous [x] Land Use
[x] Economic/Jobs [x] Public Services/Facilities [x] Traffic/Circulation [x] Cumulative Effects
[ ] Other Public Health, Haz Materials

Present Land Use/Zoning/General Plan Designation:
General Agriculture A-72, Civil Use Type project permitted under zoning A-72

Project Description: (please use a separate page if necessary)
The project is a 96-MV peaking power plant, simple-cycle designed with two natural gas-fired turbines and associated electrical generation equipment. Freshwater and reclaimed tertiary treated water will be trucked to the project site and natural gas supplied through a 2.4-mile underground gas pipeline. Power will be supplied through the grid via a 0.3-mile underground electric transmission line to the existing substation located at the project site.

# Reviewing Agencies Checklist

Appendix C. continued

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

- |   |   |
|---|---|
| <input type="checkbox"/> Air Resources Board                    | <input type="checkbox"/> Office of Historic Preservation                      |
| <input type="checkbox"/> Boating & Waterways, Department of     | <input type="checkbox"/> Office of Public School Construction                 |
| <input type="checkbox"/> California Highway Patrol              | <input type="checkbox"/> Parks & Recreation                                   |
| <input type="checkbox"/> Caltrans District # _____              | <input type="checkbox"/> Pesticide Regulation, Department of                  |
| <input type="checkbox"/> Caltrans Division of Aeronautics       | <input type="checkbox"/> Public Utilities Commission                          |
| <input type="checkbox"/> Caltrans Planning (Headquarters)       | <input type="checkbox"/> Reclamation Board                                    |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Regional WQCB # _____                                |
| <input type="checkbox"/> Coastal Commission                     | <input type="checkbox"/> Resources Agency                                     |
| <input type="checkbox"/> Colorado River Board                   | <input type="checkbox"/> S.F. Bay Conservation & Development Commission       |
| <input type="checkbox"/> Conservation, Department of            | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Corrections, Department of             | <input type="checkbox"/> San Joaquin River Conservancy                        |
| <input type="checkbox"/> Delta Protection Commission            | <input type="checkbox"/> Santa Monica Mountains Conservancy                   |
| <input type="checkbox"/> Education, Department of               | <input type="checkbox"/> State Lands Commission                               |
| <input type="checkbox"/> Energy Commission                      | <input type="checkbox"/> SWRCB: Clean Water Grants                            |
| <input type="checkbox"/> Fish & Game Region # _____             | <input type="checkbox"/> SWRCB: Water Quality                                 |
| <input type="checkbox"/> Food & Agriculture, Department of      | <input type="checkbox"/> SWRCB: Water Rights                                  |
| <input type="checkbox"/> Forestry & Fire Protection             | <input type="checkbox"/> Tahoe Regional Planning Agency                       |
| <input type="checkbox"/> General Services, Department of        | <input type="checkbox"/> Toxic Substances Control, Department of              |
| <input type="checkbox"/> Health Services, Department of         | <input type="checkbox"/> Water Resources, Department of                       |
| <input type="checkbox"/> Housing & Community Development        | <input checked="" type="checkbox"/> Other See Attached Agency Mailing List    |
| <input type="checkbox"/> Integrated Waste Management Board      | <input type="checkbox"/> Other _____  |
| <input type="checkbox"/> Native American Heritage Commission    |   |
| <input type="checkbox"/> Office of Emergency Services           |   |

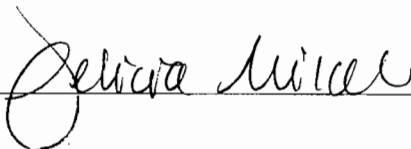
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**Local Public Review Period (to be filled in by lead agency)**

Starting Date June 19, 2008 Ending Date April 8, 2009

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**Lead Agency (Complete if applicable):**

Consulting Firm: <u>California Energy Commission</u>	Applicant: <u>J-Power USA Development</u>
Address: <u>1516 Ninth Street</u>	Address: <u>1900 East Golf Road, Ste, 1030</u>
City/State/Zip: <u>Sacramento, CA 95814</u>	City/State/Zip: <u>Schaumburg, IL 60173</u>
Contact: <u>Felicia Miller</u>	Phone: <u>(720) 221-7954</u>
Phone: <u>(916) 654-4640</u>	

-----  
Signature of Lead Agency Representative: \_\_\_\_\_



Date: 4/15/09



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION  
ORANGE GROVE POWER  
PLANT PROJECT**

**DOCKET No. 08-AFC -4  
PROOF OF SERVICE  
(Revised 2/17/09)**

**APPLICANT**

Stephen Thome  
J-Power USA Development  
1900 East Golf Road,  
Ste. 1030  
Schaumburg, IL 60173  
[sthome@jpowerusa.com](mailto:sthome@jpowerusa.com)

Mike Dubois  
J-Power USA Development  
1900 East Golf Road,  
Ste. 1030  
Schaumburg, IL 60173  
[mdubois@jpowerusa.com](mailto:mdubois@jpowerusa.com)

**APPLICANT'S CONSULTANT**

Joe Stenger, PG. REA  
TRC  
2666 Rodman Drive  
Los Osos CA 93402  
[jestenger@trcsolutions.com](mailto:jestenger@trcsolutions.com)

**COUNSEL FOR APPLICANT**

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Sacramento, CA 95814  
[jluckhardt@downeybrand.com](mailto:jluckhardt@downeybrand.com)

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& Bockius LLP  
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22<sup>nd</sup> Floor  
Los Angeles, CA 90071  
[wsonq@morganlewis.com](mailto:wsonq@morganlewis.com)

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

Steve Taylor  
San Diego Gas & Electric  
8306 Century Park Court  
San Diego, CA 92123  
[srtaylor@semprautilities.com](mailto:srtaylor@semprautilities.com)

**INTERVENORS**

Anthony J. Arand  
219 Rancho Bonito  
Fallbrook, CA 92028  
[tony@envirepel.com](mailto:tony@envirepel.com)

Alliance for a Cleaner Tomorrow  
(ACT)  
c/o Arthur S. Moreau,  
Klinedinst, PC  
501 West Broadway,  
Ste. 600  
San Diego, CA 92101  
[amoreau@klinedinstlaw.com](mailto:amoreau@klinedinstlaw.com)

Archie D. McPhee  
40482 Gavilan  
Mountain Road  
Fallbrook, CA 92028  
[archie1@earthlink.net](mailto:archie1@earthlink.net)

**ENERGY COMMISSION**

JAMES D. BOYD  
Vice Chairman and  
Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

ARTHUR ROSENFELD  
Commissioner and Associate  
Member  
[pflint@energy.state.ca.us](mailto:pflint@energy.state.ca.us)

Kenneth Celli  
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Public Adviser's Office  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)



21 Griffin Road North  
Windsor, CT 06095

WACHOVIA BANK, N.A.  
Wilmington, DE  
62-22/311

609604

CHECK DATE

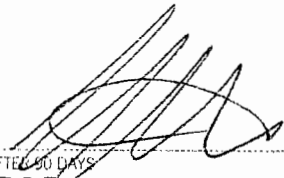
4/14/09

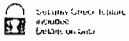
PAY **One Thousand Nine Hundred Ninety-Three and 00/100 Dollars**

AMOUNT

**\$1,993.00**

TO California Department of Fish and Game

By  M<sup>r</sup>  
VOID AFTER 90 DAYS AUTHORIZED SIGNATURE



⑈609604⑈ 1:03 1 100 2 25 1: 20 7 9 9 5 0 0 9 1 5 3 8 ⑈



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

Receipt No: **3908**

Date: 4/16/2009

Invoice Date: 4/15/2009

Document No: 08-AFC-4

Deposit No: 4530

Lead Agency: CA Energy Commission  
 State Agency of Filing: Department of Fish and Game  
 Project Title: Orange Grove Project

TRC for J-Power USA Development  
 21 Griffin Road North  
 Windsor, CT 06095

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:	\$1,993.00
Application Fee Water Diversion (State Water Resources Control Board Only):	\$0.00
Projects Subject to Certified Regulatory Programs	\$0.00

Lien fee: \$0.00

Penalty: \$0.00

County Administrative Fee: \$0.00

Project exempt from fees \$0.00

Total Received **\$1,993.00**

Person receiving payment:

*Bill Terry*  
 Bill Terry, Accounting Technician