

Notice of Decision by California Energy Commission



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.

DOCKET 09-AFC-3
DATE 5-18-2011
RECD. 5-18-2011

Project Title: **MARIPOSA ENERGY PROJECT**

Energy Commission Docket Number: **09-AFC-3**

Energy Commission Contact Person: Ken Celli Telephone: (916) 651-8893

Project Location: The proposed Mariposa Energy Project (MEP) project is located in northeastern Alameda County, in an unincorporated area. The site is located approximately 7 miles northwest of Tracy, 7 miles east of Livermore, 6 miles south of Byron, and approximately 2.5 miles west of the community of Mountain House in San Joaquin County. The facility would be located southeast of the intersection of Bruns Road and Kelso Road.

County: Alameda

Project Description: The MEP would be a natural gas-fired, simple cycle peaking facility with a generating capacity of 200-megawatts (MW). The project proposes to operate 600 hours per year on average, but if required can run up to 4,000 hours per year. Primary equipment for the generating facility includes four General Electric LM6000 PC-Sprint natural gas-fired combustion turbine generators and associated equipment. Power would be transmitted to the grid at 230-kV through a new 0.7-mile transmission line that would connect to the existing Pacific Gas and Electric (PG&E) Kelso Substation. A new 580-foot natural gas pipeline would connect the project site to PG&E's Line 2, which is an existing high-pressure natural gas pipeline located northeast of the project site.

Service and process water would be fresh irrigation water provided from a new connection to the Byron Bethany Irrigation District via a new pump station and 1.8-mile pipeline. The MEP is proposing to utilize on average 35 acre feet of water per year. In the event of continuous and maximum permitted operation, the MEP would utilize 187 acre feet of water for 4,000 hours of operation. The applicant has volunteered to fund an annual water conservation program designed to conserve a volume of raw water equal to the volume of water consumed by the MEP annually.

The project would be a zero liquid discharge facility. Process wastewater and stormwater runoff from plant equipment process areas would be treated on-site via an oil/water separator and activated carbon filtration system. The treated water then would be recycled to the raw water storage tank for plant process water usage. Stormwater runoff from other site areas would be detained onsite in an extended detention basin and released according to regulatory standards for stormwater quality control.

All domestic wastewater would be routed to an onsite septic system and either discharged to an onsite leach field or removed via truck for offsite disposal. Air emissions control systems would include a selective catalytic reduction system for nitrogen oxides (NOx) control using 19 percent aqueous ammonia and an oxidation catalyst for carbon monoxide (CO) control.

Temporary construction facilities would include a 9.2-acre worker parking and laydown area immediately east of the project site, a 1-acre water supply pipeline parking and laydown area located at the BBID headquarters facility to serve water pipeline construction needs, and a 0.6-acre laydown area along the transmission line route.

Construction of the generating facility, from site preparation and grading to commercial operation, is expected to take place from mid 2011 to mid 2012.

On May 18, 2011, the California Energy Commission approved the above-described project pursuant to a regulatory program certified by the Secretary of Natural Resources under Section 21080.5 of the California Public Resources Code. The Energy Commission adopted the Presiding Member's Proposed Decision (PMPD) and the Errata to the PMPD, which when combined into a single document comprise the Energy Commission Decision. The Energy Commission will formally compile the PMPD and the Errata into a single document for the convenience of readers. The effective date of the Energy Commission's decision is May 18, 2011.

1. The project will not have a significant effect on the environment.
2. A Staff Assessment, Presiding Member's Proposed Decision, and Final Decision were prepared, with the Final Decision being approved on May 18, 2011 by the California Energy Commission as a Certified Regulatory Program.
3. Mitigation measures were made a condition of approval of the project.
4. A statement of Overriding Considerations was not adopted for the project.
5. Findings were made pursuant to the provisions of the California Environmental Quality Act.

Statute of Limitations: Notwithstanding Public Resources Code section 21080.5 subdivision (g), any challenge to a certification must be brought within the time specified in Public Resources Code section 25901.

The Energy Commission docket files containing the PMPD, the Errata, and the compiled Energy Commission Decision, when available, and other information regarding the project are available to the public at: California Energy Commission, 1516 9th Street, Sacramento, California, 95814. Those documents and other information regarding the project are also available on the Energy Commission's web site located at: <http://www.energy.ca.gov/sitingcases/mariposa/index.html>.

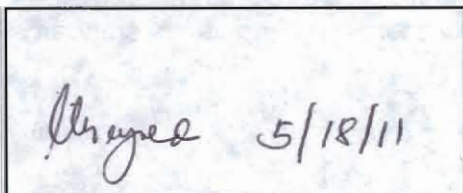


MELISSA JONES, Executive Director
California Energy Commission

5/18/2011

Date

Date received for filing at the Natural Resources Agency:



5/18/11



State of California—The Resources Agency
 DEPARTMENT OF FISH AND GAME
2011 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
COUNTY/STATE AGENCY OF FILING Sacramento, CA			DOCUMENT NUMBER
PROJECT TITLE Mariposa Energy Project (09-AFC-3)			
PROJECT APPLICANT NAME Mariposa Energy, LLC			PHONE NUMBER
PROJECT APPLICANT ADDRESS 333 S. Grand Avenue, Suite 1570	CITY Los Angeles	STATE CA	ZIP CODE 90071

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)	\$2,839.25	\$	\$0.00
<input type="checkbox"/> Negative Declaration (ND)(MND)	\$2,044.00	\$	\$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)	\$965.50	\$	\$965.50
<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 _____

TOTAL RECEIVED \$ \$965.50

SIGNATURE X <i>[Signature]</i>	TITLE <i>AAI Supervisor</i>
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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



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

Receipt No: **4445**

Date: **5/18/2011**

Lead Agency: **California Resources Agency**
 State Agency of Filing: **Department of Fish and Game**
 Project Title: **Mariposa Energy Project 09-AFC-3**

Invoice Date:
 Document No:
 Deposit No: **000619**

California Energy Commission
 1516 9th St.
 Sacramento, CA 95814

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:	\$0.00
Application Fee Water Diversion (State Water Resources Control Board Only):	\$0.00
Projects Subject to Certified Regulatory Programs	\$965.50
Lien fee:	\$0.00
Penalty:	\$0.00
County Administrative Fee:	\$0.00
<input type="checkbox"/> Project exempt from fees	\$0.00
Other Fee:	\$0.00

Total Received **\$965.50**

Person receiving payment:


 Mosheem Khan, Accountant I

2 copies - Project Applicant, DFG/ASB