

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research

U.S. Mail:

Street Address:

P.O. Box 3044

1400 Tenth St., Rm 113

Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk

County of: _____

Address: _____

From:

Public Agency: Port of Stockton

Address: 2201 West Washington Street
Stockton, California 95203

Contact: Jason Cashman

Phone: 209-946-0246

Lead Agency (if different from above): _____

Address: _____

Contact: _____

Phone: _____

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2016112007

Project Title: Eco-Energy Liquid Bulk Receiving Terminal

Project Applicant: Eco-Energy

Project Location (include county): 630 Port Road 23, Stockton, CA 95203, San Joaquin County

Project Description:

Eco-Energy is proposing to construct and operate a 10-acre liquid bulk receiving terminal at the Port of Stockton. The Project involves the construction of new rail leads and switches, a rail offload yard, a pipeline, a support building, and a concrete pump station. Liquid bulk petroleum products would be transferred from the Eco-Energy terminal to the adjacent NuStar bulk petroleum terminal through a closed-loop pipeline system. A maximum total of 60 unit trains per year would be received at the proposed facility, resulting in a net increase of 13,500 trucks leaving the NuStar facility annually. Construction of the Project would last approximately 10 to 12 months.

This is to advise that the Port of Stockton has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on April 15, 2019, and has made the following determinations regarding the above
(date)
described project.

1. The project [☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☒ was ☐ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Port of Stockton, 2201 West Washington Street, Stockton, California 95203

Signature (Public Agency): J. P. C.

Title: Environmental Manager

Date: April 19, 2019

Date Received for filing at OPR:

APR 19 2019

Governor's Office of Planning & Research

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

APR 19 2019
Revised 2011
STATE CLEARINGHOUSE

Lead Agency:

Port of Stockton

2201 West Washington Street

Stockton CA 95203

Filed Doc #: 39-04192019-123

04/19/2019 10:54:14 AM

**Steve J. Bestolarides
San Joaquin County Clerk**

DOCUMENT TITLE

Eco-Energy Liquid Bulk Receiving Terminal - Notice of Determination



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/18) Previously DFG 753.5a

RECEIPT NUMBER:
39-04192019-123

STATE CLEARINGHOUSE NUMBER (If applicable)
2016112007

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY
PORT OF STOCKTON

LEAD AGENCY EMAIL

DATE
04/19/2019

COUNTY/STATE AGENCY OF FILING
SAN JOAQUIN

DOCUMENT NUMBER
39-04192019-123

PROJECT TITLE

ECO-ENERGY LIQUID BULK RECEIVING TERMINAL

PROJECT APPLICANT NAME
PORT OF STOCKTON

PROJECT APPLICANT EMAIL

PHONE NUMBER
(209) 946-0246

PROJECT APPLICANT ADDRESS
2201 W WASHINGTON ST

CITY
STOCKTON

STATE
CA

ZIP CODE
95203

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report (EIR)	\$3,271.00	\$	\$3,271.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,354.75	\$	
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,112.00	\$	
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ 3,321.00

SIGNATURE

x *Kelley McHugh*

AGENCY OF FILING PRINTED NAME AND TITLE

Kelley McHugh, Deputy

Governor's Office of Planning & Research

APR 19 2019

STATE CLEARINGHOUSE





State of California - Department of Fish and Wildlife

2018 ENVIRONMENTAL FILING FEE CASH RECEIPT

DFW 753.5a (Rev. 12/15/15) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) *(Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))*

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall 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 Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months. It is the responsibility of the project applicant to retain this receipt for all subsequent NOD filings.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

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

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
1416 9th Street, 12th Floor, Suite 1215
Sacramento, California 95814



State of California - Department of Fish and Wildlife
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☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

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TOTAL RECEIVED \$ \$3,321.00

SIGNATURE

x

AGENCY OF FILING PRINTED NAME AND TITLE

Kelley McHugh, Deputy

Governor's Office of Planning & Research

APR 19 2019

STATE CLEARINGHOUSE



San Joaquin County Recorders
Steve J. Bestolarides
44 N. San Joaquin Street, Room 260
Stockton, Ca 95202
Receipt: 1081438

Product Name	Extended
FISH CLERK CLERK FISH AND GAME FILINGS	\$3,321.00
# Pages	2
Document #	39-04192019-123
Environmental Impact Report (C)	\$3,271.00
Clerk Filing Fee	\$50.00
Total	\$3,321.00
Tender (Check)	\$3,321.00
Check # 029261	
Paid By PORT OF STOCKTON	

Thank You!

4/19/19 10:54 AM kmchugh

Governor's Office of Planning & Research

APR 19 2019

STATE CLEARINGHOUSE