

**CALENDAR ITEM
C53**

A Statewide
S Statewide

10/22/09
W26366
J. Dye
G. Newton

**CONSIDER APPROVAL OF MEMORANDUM OF AGREEMENT WITH CALIFORNIA
ENERGY COMMISSION REGARDING THE COORDINATION OF POWER PLANT
PERMITTING ACTIVITIES**

PARTIES: California Energy Commission
 1516 9th Street
 Sacramento, CA 95814-5504

c/o Chris Tooker
Transmission Corridor Designation Unit, MS 46
Siting, Transmission and Environmental Protection Division

California State Lands Commission
100 Howe Ave., Suite 100-South
Sacramento, CA 95825

BACKGROUND

Staff of the California State Lands Commission (SLC) has received several applications to lease school and/or lieu lands under the Commission's jurisdiction for the installation and operation of renewable energy projects. Staff anticipates that similar applications will continue to be received in the future, as utilities strive to meet the State's aggressive yet important renewable energy goals.

The California Energy Commission (CEC) has exclusive authority to certify thermal power plants with a generating capacity of 50 megawatts or more. Some project proposals received by SLC staff exceed this threshold; others do not. Approval of the proposed agreement will provide a helpful framework for staff of the SLC and CEC to perform their respective roles and share relevant information for all such project proposals, both above and below the CEC's exclusive jurisdictional threshold.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 CCR § 15061), the staff has determined that this activity is

CALENDAR ITEM NO. **C53** (CONT'D)

exempt from the requirements of the CEQA because this activity is not a “project” as defined by the CEQA (PRC § 21065) and the State CEQA Guidelines (14 CCR § 15378).

2. The Executive Director of the CEC has already executed the agreement. Upon Commission approval of this item, CEC staff will bring the executed agreement to the office of the SLC for execution by the SLC’s Executive Officer.

PERMIT STREAMLINING ACT:

N/A

EXHIBITS:

- A. Memorandum of Agreement between The California Energy Commission and The California State Lands Commission regarding The Coordination of Power Plant Permitting Activities

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA BECAUSE IT IS NOT A “PROJECT” AS DEFINED BY THE PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.
2. AUTHORIZE THE EXECUTIVE OFFICER TO EXECUTE THE MEMORANDUM OF AGREEMENT BETWEEN THE CALIFORNIA ENERGY COMMISSION AND THE CALIFORNIA STATE LANDS COMMISSION REGARDING THE COORDINATION OF POWER PLANT PERMITTING ACTIVITIES.

