

APR 02 2025

County Clerk/Recorder  
San Joaquin County  
44 N. San Joaquin St., Ste. 260  
Stockton, CA 95202

**Subject: Notice of Determination**

**Project: Tracy Renewable Energy, LLC., Project No. N-1234245**

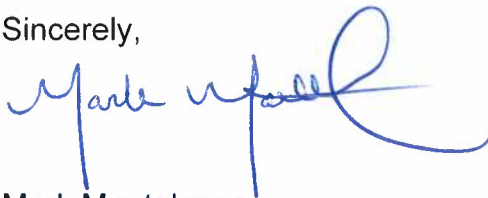
To Whom It May Concern:

The San Joaquin Valley Air Pollution Control District (District) is filing the enclosed Notice of Determination for the subject project pursuant to CEQA §21152(a), and CEQA Guidelines §15096(i). Please post this Notice of Determination in a conspicuous place for a period of 30-days in accordance with CEQA Guidelines, and provide the District with a validated copy in accordance with established notification procedures.

On May 1, 2012, the City of Tracy, serving as Lead Agency adopted the Mitigated Negative Declaration for the Tracy Desalination and Green Energy project, which covers this Project. Enclosed is Receipt No. 000718 demonstrating that the City of Tracy paid the California Fish and Wildlife fees for posting the Mitigated Negative Declaration. Also enclosed is the County's Proof of Posting.

Thank you for your cooperation in this matter. If you have any questions, please contact Harout Sagherian at (559) 230-5860 or by email at [Harout.Sagherian@valleyair.org](mailto:Harout.Sagherian@valleyair.org).

Sincerely,



Mark Montelongo  
Director of Policy and Government Affairs

*Enclosures: Notice of Determination (Original)  
Check for County Filing Fee  
Copy of the County's Notice of Determination  
Copy of the County's Proof of Payment of California Fish and Wildlife fee*

**Samir Sheikh**  
Executive Director/Air Pollution Control Officer

**Northern Region**  
4800 Enterprise Way  
Modesto, CA 95356-8718  
Tel: (209) 557-6400 FAX: (209) 557-6475

**Central Region (Main Office)**  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Tel: (559) 230-6000 FAX: (559) 230-6061

**Southern Region**  
34946 Flyover Court  
Bakersfield, CA 93308-9725  
Tel: (661) 392-5500 FAX: (661) 392-5585

# Notice of Determination

To:  Office of Planning and Research  
For U.S. Mail Street Address  
P.O. Box 3044 1400 Tenth St., Rm 113  
Sacramento, CA 95812-0344 Sacramento, CA 95814  
(916) 445-0613

County Clerk  
County of San Joaquin  
44 N. San Joaquin St., Ste. 260  
Stockton, CA 95202  
(209) 458-2362

From: San Joaquin Valley Unified Air Pollution Control District  
1990 E. Gettysburg Avenue  
Fresno, CA 93726-0244  
Harout Sagherian  
(559) 230-6000

**Lead Agency (If different from sender):**

City of Tracy – Planning Department  
333 Civic Center Plaza  
Tracy, CA 95376  
Contact: Scott Claar  
Phone: (209) 831-6429

(For County Use Only)

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

**Project Title:** Tracy Desalination and Green Energy project, Tracy Renewable Energy, LLC. District Project No. N-1234245

**Project Location:** The project is located at 9251 W. Arbor Avenue in Tracy, CA (APN: 212-160-05)

**Project Description:** Tracy Renewable Energy, LLC., the applicant, has proposed a re-issuance of a permit for a 65.6 MMBtu/hr walnut shell fired boiler, potato receiving and shredding operation, potato drying operation, potato loadout operation, and a walnut shell receiving operation.

**Applicant Name, Address, & Phone Number:** Frank R. Schubert, PO BOX 583, Tracy, CA 95378, (831) 224-2513

This is to advise that the San Joaquin Valley Unified Air Pollution Control District acting as a  Lead Agency or  Responsible Agency has approved the above described project and has made the following determinations regarding the above 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 provision of CEQA.  
 A Mitigated 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 District's  Findings,  Final EIR, or  Final Mitigated Negative Declaration,  record of project approval, is available to the General Public at: San Joaquin Valley APCD, 1990 E. Gettysburg Avenue, Fresno, CA.

Signature (Public Agency) \_\_\_\_\_

Mark Montelongo

Title: Director of Policy and Government Affairs

APR 02 2025

Date: \_\_\_\_\_

04/01/2025

Check No 233617

Vendor # 00550

San Joaquin County Clerk/Recorder  
44 North San Joaquin Street, Suite 260  
Stockton, CA 95202

Document No.	Description	P.O.	Invoice	Amount
PI351224	NOD: N-1234245		11202024C	50.00

Total 50.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER



San Joaquin Valley Unified  
Air Pollution Control District  
1990 East Gettysburg Avenue  
Fresno, CA 93726

Wells Fargo Bank - Main  
Hiram Yanez  
8405 N Fresno St  
Suite 301

233617

Void Six Months From Date of Issue

Date	Amount
04/01/2025	\$*****50.00

PAY: \*\*\*\*FIFTY AND 0/100 DOLLARS

TO THE ORDER OF: San Joaquin County Clerk/Recorder  
44 North San Joaquin Street, Suite 260  
Stockton, CA 95202

*Ryan Garcia*

*Mario Cresco*

TWO SIGNATURES REQUIRED FOR AMOUNTS OVER \$1000.00

⑈ 233617 ⑈

⑈ 121042882⑈ 7426 037755 ⑈

THIS DOCUMENT HAS A TRUE WATERMARK IN THE PAPER • HOLD TO LIGHT TO VIEW.

VZ382796-08-23

Security Features Included Details on back.

Notice of Determination

Appendix D

2012 MAY -3 AM 11:55

TO:

FROM:

Office of Planning and Research SAN JOAQUIN COUNTY

Public Agency: City of Tracy

For U.S. Mail:

Street Address

P.O. Box Box 3044

1400 West Street

Address: 333 Civic Center Plaza  
Tracy, CA 95376

Sacramento, CA 95812-3044

Sacramento, CA 95814

Contact: Scott Claar, Associate Planner

County Clerk

Phone: 209-831-6429

County of: San Joaquin

Lead Agency (if different from above):

Address: 44 North San Joaquin St, suite 260  
Stockton, CA 95205

same as 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): 2011122004

Project Title: Tracy Desalination and Green Energy Project

Project Location (include county): East of Tracy Blvd. in the vicinity of Sugar Road  
in San Joaquin County

Project Description: Annexation of 241 acre site into the City of Tracy, General Plan  
Amendment to designate the site Industrial, prezone the site Light Industrial,  
and construction and operation of a desalination plant, including a biomass  
energy production component.

This is to advise that the City of Tracy has approved the above described

Lead Agency or  Responsible Agency

project on 5/01/12 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:

City of Tracy, Department of Development Services, 333 Civic Center Plaza, Tracy, CA

Signature (Public Agency) Scott C. Claar Title: Associate Planner

Date: 5/03/12

Date Received for filing at OPR: \_\_\_\_\_



State of California—The Resources Agency  
 DEPARTMENT OF FISH AND GAME  
**2012 ENVIRONMENTAL FILING FEE CASH RECEIPT**

**PRINT**

**CLEAR**

RECEIPT# 000718
STATE CLEARING HOUSE # (if applicable)

**SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY**

LEAD AGENCY CITY OF TRACY	DATE 05/03/2012
COUNTY/STATE AGENCY OF FILING SAN JOAQUIN COUNTY	DOCUMENT NUMBER

PROJECT TITLE  
TRACY DESALINATION AND GREEN ENERGY PROJECT

PROJECT APPLICANT NAME CITY OF TRACY	PHONE NUMBER (209) 831-6429
---	--------------------------------

PROJECT APPLICANT ADDRESS 333 CIVIC CENTER PLAZA	CITY TRACY	STATE CA	ZIP CODE 95376
---	---------------	-------------	-------------------

**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)  | \$2,919.00 | \$ | 0.00  |
| <input type="checkbox"/> Negative Declaration (ND)(MND)   | \$2,101.50 | \$ | 0.00  |
| <input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only) | \$850.00   | \$ | 0.00  |
| <input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)                    | \$992.50   | \$ | 0.00  |
| <input checked="" type="checkbox"/> County Administrative Fee                                       | \$50.00    | \$ | 50.00 |
| <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 \$ 50.00

SIGNATURE

X *Kelley Malen*

TITLE

DEPUTY COUNTY CLERK