



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (Rev. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER:
37-09/23/2024-0775
STATE CLEARING HOUSE NUMBER(If applicable)
1984053008

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF POWAY	LEAD AGENCY EMAIL	DATE 09/23/2024
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 2024-NOD-0107	
PROJECT TITLE NIGHTHAWK ENERGY STORAGE PROJECT AS FURTHER DESCRIBED IN ADDENDUM TITLE		

PROJECT APPLICANT NAME NIGHTHAWK ENERGY STORAGE LLC	PROJECT APPLICANT EMAIL	PHONE NUMBER 480-480-2850
PROJECT APPLICANT ADDRESS 8800 N GAINES CENTER DR.	CITY SCOTTSDALE	STATE AZ
		ZIP CODE 85258
PROJECT APPLICANT (Check appropriate box)		
☐ Local Public Agency	☐ School District	☐ Other Special District
☐ State Agency	☒ Private Entity	

CHECK APPLICABLE FEES:

☒ Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
☐ Mitigated/Negative Declaration (MND)/(ND)	\$2,916.75	\$	0.00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00
☐ Exempt from fee			
☐ Notice of Exemption (attach)			
☐ CDFW No Effect Determination (attach)			
☒ Fee previously paid (attach previously issued cash receipt copy)			
☐ Water Right Application or Petition Fee(State Water Resources Control Board only)	\$850.00	\$	0.00
☒ County documentary handling fee		\$	50.00
☐ Other		\$	0.00

PAYMENT METHOD:

☐ Cash	☒ Credit	☐ Check	☐ Other	TOTAL RECEIVED	\$	50.00
-------------------------------	--	--------------------------------	--------------------------------	----------------	----	-------

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, CARLOS TERAN, Deputy
----------------	---

Payment Reference #: AUTH #01228G REM 8/27/2024 DOC#2024-NOD-0094 RECEIPT NUMBER
37-08/27/2024-0687



SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET

FILED
Sep 23, 2024 12:43 PM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2024-000845
State Receipt # 37092320240775
Document # 2024-NOD-107

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

NIGHTHAWK ENERGY STORAGE PROJECT AS FURTHER DESCRIBED IN
ADDENDUM TITLE

Check Document being Filed:

- ☒ Environmental Impact Report (EIR)
- ☐ Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- ☐ Notice of Exemption (NOE)
- ☐ Other (Please fill in type):

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** September 23, 2024
Posted September 23, 2024 **Removed** _____
Returned to agency on _____
DEPUTY _____

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

Subsequent 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 San Diego

Address 1600 Pacific Highway
San Diego, CA 92101
From:

Public Agency City of Poway

Address 13325 Civic Center Drive
Poway, CA 92064

Contact Stan Donn

Phone 858-668-4604

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) SCH No 1984053008 (see attachment

Project Title Nighthawk Energy Storage Project as further described in Addendum title

Project Applicant Nighthawk Energy Storage, LLC, 480-480-2850, 8800 N Gainey Center Dr., Scottsdale, AZ
85258

Project Location (include county): 13501 Kirkham Way, a 10-acre portion of APN 320-031-0300, City of Poway,

Project Description

216 (0) 40 3629-475

See attachment to NOD (Subsequent Action) including a Description of Previous Action/Projects & the Project Description. Project consists of construction/operation of a 300 MW battery energy storage system on a 10 acre portion of APN 320-031-0300 & gen-tie line connecting to a SDG&E substation on MCAS Miramar. Impacts are analyzed in an Addendum to the various previously certified CEQA documents as described in the attached, including SCH#s 1984053008, 880427161, 89010025, 2000011053, and incorporates CATEX Decision Memorandum (NEPA Mrell20220070) relating to portions of MCAS Miramar.

This is to advise that the City of Poway City Council has approved the above
☒ Lead Agency or ☐ Responsible Agency)

described project on September 17, 2024 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

<https://poway.org/329/Recent-Projects-Environmental-Documents>, Poway Development Services Depa

Signature (Public Agency)

Title Development Services Director

Date September 17, 2024

Date Received for filing at OPR

Notice of Determination (Subsequent Action):
Description of Previous Actions/Projects:

The City of Poway previously prepared an EIR for the South Poway Planned Community (SPCC) Development Plan in 1985. The EIR (State Clearinghouse [SCH] No. 1984053008) provided a comprehensive single environmental document that allowed the City of Poway, as Lead Agency under CEQA, to carry out the entire plan. The City certified the EIR, adopted findings of fact and adopted a statement of overriding considerations and a mitigation monitoring and reporting plan on July 30, 1985, via Resolution No. P-85-45.

Subsequent to City Council approval of the SPPC Development Plan and certification of the 1985 EIR, the City prepared and certified a Subsequent EIR (SCH #880427161) to the 1985 EIR that analyzed the proposed amendments to the SPPC Development Plan Text and a number of city-initiated amendments to the adopted SPPC Development Plan. The SEIR was certified via Resolution No. P-88-074 on July 26, 1988 (1988 SEIR).

In 1990, the City prepared an SEIR (SCH #89010025) to the 1985 EIR (1990 SEIR) to analyze the potential environmental impacts that could result from implementation of the proposed CalMat-Poway Project. The Poway City Council certified the SEIR and approved the Calmat-Poway Project's Conditional Use Permit (CUP) 89-05 via Resolution P-01-48R and Reclamation Plan 89-05 via Resolution No. 91-078 on July 23, 1991. An MMRP and Statement of Overriding Considerations for remaining significant impacts on landform/aesthetics and biology was adopted under Resolution P-91-48R.

On August 7, 2001, the City of San Diego certified an EIR for the Rancho Encantada Precise Plan via Resolution No. 295401 on August 7, 2001 (LDR No. 99-0194; SCH No. 2000011053). The EIR analyzed implementation of the Precise Plan as a whole including development within the Sycamore Estates Vesting Tentative Map in which Project components are located. Project components within Miramar Marine Corps Base were analyzed in compliance with the NEPA and determined to qualify under Categorical Exclusion 24 CFR 775.6(g) pursuant to Categorical Exclusion Decision Memorandum (NEPA Mrell20220070) dated January 23, 2023.

Project Description: This Addendum considers the environmental issues analyzed in the previously certified 1985 EIR and its subsequent EIRs and the Rancho Encantada Precise Plan EIR as well as project-specific environmental analysis pursuant to CEQA for the Nighthawk Energy Storage Project including the analysis in the Categorical Exclusion Decision Memorandum (NEPA Mrell20220070) related to project components within the Miramar Marine Corps Base, which is incorporated by reference pursuant to CEQA guidelines section 15150. The Addendum evaluated the adequacy of the 1985 EIR and its subsequent EIRs and the Rancho Encantada Precise Plan EIR relative to the project, including the Categorical Exclusion Decision Memorandum, and documents that proposed modifications and/or refinements would not cause new or more severe significant impacts than those identified in the previously certified environmental documents.

The Nighthawk Energy Storage Project will construct and operate a 300 megawatt battery energy storage system (BESS) on APN 320-031-0300. The project will include the development of energy storage facilities and associated infrastructure including energy storage enclosures/appurtenances, power inverters/transformers, a collector substation, telecommunication facilities, site access and security, on-site access driveways, a 12-foot-tall perimeter security wall, and nighttime lighting. Power released or captured by the BESS will be transferred to and from the SDG&E Sycamore Canyon Substation via a 138 kV gen-tie line that will be located on lands within the City of Poway, City of San Diego and Miramar Marine Corps Base.

Notice of Determination (Subsequent Action):

Description of Previous Actions/Projects:

The City of Poway previously prepared an EIR for the South Poway Planned Community (SPCC) Development Plan in 1985. The EIR (State Clearinghouse [SCH] No. 1984053008) provided a comprehensive single environmental document that allowed the City of Poway, as Lead Agency under CEQA, to carry out the entire plan. The City certified the EIR, adopted findings of fact and adopted a statement of overriding considerations and a mitigation monitoring and reporting plan on July 30, 1985, via Resolution No. P-85-45.

Subsequent to City Council approval of the SPPC Development Plan and certification of the 1985 EIR, the City prepared and certified a Subsequent EIR (SCH #880427161) to the 1985 EIR that analyzed the proposed amendments to the SPPC Development Plan Text and a number of city-initiated amendments to the adopted SPPC Development Plan. The SEIR was certified via Resolution No. P-88-074 on July 26, 1988 (1988 SEIR).

In 1990, the City prepared an SEIR (SCH #89010025) to the 1985 EIR (1990 SEIR) to analyze the potential environmental impacts that could result from implementation of the proposed CalMat-Poway Project. The Poway City Council certified the SEIR and approved the CalMat-Poway Project's Conditional Use Permit (CUP) 89-05 via Resolution P-01-48R and Reclamation Plan 89-05 via Resolution No. 91-078 on July 23, 1991. An MMRP and Statement of Overriding Considerations for remaining significant impacts on landform/aesthetics and biology was adopted under Resolution P-91-48R.

On August 7, 2001, the City of San Diego certified an EIR for the Rancho Encantada Precise Plan via Resolution No. 295401 on August 7, 2001 (LDR No. 99-0194; SCH No. 2000011053). The EIR analyzed implementation of the Precise Plan as a whole including development within the Sycamore Estates Vesting Tentative Map in which Project components are located. Project components within Miramar Marine Corps Base were analyzed in compliance with the NEPA and determined to qualify under Categorical Exclusion 24 CFR 775.6(g) pursuant to Categorical Exclusion Decision Memorandum (NEPA Mrell20220070) dated January 23, 2023.

Project Description: This Addendum considers the environmental issues analyzed in the previously certified 1985 EIR and its subsequent EIRs and the Rancho Encantada Precise Plan EIR as well as project-specific environmental analysis pursuant to CEQA for the Nighthawk Energy Storage Project including the analysis in the Categorical Exclusion Decision Memorandum (NEPA Mrell20220070) related to project components within the Miramar Marine Corps Base, which is incorporated by reference pursuant to CEQA guidelines section 15150. The Addendum evaluated the adequacy of the 1985 EIR and its subsequent EIRs and the Rancho Encantada Precise Plan EIR relative to the project, including the Categorical Exclusion Decision Memorandum, and documents that proposed modifications and/or refinements would not cause new or more severe significant impacts than those identified in the previously certified environmental documents.

The Nighthawk Energy Storage Project will construct and operate a 300 megawatt battery energy storage system (BESS) on APN 320-031-0300. The project will include the development of energy storage facilities and associated infrastructure including energy storage enclosures/apertances, power inverters/transformers, a collector substation, telecommunication facilities, site access and security, on-site access driveways, a 12-foot-tall perimeter security wall, and nighttime lighting. Power released or captured by the BESS will be transferred to and from the SDG&E Sycamore Canyon Substation via a 138 kV gen-tie line that will be located on lands within the City of Poway, City of San Diego and Miramar Marine Corps Base.



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753 5a (Rev 01/01/24) Previously DFG 753 5a

SEE INSTRUCTIONS ON REVERSE TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF POWAY	LEAD AGENCY EMAIL	DATE 08/27/2024
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 2024-NOD-0094	

PROJECT TITLE
NIGHTHAWK ENERGY STORAGE PROJECT AS FURTHER DESCRIBED IN ADDENDUM TITLE

PROJECT APPLICANT NAME NIGHTHAWK ENERGY STORAGE, LLC	PROJECT APPLICANT EMAIL	PHONE NUMBER 480-480-2850
PROJECT APPLICANT ADDRESS 8800 N GAINES CENTER DR	CITY SCOTTSDALE	STATE AZ
	ZIP CODE 85258	

PROJECT APPLICANT (Check appropriate box)
☐ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☒ Private Entity

CHECK APPLICABLE FEES:

☒ Environmental Impact Report (EIR)	\$4,051 25	\$	4,051 25
☐ Mitigated/Negative Declaration (MND)/(ND)	\$2,916 75	\$	0 00
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377 25	\$	0 00
☐ Exempt from fee			
☐ Notice of Exemption (attach)			
☐ CDFW No Effect Determination (attach)			
☐ Fee previously paid (attach previously issued cash receipt copy)			
☐ Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850 00	\$	0 00
☒ County documentary handling fee		\$	50 00
☐ Other		\$	0 00

PAYMENT METHOD

☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ 4,101 25

SIGNATURE

x ERS

AGENCY OF FILING PRINTED NAME AND TITLE

San Diego County Clerk, ELVA STOPKE, Deputy

Payment Reference #: CHECK #24944 CHECK #24933

ORIGINAL - PROJECT APPLICANT

COPY - CDFW/ASB

COPY - LEAD AGENCY

COPY - COUNTY CLERK

DFW 753 5A (Rev 01/01/2024)



San Diego County



Transaction #: 8014152
Receipt #: 2024342828

JORDAN Z. MARKS

Assessor/Recorder/County Clerk

1600 Pacific Highway Suite 260

P. O. Box 121750, San Diego, CA 92112-1750

Tel. (619) 237-0502 Fax (619) 557-4155

www.sdarcc.gov

Cashier Date: 09/23/2024

Cashier Location: SD

Print Date: 09/23/2024 12:43 pm

Payment Summary

Total Fees:	\$50.00
Total Payments	\$50.00
Balance:	\$0.00

Payment

VITALCHEK PAYMENT \$50.00

Total Payments \$50.00

Filing

CEQA - NOD FILE #: 2024-000845 Date: 09/23/2024 12:43PM Pages: 5

State Receipt # 37-09/23/2024-0775

Fees: Fish & Wildlife County Administrative Fee \$50.00

Total Fees Due: \$50.00

Grand Total - All Documents: \$50.00

09/23/2024

12:40 PM PDT

SAN DIEGO COUNTY VITAL RECORDS
1600 PACIFIC HIGHWAY
ROOM 260
SAN DIEGO, CA 92101

TERMINAL NAME: E6824104

ORDER# 188668504

PAYMENT

COUNTER PAYMENT \$50.00

AGENCY SUBTOTAL: \$50.00
LEXISNEXIS SERVICE FEE: \$2.50

TOTAL USD: \$52.50

CARD #: 5084 VISA
PAYMENT: CREDITCHIP READ-CONTACT
MODE: ISSUER
AUTH CODE: 01228G
APP LABEL: VISA CREDIT
CVM: NO SIG REQUIRED
AID: A0000000031010
ARQC: 0CC85B143F8DEB19
AMOUNT: \$52.50
*** CARD APPROVED ***

AMOUNT PAID:
\$52.50

CUSTOMER COPY