

DOCKETED

Docket Number:	24-OPT-04
Project Title:	Potentia-Viridi Battery Energy Storage System
TN #:	263577
Document Title:	CEC Data Request #2 - Visual Resources Response
Description:	This document responds to the CEC's 4/7/25 second deficiency request as it relates to Visual Resources.
Filer:	Ronelle Candia
Organization:	Dudek
Submitter Role:	Applicant Consultant
Submission Date:	5/30/2025 2:37:13 PM
Docketed Date:	5/30/2025

CEC Data Request #2 – Visual
Resources Response

Potentia-Viridi Battery Energy Storage Project

MAY 2025

Prepared for:

CALIFORNIA ENERGY COMMISSION

Prepared by:

LEVY ALAMEDA LLC

Table of Contents

SECTION	PAGE NO.
1 Introduction	1
2 Visual Resources Response	1
2.1 Data Requests REV DR VIS-1 and REV DR VIS-2.....	1
2.1.1 Data Request REV DR VIS-1.....	1
2.1.2 Data Request REV DR VIS-2.....	1

ATTACHMENTS

1 Revised Scaled Elevation Drawings	
-------------------------------------	--

INTENTIONALLY LEFT BLANK

1 Introduction

On April 7, 2025, Levy Alameda LLC and Affiliates (Applicant) received a Second Determination of Incompleteness and Request for Information from the California Energy Commission (CEC) for the Potential Viridi Battery Energy Storage Project (Project; Docket Number 24-OPT-04) in response to the Applicant's previous submittals. This document responds to the CEC's request and provides further clarification on Visual Resources related to the Project.

2 Visual Resources Response

2.1 Data Requests REV DR VIS-1 and REV DR VIS-2

2.1.1 Data Request REV DR VIS-1

REV DR VIS-1. *Please add the following information to the scaled elevation drawings provided on Sheets C-1.2 and C-1.3 of Attachment 16 Civil Plans.*

- *BESS enclosure heights*
- *Substation transformers and heights*
- *Gen-Tie Line Poles*
- *30,000 Gallon Fire Water Tank*

Response: Refer to Attachment 1 for revised scaled elevation drawings.

2.1.2 Data Request REV DR VIS-2

REV DR VIS-2. *Break down the discussion of project conformity to Laws, Ordinances, Regulations, and Standards by construction and operation.*

Response: See below for a breakdown of the LORS as applicable to Project construction and operations.

Federal LORS

There are no federal regulations specific to visual resource protection that are applicable to the Project.

State LORS

California Environmental Quality Act

CEQA requires state and local government agencies to inform decision makers and the public about the potential environmental impacts of the Project and to reduce environmental impacts to the extent feasible. Appendix G of the State CEQA Guidelines includes criteria for evaluating potential impacts related to aesthetics. **CEQA Applies to Both the Construction and Operational Phases of the Project.**

California Code of Regulations

Title 24: California Building Standards Code

Title 24, California Building Standards Code, consists of regulations to control building standards throughout the state. The following components of Title 24 include standards related to lighting.

Title 24, Part 1: California Building Code/Title 24, Part 3: California Electrical Code

The California Building Code (Title 24, Part 1) and the California Electrical Code (Title 24, Part 3) stipulate minimum light intensities for pedestrian pathways, circulation ways, parking lots, and paths of egress **(Applies to the Operational Phase of Project)**.

Title 24, Part 6: California Energy Code

The California Energy Code (Title 24, Part 6) stipulates allowances for lighting power and provides lighting control requirements for various lighting systems, with the aim of reducing energy consumption through efficient and effective use of lighting equipment. California Energy Code Section 130.2 sets forth requirements for outdoor lighting controls and luminaire cutoff requirements. All outdoor luminaires of 6,200 initial luminaire lumens or greater shall comply with backlight, uplight, and glare (BUG) in accordance with ANSI/IES TM-15-20, Annex A requirements in accordance with Title 24, Part 11, Section 5.106.8. This requirement does not apply to streetlights for the public right of way, signs, temporary outdoor lighting, or building façade lighting.

California Energy Code Section 140.7 establishes outdoor lighting power density allowances in terms of watts per area for lighting sources other than signage. The lighting allowances are provided by the Lighting Zone, as defined in California Energy Code Section 10-114 of the California Energy Code. Under Section 10-114, all rural areas within California are designated as Lighting Zone 1 ("Low" Ambient Lighting Illumination) **(Applies to the Operational Phase of Project)**.

Caltrans Scenic Highway Program

State scenic highways are those that are either officially designated as state scenic highways by Caltrans or are eligible for such designation. The scenic designation is based on the amount of natural landscape visible by motorists, the scenic quality of the landscape, and the extent to which development intrudes on the motorist's enjoyment of the view. I-580 is an officially designated state scenic highway from south of the I-205 interchange to State Route 152 and is eligible state scenic highway from west of the I-205 interchange to the City of San Leandro (Caltrans 2024) **(Applies to Operational Phase of Project)**.

2.1.2.1 3.13.6.3 Local LORS

Alameda County Municipal Code

Chapter 17.64 - Water Efficient Landscape Ordinance

The purpose of the regulations set forth in this Alameda County Municipal Code (ACMC) Chapter 17.64 is to establish a structure for planning, designing, installing, maintaining, and managing water efficient landscapes in

new construction and rehabilitated projects and establish provisions for water management practices and water waste prevention for existing landscapes. Chapter 17.64 is applicable to the Project, which would increase the area of irrigated landscape by an amount equal to or greater than 2,500 square feet. Requirements include submittal of a landscape design plan (ACMC Section 17.64.090), irrigation design plan (ACMC Section 17.64.100), and grading design plan (ACMC Section 17.64.110) **(Applies to the Operational Phase of Project)**.

Alameda County Grading Ordinance

The purpose of ACMC Chapter 15.36 is to regulate grading work on private property within the unincorporated area of Alameda County in order to safeguard life, limb, health, property, and public welfare; to protect creeks, watercourses, and other drainage facilities from illicit discharges of surface runoff generated in or draining through the permit work area; and to ensure that the construction and eventual use of a graded site is in accordance with the Alameda County General Plan, ECAP, and all applicable ordinances (ACMC Section 15.36.020). In accordance with ACMC Section 15.36.040, the Project would be subject to a valid grading permit obtained from the Director of Public Works. The permit application requires both preliminary grading plans and final grading plans in accordance with ACMC Sections 15.36.240 and 15.36.250, respectively **(Applies to Construction Phase of the Project)**.

Alameda County General Plan

Scenic Route Element (Applies to Operational Phase of Project)

The Scenic Route Element of the Alameda County General Plan (Scenic Route Element) provides a continuous, countywide scenic route system and is intended to serve as a guide for local jurisdictions for development of city-scale scenic route systems and as a guide for development to protect and enhance the scenic values along designated scenic routes (Alameda County 1994a). The Scenic Route Element identifies scenic freeways and expressways as traversing or connecting areas of major scenic, recreational, or cultural attractions, and as distinct from two other major types of scenic routes (scenic thoroughfares and rural-recreation routes). Scenic routes are defined to consist of three elements: the right-of-way, the scenic corridor, and areas extending beyond the corridor. The corridor is defined as those properties, along and up to 1,000 feet beyond the right-of-way, that either (1) should be acquired for protection, or (2) for which development controls should be applied to preserve and enhance nearby views or maintain unobstructed distant views along the route in rural areas with high scenic qualities. More specifically, scenic corridors are defined as those areas where “Development controls should be applied to preserve and enhance scenic qualities, restrict unsightly use of land, control height of structures, and provide site design and architectural guidance along the entire scenic corridor” (Alameda County 1994a). For the areas extending beyond scenic corridors (i.e., beyond 1,000 feet from the right-of-way), the Scenic Route Element also requires basic development controls: in the undeveloped parts of the county, project review should address grading, removal of vegetation, streambeds, landscaping, utility and communication towers, poles and lines, and outdoor advertising signs or structures. The area surrounding the Project site area includes one state-designated scenic highway, I-580, which is also categorized as one of the County’s Scenic Freeways and Expressways. In addition, Patterson Road (adjacent to the Project site) is mapped as a Major Rural Road and qualifies as a Scenic Rural-Recreation Route (Alameda County 1994a).

The Scenic Route Element provides the following principles for Scenic Route Corridors that may apply to the Project. The principles are organized loosely under five headings: the system, the rights-of-way, the corridors, the corridors and the remainder or balance of the County, and areas beyond the corridors.

Provide for Normal Uses of Land and Protect Against Unsightly Features: In both urban and rural areas, normally permitted uses of land should be allowed in scenic corridors, except that panoramic views and vistas should be preserved and enhanced through supplementing normal zoning regulations with special height, area, and side-yard regulations; through providing architectural and site design review; through prohibition and removal of billboards, signs not relevant to the main use of the property, obtrusive signs, automobile wrecking and junk yards, and similar unsightly development or use of land. Design and location of all signs should be regulated to prevent conglomerations of unsightly signs along roadsides.

Locate Transmission Towers and Lines Outside of Scenic Route Corridors When Feasible: New overhead transmission towers and lines should not be located within scenic corridors when it is feasible to locate them elsewhere.

Underground Utility Distribution Lines When Feasible; Make Overhead Lines Inconspicuous: New, relocated or existing utility distribution lines should be placed underground whenever feasible. When it is not feasible to place lines underground, they should be located so as to be inconspicuous from the scenic route. Poles of an improved design should be used wherever possible. Combined or adjacent rights-of-way and common poles should be used wherever feasible.

Use Landscaping to Increase Scenic Qualities of Scenic Route Corridors: Landscaping should be designed and maintained in scenic route corridors to provide added visual interest, to frame scenic views, and to screen unsightly views.

Preserve and Enhance Natural Scenic Qualities in Areas Beyond the Scenic Corridor: Views from scenic routes will comprise essentially all of the remainder of the county beyond the limits of the scenic corridor: the corridor is intended to establish a framework for the observation of the views beyond. Therefore, in all areas in the county extending beyond the scenic route corridors, scenic qualities should be preserved through retaining the general character of natural slopes and natural formations, and through preservation and enhancement of water areas, watercourses, vegetation and wildlife habitats. Development of lands adjacent to scenic route corridors should not obstruct views of scenic areas and development should be visually compatible with the natural scenic qualities.

Provide for Normal Uses of Land but Limit Overhead Utilities and Outdoor Advertising Structures: In both developed and undeveloped areas, outdoor advertising structures, utility and communication towers, poles, and wires should be located only where they will not detract from significant scenic views. All other structures and use of land should be permitted as specified in the local zoning ordinance as supplemented by special height regulations.

Lastly, the Scenic Route Element establishes development standards that may apply to Project.

- In all zoning districts where the allowable height limit exceeds 35 feet, each proposed structure over 35 feet, except utility poles and lines, should be reviewed by the local jurisdiction for approval to ensure that such structure will not conflict with any view from any scenic route.
- Alteration to natural or artificial land contours should not be permitted without a grading permit issued by the local jurisdiction as a means of preserving and enhancing the natural topography and vegetation in developable areas. Mass grading should not be permitted. The following criteria should be applied in the review of grading permits in developable areas:
 - As a means of preserving natural ridge skylines within the county, no major ridgeline should be altered to the extent that an artificial ridgeline results.

- Access roads should be located and designed to keep grading to a minimum.
- Natural ground contours in slope areas over 10% should not be altered more than 5% overall, except in such slope areas where large stands of mature vegetation, scenic natural formations or natural watercourses exist, where grading should be limited so as to preserve the natural features.
- Any contour altered by grading should be restored by means of land sculpturing in such a manner as to minimize run-off and erosion problems, and should be planted with low maintenance, fire resistant plant materials that are compatible with the existing environment.
- In corridors along scenic routes with outstanding distant views above the roadbed, no building structure of more than one story in height should be permitted where it would obstruct views, excepting within and immediately adjacent to central business district locations. On lots where the building structure is higher than the roadbed in corridors along routes with outstanding distant views, the combined width of side yard should equal or exceed the width of the building structure as measured parallel to the roadbed.

Open Space Element (Applies to Operational Phase of Project)

The following principles from the Open Space Element of the General Plan (Open Space Element) may apply to the Project (Alameda County 1994b).

Include Natural Ridgelines and Slope Areas: Natural ridgelines, and slopes in excess of 25% in grade, should be left as open space to eliminate mass grading.

Consolidate and Locate Utility Lines to Avoid Scenic Areas: Wherever feasible, power and pipe utility lines should be consolidated to prevent further severance of open space lands. Utility lines and aqueducts in open space areas should be located so as to avoid areas of outstanding beauty.

East County Area Plan

The Project site falls within Alameda County East County Area Plan (ECAP). The following goals and policies of the ECAP may be applicable to the Project. Goals in the ECAP are intended to be general statements of a condition Alameda County wants to achieve, and the associated policies are the focused statements of how Alameda County will achieve these goals (Alameda County 2000).

Sensitive Viewsheds

Goal: To preserve unique visual resources and protect sensitive viewsheds.

Policy 106. Structures may not be located on ridgelines or hilltops or where they will project above a ridgeline or hilltop as viewed from public roads, trails, parks and other public viewpoints unless there is no other site on the parcel for the structure or on a contiguous parcel in common ownership on or subsequent to the date this ordinance becomes effective. New parcels may not be created that have no building site other than a ridgeline or hilltop, or that would cause a structure to protrude above a ridgeline or hilltop, unless there is no other possible configuration **(Applies to the Operational Phase of Project)**.

Policy 108. To the extent possible, including by clustering if necessary, structures shall be located on that part of a parcel or on contiguous parcels in common ownership on or subsequent to the date this

ordinance becomes effective, where the development is least visible to persons on public roads, trails, parks and other public viewpoints. This policy does not apply to agricultural structures to the extent it is necessary for agricultural purposes that they be located in more visible areas **(Applies to the Operational Phase of Project)**.

Policy 114. The County shall require the use of landscaping in both rural and urban areas to enhance the scenic quality of the area and to screen undesirable views. Choice of plants should be based on compatibility with surrounding vegetation, drought-tolerance, and suitability to site conditions; and in rural areas, habitat value and fire retardance **(Applies to the Operational Phase of Project)**.

Policy 115. In all cases appropriate building materials, landscaping and screening shall be required to minimize the visual impact of development. Development shall blend with and be subordinate to the environment and character of the area where located, so as to be as unobtrusive as possible and not detract from the natural, open space or visual qualities of the area. To the maximum extent practicable, all exterior lighting must be located, designed and shielded so as to confine direct rays to the parcel where the lighting is located **(Applies to the Operational Phase of Project)**.

Policy 116. To the maximum extent possible, development shall be located and designed to conform with rather than change natural landforms. The alteration of natural topography vegetation, and other characteristics by grading, excavating, filling or other development activity shall be minimized. To the extent feasible, access roads shall be consolidated and located where they are least visible from public view points **(Applies to both the Construction and Operational Phases of Project)**.

Policy 117. The County shall require that where grading is necessary, the off-site visibility of cut and fill slopes and drainage improvements is minimized. Graded slopes shall be designed to simulate natural contours and support vegetation to blend with surrounding undisturbed slopes **(Applies to both the Construction and Operational Phases of Project)**.

Policy 118. The County shall require that grading avoid areas containing large stands of mature, healthy vegetation, scenic natural formations, or natural watercourses **(Applies to the Construction Phase of Project)**.

Policy 119. The County shall require that access roads be sited and designed to minimize grading **(Applies to both the Construction and Operational Phases of Project)**.

Policy 120. The County shall require that utility lines be placed underground whenever feasible. When located above ground, utility lines and supporting structures shall be sited to minimize their visual impact **(Applies to the Operational Phase of Project)**.

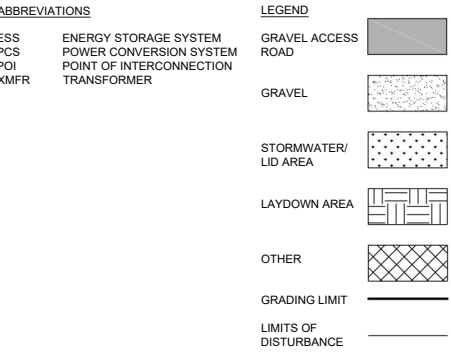
Scenic Highways

Goal: To preserve and enhance views within scenic corridors.

Policy 215. The County shall manage development and conservation of land within East County scenic highway corridors to maintain and enhance scenic values **(Applies to the Operational Phase of Project)**.

Attachment 1

Revised Scaled Elevation Drawings



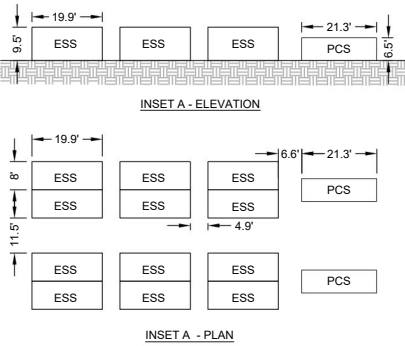
SYSTEM SUMMARY	
ESS TYPE*	SOLBANK
ESS QUANTITY	1000
PCS UNITS	140
BATTERY CAPACITY	400 MW/3200 MWH
BESS YARD	13.3 ACRES
PROJECT SUBSTATION	5.4 ACRES
ACCESS ROADS	7.1 ACRES
LAYDOWN YARD	14.0 ACRES
O&M AREA (INCLUDING BUILDINGS)	1.8 ACRES
STORMWATER AREAS**	9.0 ACRES
STORMWATER OUTFALL	0.6 ACRES
OTHER***	7.6 ACRES
TOTAL DISTURBED AREA***	58.8 ACRES

NOTE:

- * ESS TYPE LISTED WAS USED FOR PRELIMINARY DESIGN/DIMENSIONS. EXACT TECHNOLOGY TO BE SELECTED DURING FUTURE DESIGN PHASE
- ** PRELIMINARY STORMWATER TREATMENT AND STORAGE SIZING BASED ON ALAMEDA COUNTY STANDARDS
- *** INCLUDES SLOPED AREAS TO GRADING DAYLIGHT AND 6' BUFFER TO LIMITS OF DISTURBANCE

FIRE NOTES:

- 1) FIRE APPARATUS ACCESS ROADS SHALL HAVE AN UNOBSTRUCTED WIDTH OF NOT LESS THAN 20 FEET.
- 2) INTERNAL RADII = 25' MINIMUM FOR INTERIOR ROADS. INTERNAL RADII = 50' MINIMUM FOR OUTER LOOP.



UTILITY STATEMENT
LOCATION OF EXISTING UNDERGROUND UTILITIES HAVE BEEN TAKEN FROM DRAWINGS AND FIELD LOCATES SUPPLIED BY THE APPROPRIATE UTILITY COMPANIES. UTILITY LOCATIONS SHOWN ON THIS DRAWING ARE APPROXIMATE ONLY. PRIOR TO BEGINNING ANY CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF EACH UTILITY.



Know what's below.
Call before you dig.

POTENTIA-VIRIDI BATTERY ENERGY STORAGE SYSTEM

LEVY ALAMEDA, LLC

NOT FOR
CONSTRUCTION

2	5/5/25	REV 2
1	1/17/25	REV 1
REV	DATE	DESCRIPTION

PROJ. NO. 232055

DRAWN LE

CHECKED _____ RE _____

DATE 7/15/24

© COFFMAN ENGINEERS INC.

SHEET TITLE:

SITE PLAN

SHEET NO: _____

C-1.0

POTENTIA-VIRIDI
BATTERY ENERGY
STORAGE SYSTEM

LEVY ALAMEDA, LLC

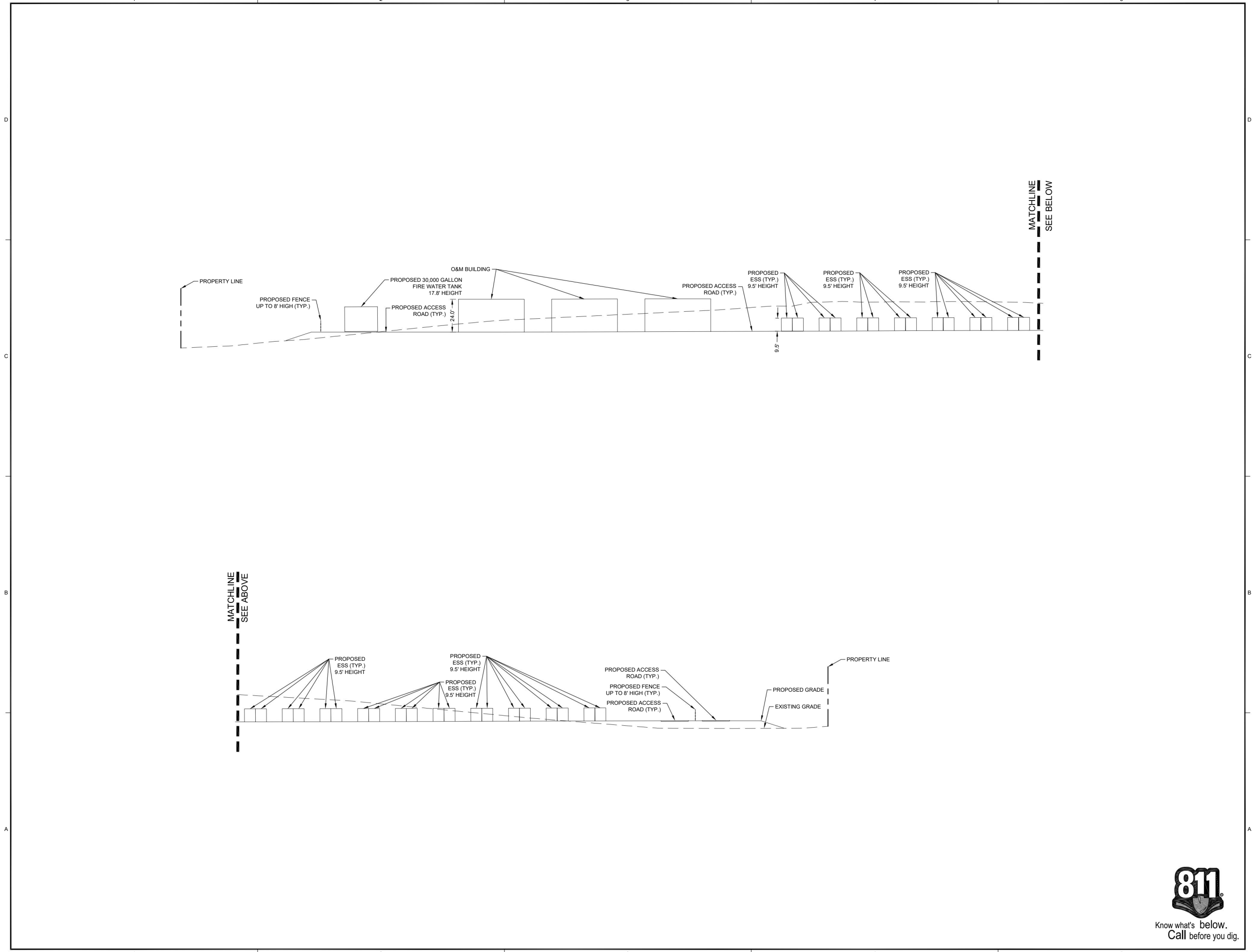
NOT FOR CONSTRUCTION		
2	5/5/25	REV 2
1	1/17/25	REV 1
REV	DATE	DESCRIPTION

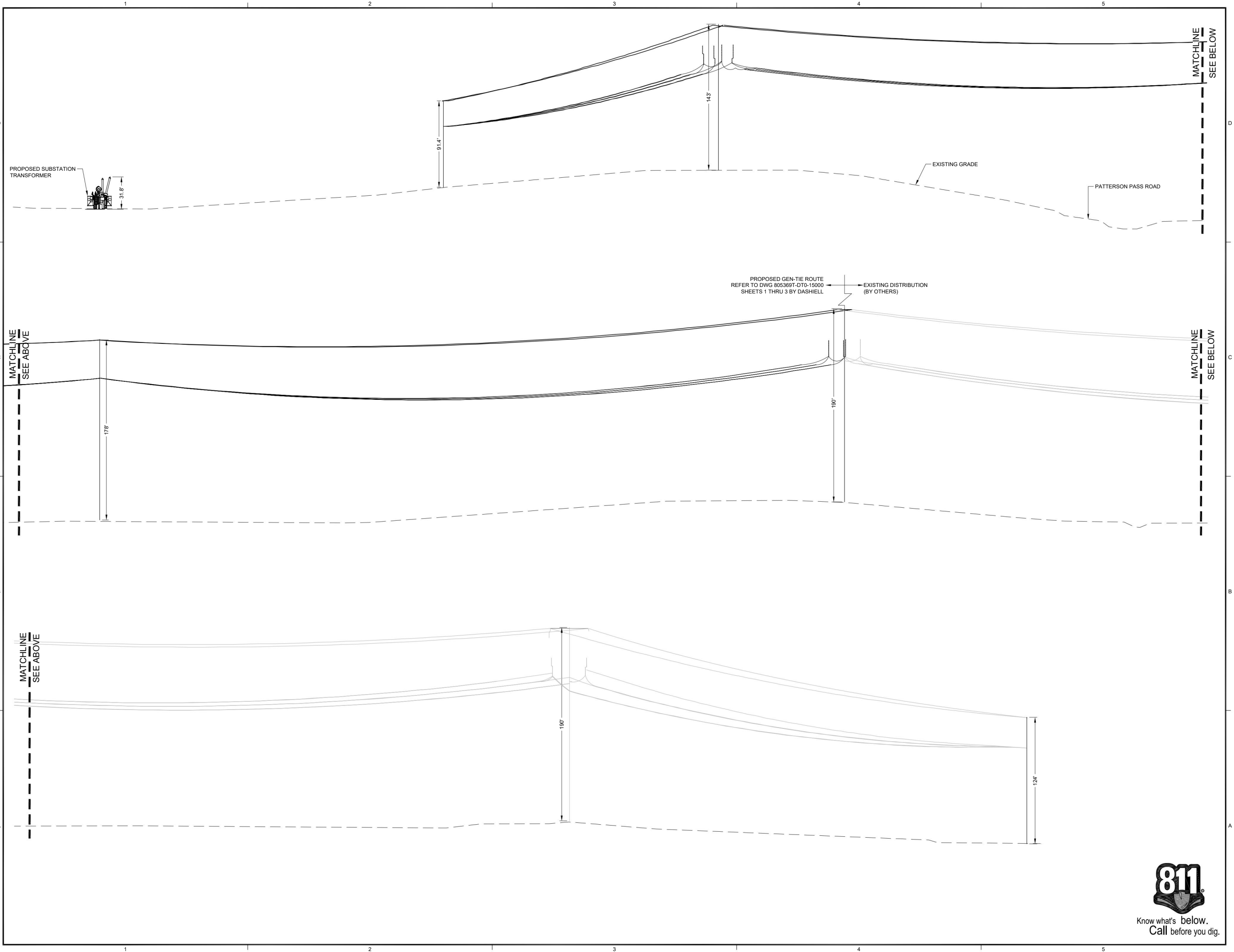
PROJ. NO.	232059
DRAWN	LB
CHECKED	RB
DATE	7/15/24

© COFFMAN ENGINEERS INC.

SHEET TITLE:

CIVIL SECTION B





POTENTIA-VIRIDI
BATTERY ENERGY
STORAGE SYSTEM

LEVY ALAMEDA, LLC

NOT FOR
CONSTRUCTION

REV	DATE	DESCRIPTION
2	5/5/25	REV 2
1	1/17/25	REV 1

PROJ. NO. 232059
DRAWN LB
CHECKED RB
DATE 7/15/24

© COFFMAN ENGINEERS INC.

SHEET TITLE:
CIVL SECTION C



