

DOCKETED	
Docket Number:	24-OPT-04
Project Title:	Potentia-Viridi Battery Energy Storage System
TN #:	264082
Document Title:	CEC Data Request #2 - MFS Response
Description:	This document responds to the CEC's 4/7/25 second deficiency request as it relates to Mandatory Findings of Significance
Filer:	Ronelle Candia
Organization:	Dudek
Submitter Role:	Applicant Consultant
Submission Date:	6/6/2025 12:34:55 PM
Docketed Date:	6/6/2025

CEC Data Request #2 Response No. 1

Potentia-Viridi Battery Energy Storage Project

JUNE 2025

Prepared for:

CALIFORNIA ENERGY COMMISSION

Prepared by:

LEVY ALAMEDA LLC

Table of Contents

SECTION	PAGE NO.
1 Introduction	1
2 Mandatory Opt-In Requirements.....	1
2.1 Data Requests REV 1 DR 1 and REV 1 DR 2.....	1
2.1.1 Data Request REV 1 DR 1.....	1
2.1.2 Data Request REV 1 DR 2.....	1

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 Potentia-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 the topic of Mandatory Opt-In Requirements as it relates to the Project.

2 Mandatory Opt-In Requirements

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

2.1.1 Data Request REV 1 DR 1

REV 1 DR 1. *California Code of Regulations, title 20, section 1877(d) requires a discussion of whether the applicant has submitted any local, state, or federal permit applications. For any required permit that has not yet been submitted to the relevant state agency, include a plan for submitting the application and any discussions that have occurred with the state agency with authority over the project. See DR WATER-7, DR BIO-66. Reference REV-1 DR BIO-21 and REV-1 DR BIO-11.*

Response: This data request references DR WATER-7 (focused on the Project's Clean Water Act Section 401 certification application), DR BIO-66 (focused on the non-CEC permitting schedule), REV-1 DR BIO-21 (focused on "other compensatory mitigation"), and REV-1 DR BIO-11 (concerning wetland delineation datasheets).

For responses to these issues, the Applicant refers CEC staff to the following components:

- The Applicant's Clean Water Act Section 401 application and anticipated schedule is addressed in its response to REV-1 DR BIO-22;
- The Applicant's comprehensive mitigation strategy, including as to "other compensatory mitigation," is addressed in its response to REV-1 DR BIO-6; and
- The Applicant's wetland delineation datasheets are included as Attachment 10 to its Biological Resources response.

2.1.2 Data Request REV 1 DR 2

REV 1 DR 2. *Demonstrate that the mitigation of the impacts resulting from the emissions of greenhouse gases are achieved in the following priority:*

- *Direct emissions reductions from the project that also reduce emissions of criteria air pollutants or toxic air contaminants through implementation of project features, project*

design, or other measures, including, but not limited to, energy efficiency, installation of renewable energy electricity generation, and reductions in vehicle miles traveled.

- *The remaining unmitigated impacts shall be mitigated by direct emissions reductions that also reduce emissions of criteria air pollutants or toxic air contaminants within the same air pollution control district or air quality management district in which the project is located. The remaining unmitigated impacts shall be mitigated through the use of offsets that originate within the same air pollution control district or air quality management district in which the project is located. The offsets shall be undertaken in a manner consistent with the Health and Safety Code section 38500, including, but not limited to, the requirement that the offsets be real, permanent, quantifiable, verifiable, and enforceable, and shall be undertaken from sources in the community in which the project is located or in adjacent communities.*
- *The remaining unmitigated impacts shall be mitigated through the use of offsets that originate within the same air pollution control district or air quality management district in which the project is located. The offsets shall be undertaken in a manner consistent with the Health and Safety Code section 38500, including, but not limited to, the requirement that the offsets be real, permanent, quantifiable, verifiable, and enforceable, and shall be undertaken from sources in the community in which the project is located or in adjacent communities.*
- *The remaining unmitigated impacts shall be mitigated through the use of offsets that originate from sources that provide a specific, quantifiable, and direct environmental and public health benefit to the region in which the project is located. See REV 1 DR GHG-2.*

Response: As discussed in Section 3.4, Impact Analysis of Attachment 3, Air Quality and Greenhouse Gas Emissions Technical Report, of the CEC Data Request #2 – Air Quality, Greenhouse Gas, and Public Health Response, the Project would not potentially conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions and would result in a less-than-significant impact. Because it was demonstrated that the Project would result in a less than significant impact with respect to GHG emissions, no mitigation or other offsets are required. However, with respect to the first item, the project type itself would generate minimal operations mainly from periodic maintenance of the BESS and testing of the emergency generators. The site is unmanned and would not results in regular visits by personnel. Furthermore, the project has included project design feature PDF-AQ/GHG-1 that would reduce criteria air pollutants and toxic air contaminants during construction.