

DOCKETED	
Docket Number:	24-OPT-04
Project Title:	Potentia-Viridi Battery Energy Storage System
TN #:	265913
Document Title:	Sample Consultation Letter
Description:	A copy of the letter sent to Native American Tribes and individuals.
Filer:	WILLIAM LARSON
Organization:	California Energy Commission
Submitter Role:	Public Agency
Submission Date:	9/8/2025 11:42:11 AM
Docketed Date:	9/8/2025



CALIFORNIA ENERGY COMMISSION



August 15, 2025

XXXXXXX, Chairperson
The XXXXXX Tribe
P.O. Box XXXXX
XXXXXX, CA XXXXX

Dear Honorable Chairperson XXXXX:

The California Energy Commission (CEC) is responsible for acting on a permit application for the Potentia-Viridi Battery Energy Storage System (BESS) project (24-OPT-04). This letter provides general information concerning the proposed project and invites you to consult with CEC personnel.

Request for Consultation

The CEC respectfully requests tribal consultation on the Potentia-Viridi BESS project. Please respond within 30 days of receipt of the completed application. Please see the Opt-In Certification Program timeline on the following pages.

The CEC is offering government-to-government consultation and will conduct all requested tribal consultation according to the CEC's Tribal Consultation Policy (<https://www.energy.ca.gov/programs-and-topics/programs/tribal-program/tribal-consultation-policy>) and the Public Resources Code, section 25545.7.4.

The Sacred Lands File search was negative for this project. We acknowledge the role of California Native American tribes in stewarding the natural world since time immemorial. We request consultation with your tribe to share information and meaningfully and equitably consider your concerns related to the Potentia-Viridi BESS project.

Background

The CEC was authorized under Assembly Bill (AB) 205 (Chapter 61, Statutes of 2022) to establish a new certification program for eligible non-fossil-fueled power plants, energy storage facilities, and related facilities to optionally seek

certification from the CEC (hereafter, "Opt-In Certification Program"). Under this program, the CEC certificate (or permit) is in lieu of any permit that would normally be required by the local land use authority and most, but not all, state permits. The CEC is the lead agency under the California Environmental Quality Act (CEQA) for the project.

Levy Alameda, LLC, applicant, has submitted an application for the Potentia-Viridi BESS project through the Opt-In Certification Program. The project would include construction, operation and maintenance, and eventual decommissioning of a 400-megawatt (MW) BESS facility with an energy storage capacity of up to 3,200 megawatt-hour. The system would draw electricity from the power grid to charge and store electrical energy and discharge it back to the power grid when the stored energy is needed. The project would occupy approximately 85 acres in eastern Alameda County, California. The major project proponents include the following:

- BESS enclosures
- Power Conversion System (PCS)
- Medium Voltage (MV) Collection System
- Project Substation, Control Building, and Telecommunications Facilities
- Access Roads
- Laydown Yards
- Stormwater Facilities and Outfall
- Site Security and Fencing, including fire detection system
- Operations and Maintenance Building

The project's primary goal is to assist the State of California in meeting its goal of reducing statewide annual greenhouse gas emissions from the electric sector to 25 million metric tons by 2035.

Opt-In Certification Program Timeline

The timeline for the Opt-in Certification Program process is depicted below:

1. **Day 0:** File the Determination of Complete Application
2. **Day 3:** File and circulate the Notice of Preparation of an EIR
3. **Day 5:** Send invitation to request tribal consultations.
4. **Day 30:** Hold public informational and scoping meeting as close as practicable to the project site.

5. **Day 150:** File and circulate draft EIR and Notice of Availability and public comment period begins.
6. **Day 180 – 210:** Hold a public meeting on the draft EIR at a location as close as possible to the proposed project site.
7. **Day 210:** Close the public comment period on draft EIR (60 days from publication date).
8. **Day 240:** File final EIR
9. **Day 240:** File the CEC's executive director's recommendation.
10. **Day 270:** Present final EIR and staff recommendation at a publicly noticed CEC Business Meeting. The CEC Commissioners can approve or disapprove project, or require additional information or analysis.
11. **Day 360:** State agencies retaining permit authority make permit decisions on application approved by the CEC.

The pre-filing meeting occurred for this project on March 25, 2024. Receipt of the application was acknowledged by the CEC on August 7, 2024. Staff transmitted the application to responsible/trustee agencies on August 14 and 15, 2024. The CEC published a summary in Spanish and English language newspapers of general circulation on October 11, 2024.

The status is working towards Step 1 in the statutory framework (above). A complete application has not yet been submitted. The CEC will submit the completed project application (via internet hyperlink(s) to the tribe when it is available.

Consultation Requests

Please respond within 30 days of receipt of the completed application. Please see the above "Opt-In Certification Program Timeline".

Please contact William Larson, Senior Environmental Planner with the CEC Siting, Transmission, and Environmental Protection (STEP) Division to set up an initial consultation.

California Energy Commission
ATTN: William Larson
715 P Street, MS-40
Sacramento, CA 95814
william.larson@energy.ca.gov
530-304-9019

We welcome and encourage requests for consultation or any questions that you might have. We look forward to working with you.

Sincerely,

Gabriel Roark

Gabriel Roark
Assistant Tribal Liaison, STEP Division

Attachments:
Project Location Maps

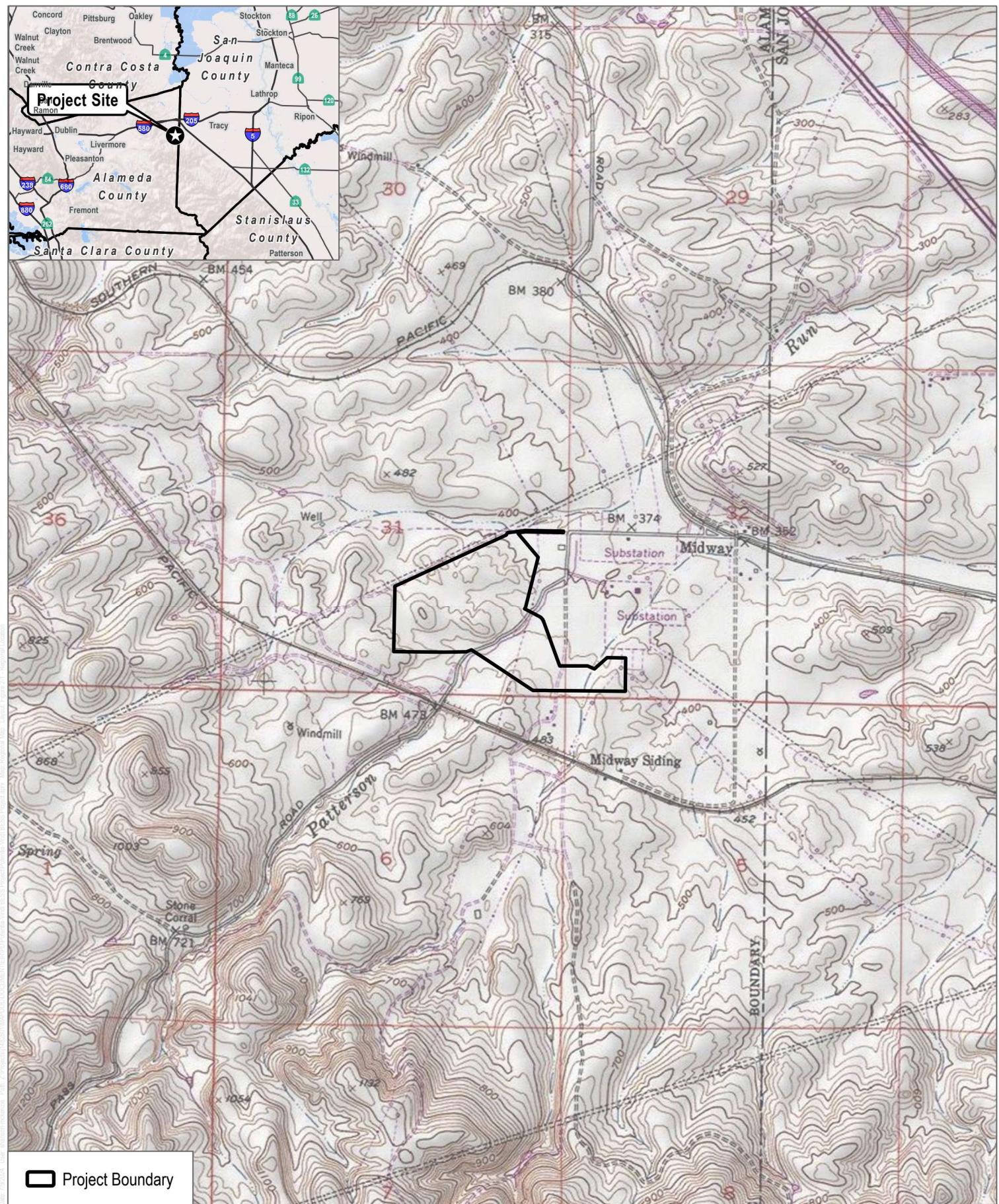
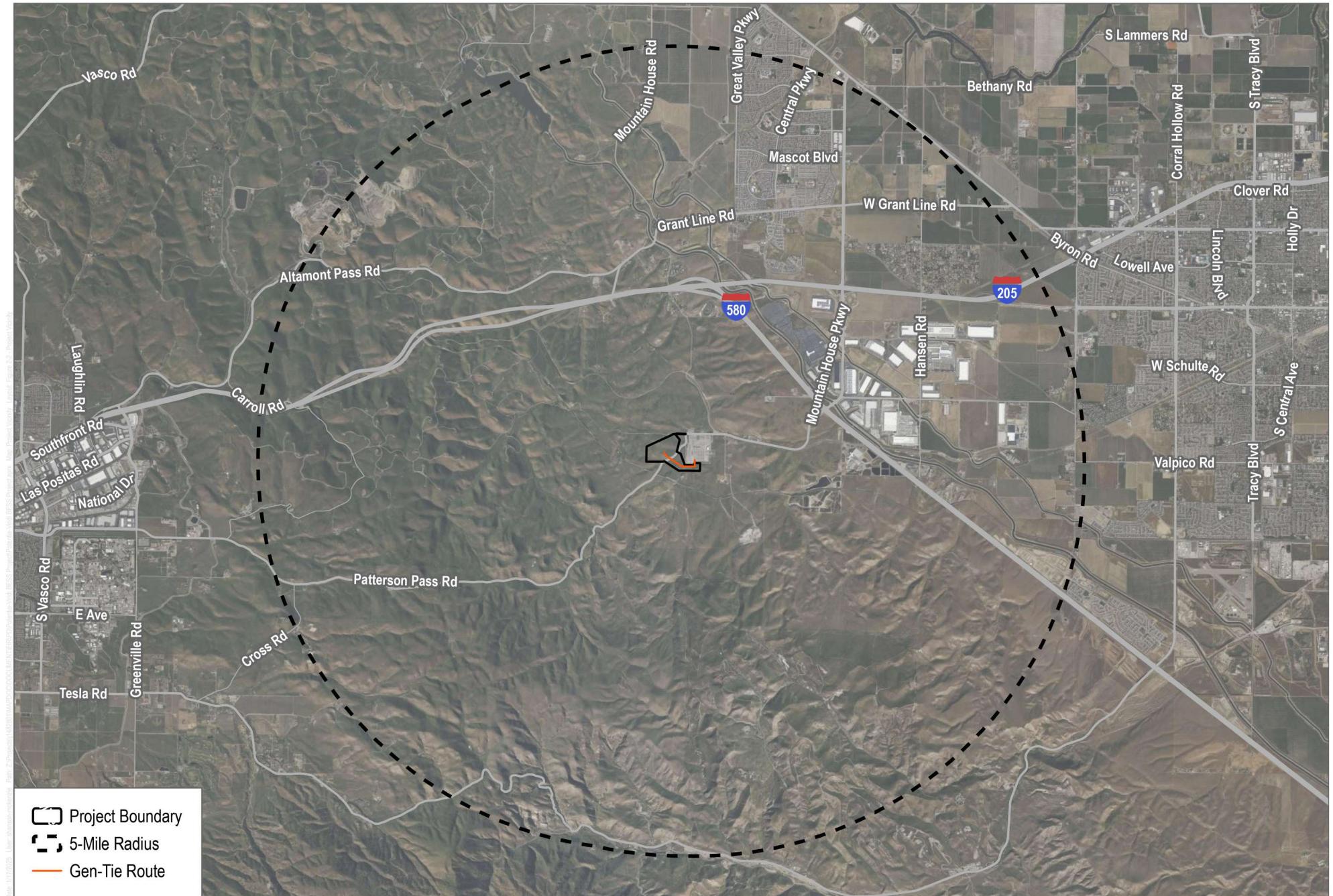


FIGURE 2-1 Regional Map

SOURCE: USGS 7.5 Minute Quadrangle Series

Midway Quadrangle - Township 2S Range 4E Section 31, 32

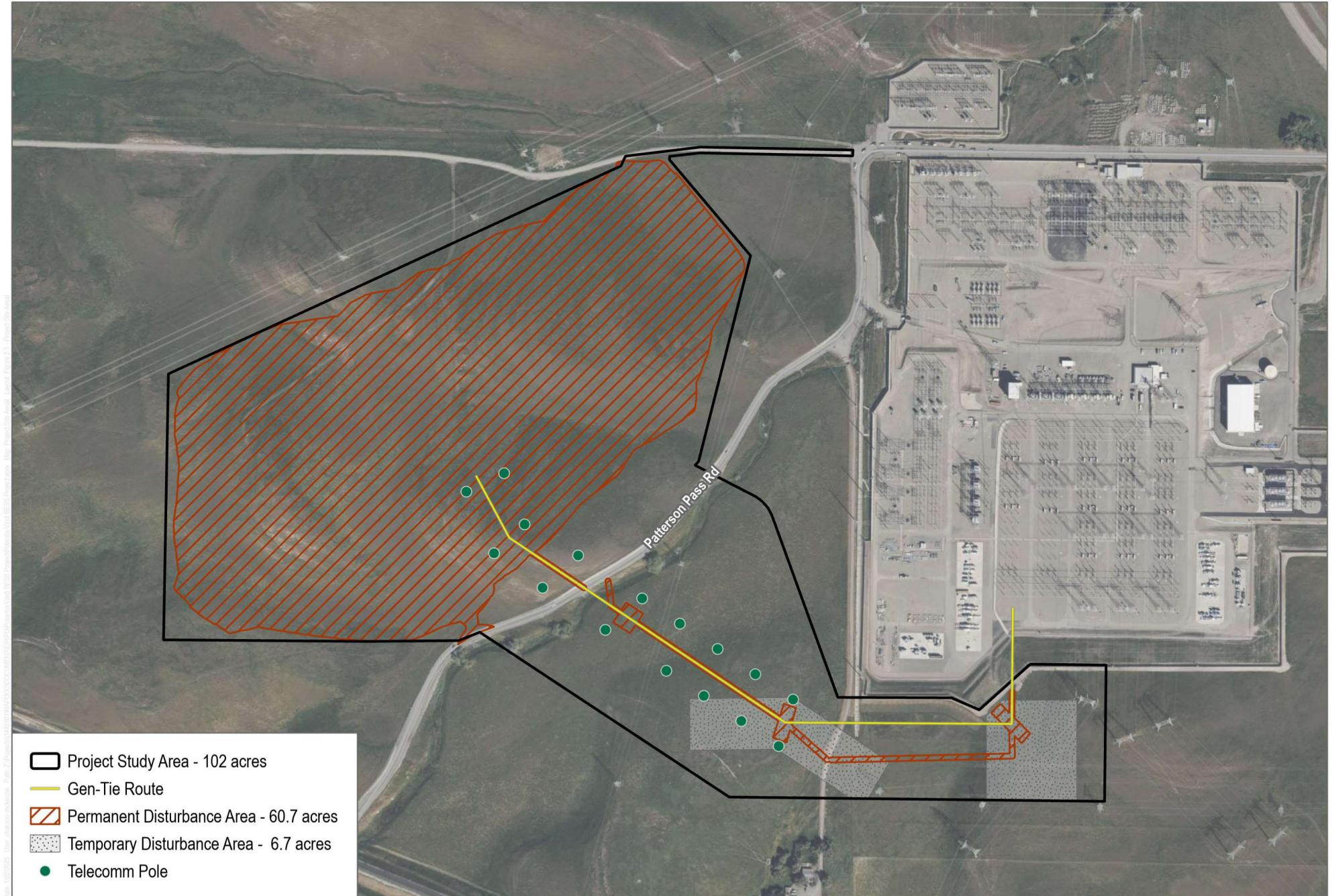


SOURCE: Bing Maps 2023

DUDEK

0 4,000 8,000
Feet

FIGURE 2-2
Project Vicinity
Potentia-Viridi BESS Project



SOURCE: Bing Maps 2023

0 70 140 Meters
0 250 500 Feet

FIGURE 2-3
Project Site Aerial
Potentia-Viridi BESS Project