

**DOCKETED**

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STATE OF CALIFORNIA  
CALIFORNIA ENERGY COMMISSION

In the matter of:

Potentia-Viridi Battery Energy     )  
Storage System CEC Staff            )  
Assessment Public Meeting            )  
  ) Docket No. 24-OPT-04  
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POTENTIA-VIRIDI BATTERY ENERGY STORAGE SYSTEM

REMOTE VIA ZOOM AND IN PERSON VIA ZOOM

In-person at:  
Tracy Transit Center - Meeting Room 105  
50 E. 60th Street  
Tracy, California 95376

MONDAY, MARCH 2, 2026

1:00 P.M.

Reported by:

Niccole Shergill

APPEARANCES

COMMISSIONERS

Noemi Gallardo

CEC STAFF

Kaycee Chang, Supervisor, CEQA Project Management Unit

Drew Bohan, Executive Director

Ryan Young, Public Advisor

Eric Knight, Siting and Environmental Branch Manager

Erika Giorgi, Counsel

Susan Cochran, Counsel

PUBLIC COMMENT

Rebecca Frank

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1 or view full transcript. The closed captioning service can be  
2 stopped by exiting out of the live transcript or selecting the  
3 hide subtitle icon. We have also enabled Spanish interpretation  
4 on Zoom.

5 For those participating in person, please be mindful  
6 of speaking slowly and clearly into the microphone for those  
7 participating online to hear our Spanish interpreters and the  
8 court reporter. Finally, this meeting is being recorded. The  
9 meeting recording will be available on the California Energy  
10 Commission's website. Next slide, please.

11 This slide provides an overview of today's agenda. We  
12 will be sharing information with the public and presenting our  
13 findings, which are detailed in the staff assessment. There will  
14 be plenty of opportunities for comments from California Native  
15 American tribes, government agencies, elected officials, and  
16 interested members of the public and parties. We also have  
17 agendas at the back of the room. Next slide.

18 We are fortunate to have with us today our Siting Lead  
19 Commissioner, Noemí Gallardo, who you'll hear from shortly. At  
20 the tables, we have CEC staff attorneys, Erika Giorgi and Susan  
21 Cochran, along with CEC's Public Advisor, Ryan Young. And now I  
22 would like to hand the mic over to our CEC Executive Director,  
23 Drew Bohan, for welcoming remarks.

24 EXECUTIVE DIRECTOR BOHAN: Thank you, Kaycee. I just  
25 want to say welcome to everyone who came here in the room. And I

1 understand we have about 40 people on the line. Thank you for  
2 joining us. I'll keep this very brief. I just want to say we're  
3 pleased to be recommending that this project go forward. That's  
4 what you will find in our staff assessment and the Commissioners,  
5 Commissioner Gallardo to my right, and will speak in a moment,  
6 but this will go to the Commission for a full vote in the next  
7 weeks. And we did find one significant unavoidable impact to  
8 visual resources, but found that on balance, that impact is  
9 outweighed by the benefits of the project. Thank you very much.

10 COMMISSIONER GALLARDO: All right. I'll go next.

11 Buenas tardes. Good afternoon, everyone. We appreciate folks  
12 taking the time to join us today, whether in the room or on Zoom.  
13 As Drew mentioned, there are 40 or so people on Zoom, so thank  
14 you for that. We are grateful to be back here in Tracy to discuss  
15 the Potentia-Viridi BESS project application. My name is Noemí  
16 Gallardo, and I am one of the five Commissioners at the  
17 California Energy Commission. As a reminder, the Commission  
18 assigns two Commissioners to each of our policy priority areas, a  
19 Lead Commissioner and an associate. I am the Lead Commissioner  
20 for the permitting and proposed thermal power plants and eligible  
21 clean energy facilities. And our chair, David Hochschild, is the  
22 associate Commissioner. He cannot be here today, unfortunately,  
23 but his advisor, Caroline Grey, is here on his behalf. Caroline's  
24 here at the table.

25 Both the Chair and I have been, and will continue to,

1 work with staff throughout their review and analysis of the  
2 proposed Potentia-Viridi Project.

3           And ultimately, he and I will vote along with our  
4 three other fellow Commissioners to approve or deny this project.  
5 As a reminder, the Energy Commission was here in September of  
6 last year for a site visit and the scoping and informational  
7 meeting. That visit and the comments we received helped inform  
8 the staff assessment that will be presented today. Over the last  
9 five months or so, staff has taken information from various  
10 sources, including information provided by the applicant, other  
11 state and local agencies, local members of the community, and  
12 staff's independent research, and conducted an independent  
13 comprehensive review of the potential impacts of this proposed  
14 project. And we know that every project has the potential to  
15 impact local communities. At the same time, we must balance local  
16 impacts against the very real, clean energy needs of California,  
17 which includes every local community throughout the state. That's  
18 why, as you may have noticed, the staff assessment is over a  
19 thousand pages, including the appendices.

20           It's a reflection of the many hours that the staff  
21 invest into conducting the thorough and comprehensive analysis.  
22 So in a bit, staff will go through some of the most relevant  
23 portions of its assessment and take your public comments about  
24 that. We will also continue accepting written comments to our  
25 docket until 5:00 p.m. on March 27th, 2026. We want to make sure

1 you have that date in mind.

2           And before I pass the mic, I'd like to express some  
3 gratitude. First, I want to thank our Staff for their  
4 contributions throughout this proceeding, specifically the STEP  
5 Division who conduct the environmental analysis and this over a  
6 thousand-page staff assessment. Our support offices as well,  
7 including our Executive Director, who you just heard from, our  
8 Chief Counsel's office, our Public Advisor and his team, our  
9 media team, our IT specialist, and the Chair's Office. I'd also  
10 like to thank the applicant, Clearway, and their team for their  
11 collaboration to provide the Energy Commission with the  
12 information needed to be able to complete this analysis.

13           That collaboration is extremely helpful. I also want  
14 to say thanks to Tim Duffy, who is the landowner of the proposed  
15 site. He couldn't join us today due to a medical situation, so we  
16 wish him a full and fast recovery. Finally, on behalf of the  
17 Energy Commission, I want to thank the County of Alameda and the  
18 City of Tracy for welcoming us and sharing their insight and  
19 input as we continue evaluating this application. We also  
20 appreciate the staff of the Tracy Transit Center for enabling us  
21 to hold the meeting at this very comfortable venue. And thank you  
22 to our court reporter and our interpreters for enabling us to  
23 make this meeting even more accessible.

24           I will now pass the mic to our public advisor, Ryan  
25 Young, who will review the information and how to provide input

1 on this project. Ryan?

2 MR. YOUNG: Good afternoon. Thank you for joining us  
3 today. I'm Ryan Briscoe Young, Public Advisor with the  
4 Commission's Office of the Public Advisor, Energy, Equity and  
5 Tribal Affairs.

6 Today we're going to have some presentations here from  
7 government representatives and then have our main public comment  
8 period. Just want to mention at the beginning of our time today,  
9 a few instructions for later in the day, which I'll repeat again  
10 later.

11 We ask that everyone in the room who would like to  
12 make a comment, please turn in a blue card as soon as possible to  
13 the Public Advisor's Table. Dorothy, can you hold up a blue card  
14 for everyone to see? And if you represent a government entity  
15 such as local, state, federal, legislature, or California Native  
16 American tribes, please indicate that on your blue card. And  
17 before I pass the mic to Kaycee, just a kind reminder to turn off  
18 any cell phone ringers during this meeting.

19 Thank you.

20 Kaycee?

21 MS. CHANG: Thank you, Ryan.

22 Next slide, please.

23 The goal of today's CEC meeting is to present Staff's  
24 assessment, which includes a draft Environmental Impact Report,  
25 or EIR, of the Potentia-Viridi Battery Energy Storage System

1 project and encourage public participation to gather information  
2 and feedback before the public comment period closes at 5:00 p.m.  
3 on March 27th, 2026. You may provide comments today or in writing  
4 to our project docket. I will touch on that more in today's  
5 meeting. Next slide, please.

6           The application for the Potentia-Viridi Battery Energy  
7 Storage System, BESS, project was submitted to the CEC under the  
8 opt-in certification program created under AB 205 as part of the  
9 Warren-Alquist Act. The project proposes a Battery Energy Storage  
10 System, or BESS, on approximately 102 acres of a larger,  
11 approximately 236-acre parcel. The project site is in a rural  
12 eastern Alameda County in what is known as a Tri-Valley  
13 subregion.

14           The site proper is bordered on the south, southeast by  
15 Patterson Pass Road on a north by an existing private road on the  
16 west by open grazing land and on the east by the existing Tesla  
17 substation across Patterson Pass Road. Primary access to the site  
18 would be from the northern access road, which is northeast part  
19 of the site to be built from a private existing road. The  
20 (INDISCERNIBLE) line extends to the south, southeast across  
21 Patterson Pass Road and Patterson Run, a stream running parallel  
22 to Patterson Pass Road, providing an interconnection to the  
23 transmission infrastructure. The transmission line continues to  
24 the Tesla substation terminating near the southwest corner. The  
25 project elements include a 400 megawatt or 3,200 megawatt hour

1 BESS, a high voltage project substation, 34.5 to 500 kilovolts, a  
2 500-kilovolt generation intertie line or gen-tie, a power  
3 conversion system and medium voltage collection system,  
4 enclosures containing the BESS units, a control building,  
5 switchyard, and substation.

6 The power stored by the project would be conveyed to  
7 the regional electrical grid through an interconnection with the  
8 existing PG&E Tesla substation. Next slide, please.

9 The CEC received the project application on August  
10 7th, 2024. The CEC staff reviewed the data submitted and  
11 completed a series of requests for information before deeming the  
12 application complete on August 29th, 2025. CEC staff then held a  
13 public informational and environmental scoping meeting in Tracy,  
14 California on September 18th, 2025. The CEC staff assessment was  
15 filed on January 26th, 2026, opening the 60-day public comment  
16 review period, which closes on March 27th, 2026.

17 Today, we will share information from the staff  
18 assessment and hear any comments from agencies, governments,  
19 California Native American tribes and interested members of the  
20 public. No decisions are being made at this meeting. The CEC  
21 staff will publish an updated staff assessment, which will  
22 include a final recommendation on the proposed project no later  
23 than April 24th, 2026.

24 This project and the CEC staff recommendation will be  
25 presented at a Business Meeting on May 26th, 2026 for a formal

1 decision by the CEC. The business meeting will be formally  
2 noticed. Next slide.

3           The staff assessment, which includes the draft EIR,  
4 has been prepared by a team of CEC technical experts, including  
5 biologists, mechanical engineers, air resources engineers,  
6 archeologists, geologists, and more. CEC staff evaluated the  
7 potential environmental effects of the construction and operation  
8 of the proposed project in compliance with the California  
9 Environmental Quality Act or CEQA, the CEQA guidelines, the  
10 Warren Alquist Act, and California Code of Regulations, Title 20.  
11 The topic areas shown on this slide, facility design, facility  
12 reliability, transmission system engineering, and worker safety  
13 and fire protection are not included in a typical EIR. These  
14 engineering topics are required to be analyzed per the  
15 requirements of the Warren-Alquist Act and in implementing  
16 regulations in California Code of Regulations, Title 20.

17           CEC staff evaluated engineering aspects of the  
18 proposed project and concluded that the construction and  
19 operation of the project would conform with all applicable local,  
20 state, and federal laws, ordinances, regulations, and standards  
21 or laws and should the project be certified, it can be reliably  
22 operated. For further specific details, we encourage you to  
23 download the staff assessment from our CEC website. A slide later  
24 in this presentation describes how to find project documents on  
25 the website. Next slide, please.

1           This table summarizes staff's CEQA impact conclusions  
2 for the environmental topic areas and the project's conformance  
3 with laws, ordinances, regulations, and standards in these topic  
4 areas. CEC staff identified significant and unavoidable impacts  
5 on the environment and non-conformance with laws, ordinances,  
6 regulations, and standards in the area of visual resources. For  
7 land use, agriculture, and forestry, CEC staff notes non-  
8 conformance with laws, ordinances, regulations, and standards,  
9 which are the bolded rows.

10           Red means the project does not conform with laws  
11 and/or causes significant and unavoidable impacts. Next slide,  
12 please.

13           We will now begin our staff presentations on  
14 environmental topic areas of concern. I will pass it over to Eric  
15 Knight.

16           MR. KNIGHT: Thank you, Kaycee. Hello. My name is Eric  
17 Knight, Siting and Environmental Branch Manager. I will provide a  
18 brief overview of the baseline biological conditions that occur  
19 on the project site, the environmental considerations evaluated  
20 during the of impacts to special status plants, wildlife, and  
21 aquatic resources, our proposed mitigation measures, including  
22 conditions of certification, and how the project aligns with  
23 state and federal requirements, permitting requirements. Next  
24 slide, please. Next slide. Thank you.

25           The proposed project must comply with multiple

1 environmental regulations, including the Federal Endangered  
2 Species Act, the California Endangered Species Act, the Migratory  
3 Bird Treaty Act, the Clean Water Act, and the California Fish and  
4 Game Code. Regionally, the project is guided by the East Alameda  
5 County Conservation Strategy, which establishes conservation  
6 priorities for species such as California red legged frog,  
7 California Tiger Salamander, San Joaquin Kit Fox, and American  
8 Badger. The privately owned site is near the Altamont Pass at the  
9 northern edge of the San Joaquin Valley within a transition zone  
10 between the Diablo Range and the East Foothills.

11           The project site is dominated by non-native annual  
12 grasslands with Patterson Run Creek and ephemeral stream running  
13 through the area. While wetlands and special status plant  
14 communities are absent, the site provides upland and dispersal  
15 habitat for several listed species. Nearby stock ponds within 0.3  
16 miles offer high quality breeding habitat for the California red-  
17 legged frog and the California tiger salamander, and the site  
18 overlaps designated critical habitat for the California red-  
19 legged frog. Because of this, the project requires a  
20 comprehensive suite of mitigation measures to avoid, minimize,  
21 and fully mitigate impacts to biological resources. Next slide,  
22 please.

23           This figure shows the project study area and the  
24 results of the biological surveys conducted by the applicant. It  
25 outlines the project boundary and the surrounding grasslands, as

1 well as Patterson Run Creek, which crosses the site as a key  
2 hydrological feature. The figure highlights areas identified as  
3 high quality breeding habitat for California red-legged frog and  
4 California tiger salamander, shown as P-1 and P-2 on the slide  
5 there, as well as burrows and other features used by wildlife.

6           During multiple seasons of surveys, no state or  
7 federally listed plants were detected and are not expected to  
8 occur. However, one species, big taro plant, is present along the  
9 gentile -- one (INDISCERNIBLE) of the species, excuse me. Next  
10 slide, please.

11           Special status wildlife with the potential to occur  
12 includes Crotch's bumble bee, California tiger salamander,  
13 California red-legged frog, Golden Eagle, burrowing owl, and San  
14 Joaquin Kit Fox. Sensitive birds observed or likely to occur  
15 include Northern Harrier, white-tailed kite, loggerhead shrike,  
16 tri-colored blackbird, prairie falcon, and bald eagle. Next  
17 slide, please.

18           CEC staff's biological resources evaluation included  
19 reviewing the applicant's data, conducting independent research  
20 and literature reviews, coordinating with the United States Fish  
21 and Wildlife Service and California Department of Fish and  
22 Wildlife and verifying conditions during a site visit. Our  
23 analysis evaluated two categories of impacts, those occurring  
24 during construction and those occurring during long-term  
25 operations of the facility. Based on the evaluation, staff

1 recommends -- staff developed and recommends 28 mitigation  
2 measures, including 15 species-specific measures, which are also  
3 referred to as (INDISCERNIBLE) conditions of certification. These  
4 measures include pre-construction surveys, construction  
5 monitoring, non-disturbance buffers, compensatory mitigation  
6 through approved conservation banks, reporting requirements,  
7 worker environmental awareness training, seasonal work windows,  
8 and habitat restoration.

9           If approved, these measures will be implemented by the  
10 project owner throughout the life of the project with compliance  
11 monitored under the oversight of the CEC staff, including the  
12 CEC's compliance project manager. Next slide, please.

13           Under state law, the CEC license would include  
14 Incidental Take Authorization under the California Endangered  
15 Species Act for the California Tiger Salamander, Western  
16 Burrowing Owl, San Joaquin Kit fox, and Crotch's Bumblebee. This  
17 Take Authorization allows lawful project activities that may  
18 otherwise result in take of a listed species provided the project  
19 implements measures to avoid, minimize, and fully mitigate  
20 impacts. Staff work closely with California Department of Fish  
21 and Wildlife to develop these measures. In addition, the CEC  
22 license would include the equivalent of a California Department  
23 of Fish and Wildlife Lake and Streambed Alteration Agreement for  
24 impacts the Patterson Run Creek. The applicant also submitted  
25 applications to the Army Corps of Engineers for Clean Water Act

1 Section 404 Nationwide permit for impacts to Patterson Run Creek  
2 and to the Central Valley Regional Water Quality Control Board  
3 for Clean Water Act Section 401 Water Quality Certification. The  
4 Army Corps of Engineers initiated Endangered VCs Act Section  
5 seven consultation with the US Fish and Wildlife Service for  
6 potential impacts to California red-legged frog, California Tiger  
7 Salamander, and the San Joaquin Kit Fox as part of the Clean  
8 Water Act Section 404 permitting process.

9 Staff concludes that impacts to sensitive plants and  
10 wildlife from the construction and operation of the proposed  
11 project will be reduced to less than significant levels with  
12 implementation of staff's recommended conditions of  
13 certification, and the project would comply with all applicable  
14 laws, ordinances, regulations, and standards, including the State  
15 and Federal Endangered Species Acts and Fish and Game Codes.

16 So that concludes the presentation on biological  
17 resources. I will now transition to visual resources, please.  
18 Next slide, please.

19 As discussed in the staff assessment, the proposed  
20 project would have significant effects under two of the CEQA  
21 questions, two of the CEQA guidelines, environmental checklist  
22 questions for visual resources, and would not conform with  
23 several local laws, ordinances, regulations, and standards  
24 pertaining to aesthetics and visual resources. There are four  
25 CEQA checklist questions for visual resources. The project would

1 have no impact for the two questions that address scenic  
2 resources and scenic vistas. This is because no scenic vistas or  
3 resources have been identified or the project is not within views  
4 from any locally designated visually sensitive bridge lines or  
5 view sheds. The project was found to have substantially -- was  
6 found to substantially degrade the existing visual character  
7 quality of the public views of the site and its surroundings.  
8 Staff's evaluation focused on project prominence and visual  
9 absorption capability. Project prominence measures the degree of  
10 visual contrast with the existing landscape, while visual  
11 absorption capability measures the ability of the existing  
12 landscape to absorb the visual contrast without resulting in  
13 substantial alteration to its visual character and quality.

14           Project induced visual change to the existing  
15 landscape's visual character was evaluated from four Key  
16 Observation Points or KOPs. The KOP is a represented point in a  
17 publicly accessible location where a public view of the project  
18 is analyzed and evaluated. For each of the KOPs, the applicant  
19 provided photographs showing the existing view and photo  
20 realistic simulations of how the proposed project components  
21 would appear from each KOP. On the next slide, I'll show before  
22 and after images from one of the KOPs as an example. Generally  
23 speaking, the undeveloped rural project site would be  
24 substantially modified as the project would introduce forms,  
25 lines, colors, and textures associated with the BESS facility,

1 the substation and associated infrastructure. They're not  
2 currently found in the existing landscape of the site and cannot  
3 be camouflaged, disguised, or screened or surface treated, nor  
4 setbacks employed that would mitigate the degradation of the  
5 existing visual character and quality of the site and the  
6 surroundings to less than significant levels.

7           The existing rural open space would be replaced with  
8 an inherent semi-industrial utilitarian landscape character, and  
9 after mitigation, the visual impacts would remain significant and  
10 unavoidable. Next slide, please.

11           So this slide shows images from figures 5.14-4A and 4B  
12 in the staff assessment. The image on the left is how the project  
13 site currently looks to travelers on eastbound Patterson Pass  
14 Road, looking north toward the site. The image on the right is  
15 the proposed project simulated to the view. The nearest project  
16 boundary to KOP2 would be approximately 470 feet to the north.  
17 Next slide, please.

18           The other CEQA checklist question in which the project  
19 would have a significant effect asks, would the project create a  
20 new source of substantial light or glare, which would adversely  
21 affect day or nighttime views in the area? Here, the impact was  
22 found to be less than significant with mitigation. The World  
23 Atlas Sky Brightness interactive map, which quantifies light  
24 pollution, shows the project site in an area where brightness is  
25 relatively high. I'll show this map on the next slide. Existing

1 nighttime lighting conditions vary throughout the area because no  
2 light sources currently exist on the project site, and the  
3 project has the potential to be a source of substantial  
4 artificial light into the nighttime environment from outdoor  
5 lighting for site and building access and security purposes, and  
6 glare and reflectance during daytime from project structures.

7           However, staff concludes that these impacts can be  
8 mitigated to less significant with effective implementation of  
9 stats proposed conditions of certification. Next slide, please.

10           This slide is from the World Atlas Night Sky  
11 Brightness Map. It shows the brightness at night emitted from the  
12 general project area and along Interstate 580 corridor and  
13 Eastern Alameda County, California. The site is in the area  
14 depicted by the orange color indicating suburban urban transition  
15 and area greater emitted illumination. Next slide, please.

16           The Staff assessment determined that the project's  
17 residual significant visual impacts pertaining to the degradation  
18 of existing visual character, quality of public views of the site  
19 and its surroundings would not conform with several principles  
20 and policies in the scenic route element of the Alameda County  
21 general plan and the East County area plan as it pertains to  
22 sensitive view sheds and scenic highways. So this concludes the  
23 presentation on visual resources. Next slide, please.

24           And we'll now transition to land use and agricultural  
25 and forestry. Next slide, please.

1           The land use, agricultural and forestry section of the  
2 staff assessment addresses the project's potential to impact  
3 significant, excuse me -- addresses the project's potential for  
4 significant impacts to land use, agriculture, and forestry. Of  
5 the six questions from the CEQA Appendix G checklist taken from  
6 staff's analysis, I will focus on two.

7           One, would the project cause a significant impact due  
8 to a conflict with any land use, law, ordinance, regulation, or  
9 standard adopted for the purpose of avoiding or mitigating the  
10 environmental effect? And two, would the project conflict with  
11 existing zoning or agricultural use or Williamson Act contract?

12           The project is consistent with most laws, ordinances,  
13 regulations, and standards, including the East County area plan,  
14 land use designation of large parcel agriculture and the zoning  
15 designation of agriculture combining B district. However, the  
16 project conflicts with Alameda County's uniform rules and  
17 procedures governing agricultural preserves and Williamson Act  
18 contracts.

19           The project is not consistent with the 10/10 rule,  
20 which states that compatible non-agricultural uses that do not  
21 qualify as buildings shall be restricted to no more than 10  
22 percent of the contracted property or 10 acres, whichever is  
23 less. In this case, 10 acres is less and the project exceeds 10  
24 acres.

25           Importantly, this LORS conflict is not a significant

1 impact because the project site is grazing land, not an important  
2 farmland category. California Department of Conservation does not  
3 classify the project site as having the BESS soil characteristics  
4 for agriculture. Important farmlands are lands designated as  
5 prime farmland, unique farmland, or farmland of statewide  
6 importance as designated by the California Department of  
7 Conservation. Department of Conservation designates two of the  
8 parcels, the ones with the BESS facility in that transmission  
9 line as grazing land while the PG&E Tesla substation parcel with  
10 the (INDISCERNIBLE) connection is designated as urban and built-  
11 up land. Grazing land and urban and built-up land do not have the  
12 soil characteristics that are optimal for agriculture and  
13 therefore are not important farmlands. Next slide, please.

14 In conclusion, while there is a LORS nonconformance  
15 with the 10/10 rule in Alameda County's uniform rules and  
16 procedures, governing agricultural preserves and Williamson Act  
17 contracts, the project would have less than significant impacts  
18 in the topic area of land use, agriculture, and forestry. While  
19 staff is recommending the CEC approve the project, despite the  
20 project conflicting with the 10/10 rule, CEC staff recommends the  
21 project applicant work with the landowner to seek Williamson Act  
22 contract modification through a partial cancellation within  
23 Alameda County following the requirements set forth in the  
24 government code. Such an action can occur after project  
25 certification and would harmonize the Williamson Act contract

1 with the future state of the project site, including the  
2 certified project.

3 And that concludes the presentation on land use,  
4 agricultural and forestry, and I'll pass the mic back to Kaycee  
5 Chang.

6 MS. CHANG: Thanks, Eric. Next slide, please.

7 I will now go over the Opt-In requirements and the  
8 next steps in the CEC process. Next slide, please.

9 As part of the opt-in certification program, there are  
10 mandatory requirements that projects must meet. We are  
11 highlighting three of particular interest for labor. CEC staff  
12 concludes that the construction of the project is not a covered  
13 project subject to public works. The applicant has committed to  
14 provisions of the labor code to paying prevailing wages and to  
15 using a skilled and trained workforce. Next slide, please.

16 Under public resources code, section 25545.9B, there  
17 is a rebuttable presumption that the construction or operation of  
18 the facility will have an overall net positive economic benefit  
19 to Alameda County. The project would provide the following  
20 economic benefits to Alameda County. One, project construction  
21 would last 18 months and require an average of 97 workers per  
22 month and have a peak workforce of 127 workers per month.

23 Two, the project operations would employ 18 full-time  
24 employees, including one plant manager, two technicians for plant  
25 operations, and 15 workers for BESS equipment and machinery

1 maintenance over the project's estimated 35-year operational  
2 life. And three, on a net present value basis, the proposed  
3 project would generate more than \$440 million of net positive  
4 economic value to Alameda County over the project's estimated  
5 operational life. This estimate of economic benefit does not  
6 include potential cost to Alameda County, such as for public  
7 services. Next slide, please. For the requirement that the  
8 applicant enter into one or more legally binding and enforceable  
9 agreements with or that benefit a community-based organization,  
10 the applicant submitted an executed agreement with Tri-Valley  
11 Haven, an organization providing services and assistance to  
12 survivors of sexual assault, victims of domestic abuse violence,  
13 and those experiencing homelessness. According to the applicant,  
14 the overall benefits package for the project will exceed \$1.1  
15 million over 20 years, involving at least one additional  
16 community organization, the status of which has not been made  
17 public yet. Next slide, please.

18           CEC staff evaluated the potential for the project to  
19 substantially degrade the existing visual character or quality of  
20 public views of the site and its surroundings. Staff concluded  
21 that this impact remains significant even after implementation of  
22 conditions of certification. While staff concludes there is a  
23 significant and unavoidable impact to visual resources, the  
24 project provides regional economic benefits, construction and  
25 engineering jobs, grid reliability benefits, support for

1 California's renewable energy and greenhouse gas emission  
2 reduction goals, and displacement of fossil fuel generation and  
3 corresponding air pollution.

4 Thus, staff concludes there's substantial and  
5 compelling evidence in the record to support a CEC decision to  
6 approve the project by issuing a statement of overwriting  
7 considerations. Next slide, please.

8 Today, we will be taking oral comments on the staff  
9 assessment. Written comments on the staff assessment can be  
10 submitted to the project docket until 5:00 PM on March 27th,  
11 2026. We will respond to all comments raising significant  
12 environmental issues and make edits to the analysis if necessary  
13 in the updated staff assessment, which will be filed on or prior  
14 to day 240 on April 24th, 2026, along with the Executive  
15 Director's recommendation. The CEC is planning to consider the  
16 Potentia-Viridi BESS project's opt-in application at a business  
17 meeting to be scheduled for May 26th, 2026.

18 Next, we would like to invite the applicant --  
19 applicant representative, Julia Zuckerman to the podium for  
20 applicant remarks. Next slide, please.

21 Can we get the next slide? Thank you.

22 MS. ZUCKERMAN: All right. Thank you. Good afternoon  
23 and thank you so much for the opportunity to be here today and  
24 say a few words.

25 I'm Julia Zuckerman with Clearway Energy Group, the

1 developer of the project. Clearway acquired the Potentia-Viridi  
2 project this past November. And I'll say, since I know there are  
3 people on Zoom, for anyone who's wondering about the name of the  
4 project, it means Green Power in Latin. Clearway is going to  
5 complete development and construction of the project and will be  
6 the long-term owner / operator once the project is complete.

7           For introduction to Clearway, we're a California-based  
8 company, one of the largest clean energy companies in the United  
9 States. And we're proud to be a longtime partner in advancing  
10 California's clean energy and reliability goals. Our projects  
11 have been producing clean energy in state for more than 15 years.  
12 Our portfolio currently has grown to six and a half gigawatts of  
13 generation in storage, which is enough to power 1.2 million homes  
14 in California.

15           We have more than 200 full-time employees in state, in  
16 addition to supporting hundreds of union construction jobs that  
17 are created by our projects. First, we would like to thank the  
18 CEC staff for their thorough work on the staff assessment.  
19 They've conducted a very comprehensive review of the project, and  
20 we really appreciate their constructive engagement in Q&A with us  
21 throughout the process. As reflected in the staff assessment, the  
22 Potentia-Viridi Project is a great fit for the requirements and  
23 goals of the AB-205 program. It will provide important  
24 reliability benefits. It will help advance California's climate  
25 and clean energy goals. The project site is surrounded by

1 existing energy infrastructure, which limits its environmental  
2 impact. It will provide economic benefits, including as we're  
3 doing construction jobs, local property and sales tax revenues,  
4 and we've entered into a community benefit agreement as discussed  
5 with a great organization that serves local families in need and  
6 planning for a total community benefit package over a million  
7 dollars.

8           As the long-term owner / operator, also Clearway is  
9 part of the communities where we operate our projects, and so we  
10 will be present and participating and contributing to the  
11 community for decades to come. We've been in touch with local  
12 stakeholders and agencies since we took over development, and of  
13 course, we'll continue that coordination as the project moves  
14 forward. In terms of the timeline, if the permitting process  
15 stays on its current schedule, we anticipate that full  
16 mobilization for construction will start in the spring of 2027,  
17 and the project will reach commercial operation in late 2028.

18           We look forward to finalizing the mitigation measures  
19 and project conditions in the staff assessment and moving the  
20 project toward Commission approval. So thank you again for the  
21 opportunity to be here and our team is here and happy to answer  
22 questions.

23           MS. CHANG: Thank you, Julia.

24           Next, we invite Ryan Young, public advisor, to present  
25 on public participation.

1 MR. YOUNG: Good afternoon. Again, I'm Ryan Briscoe  
2 Young, the Energy Commission's Public Advisor.

3 Today, I'm going to be presenting on how members of  
4 the public, California Native American tribes, and others can  
5 participate in this proceeding. Next slide, please.

6 Part of our office's mission is to facilitate public  
7 and tribal engagement in CEC programs and policies. We are a free  
8 resource available to anyone who wants to participate in CEC  
9 proceedings, including the Potentia-Viridi proceeding. I'll be  
10 sharing our contact information on a later slide. Next slide,  
11 please.

12 Now I'll talk about the different ways to participate  
13 in the Potentia-Viridi proceeding. There are multiple ways to  
14 participate. The first is to follow the proceeding. Another is to  
15 comment on the proceeding, and the third option open to  
16 California Native American tribes is tribal consultation. Next  
17 slide, please.

18 I'll now go into more detail on how to follow the  
19 proceeding.

20 One of the most popular ways to participate in our  
21 programs is to simply follow them. You can follow our proceedings  
22 by reviewing materials we post on the website, signing up for  
23 email updates, and by attending events like this one here today.  
24 Our events are almost always hybrid or fully virtual via Zoom, so  
25 the public can attend our events from just about anywhere. On

1 this slide, you'll see a snapshot of the CEC webpage for this  
2 program of this project, and it has information on the proposed  
3 project and project status. It also has a place where you can  
4 subscribe to free email updates. Under the subscribe section,  
5 there's also a link to submit written comments directly to the  
6 project docket and a link to the entire project docket itself. So  
7 what is the docket? The CEC has publicly available online dockets  
8 for its proceedings. This is basically a place where application  
9 materials, public comments, notices, agendas, and other documents  
10 are filed and available online.

11 On this slide, the image -- Excuse me. I don't have my  
12 mouse today. The image on the right is of the docket for the  
13 proposed Potentia-Viridi battery energy storage system. And with  
14 few exceptions, all materials in the docket are linked and  
15 available for anyone to download and view for free. Next slide,  
16 please.

17 Another way to participate is to comment. As in all  
18 the CEC programs and policies, any person can comment verbally at  
19 a CEC event or in writing. Please note that comments will become  
20 part of the public record with access available via search  
21 engine. To comment verbally, just attend the event and wait for  
22 your instructions during the public comment period to make a  
23 comment. For our hybrid events, you can comment in person or via  
24 Zoom, online, or by phone. Coming up on our agenda is just such a  
25 public comment period. We also welcome written comments.

1           As I stated before, on the CEC website, we have what's  
2 called a docket for each proceeding. Written comments can be  
3 submitted to the docket just about any time, but the most  
4 effective time to do so is during announced public comment  
5 periods. On our website, we can submit a comment electronically  
6 by typing it into our e-comment page or by uploading a document  
7 such as a letter. We also have email and paper options to submit  
8 comments that are detailed in the notices for today's event. If  
9 you need assistance commenting, you can contact our office and  
10 we'll have, again, the contact information on the last slide.  
11 Next slide, please.

12           The CEC has invited tribal consultation and this and  
13 other opt-in proceedings. Patrick Reardon from the CEC site  
14 division is available for inquiries. Thank you for attending this  
15 meeting and your interest in this proceeding. We're here to serve  
16 the state of California and your participation is a big part of  
17 this process.

18           Here's the contact information for the Office of  
19 Public Advisor, Energy Equity and Tribal Affairs. My office is  
20 available to assist you and participate. Just a reminder to turn  
21 in your blue cards if you wish to make a public comment. I'm now  
22 going to transition to public comment itself.

23           The Energy Commission welcomes public comment at this  
24 time. Before we move to the general public comment, we're going  
25 to begin with comments from government entities, including local,

1 state, and federal agencies and California and Native American  
2 tribes. If you represent such an entity, please go ahead and come  
3 up to the podium, or if you're on Zoom, click on the raised hand  
4 feature. It looks like an open palm at the bottom of your screen.  
5 If you're joining us by phone, you're going to press star nine to  
6 raise your hand. We'll start with commenters in the room, and  
7 then we'll transition online.

8 COMMISSIONER GALLARDO: Before we start with the  
9 comments, I just wanted to make a clarification. Again Noemí  
10 Gallardo, Commissioner -- Lead Commissioner for Permitting  
11 Siting. We realize that at this point there may be folks on the  
12 line or in the room who have questions about what's in the staff  
13 assessment. And so if you do have a question, we are going to try  
14 to answer the question. There might be questions, procedural ones  
15 that are easier to answer than let's say technical, very  
16 detailed, nuanced questions. And we do have a lot of the folks  
17 who did the staff assessment here, but there might be some of  
18 those experts who are not available. And so whichever the  
19 questions we're able to answer, we will try to do so. And if we  
20 can't, we will record your question and take it into  
21 consideration when the updated staff assessment is being  
22 conducted. So just wanted to make that clarification for folks.

23 And we won't have an exchange during public comment of  
24 Q&A. We will try to answer questions at the very end of the  
25 public comment, that way we enable everyone who is willing and

1 wanting to make a public comment to have the time to do so. If  
2 there's any confusion when you go up for public comment, whether  
3 it's online or in the room, let us know and we will clarify  
4 again.

5 MR. YOUNG: Great. Thank you. Just a reminder, we are  
6 hearing from government entities first. So if you represent such  
7 an entity, please raise your hand on Zoom or come up to the  
8 podium at this time. And we will open the floor to general public  
9 comment afterwards. So seeing none in the room, I'm going to  
10 transition to Zoom. And Commissioner, I'm not seeing any on Zoom,  
11 so I'm going to transition to general public comment. So again,  
12 if you're joining us in the in-person location, please fill out  
13 and turn in the blue card at the public advisors table. And if  
14 you're joining us on Zoom, please use the raise hand feature or  
15 press star nine coming from the phone. All right. I'm not seeing  
16 any raised hands in the room and I will then transition to Zoom.

17 All right. This appears to conclude public comment and  
18 I'll pass it back to you, Kaycee.

19 COMMISSIONER GALLARDO: All right. Let's do one more  
20 call out.

21 MR. YOUNG: Yeah. One more. Anyone who wants to make a  
22 public comment, again, press either star nine if you're joining  
23 us by phone, or if you are on Zoom, please use the raised hand  
24 feature and we'll call you up to comment. Seeing none. Thanks  
25 again.

1 COMMISSIONER GALLARDO: Did the applicant have any  
2 comments or questions? I know you had your opportunity to speak.  
3 Just want to make sure it was also open to you, making that  
4 clear.

5 SPEAKER: Okay.

6 COMMISSIONER GALLARDO: Okay. Applicant says no.

7 MS. CHANG: All right. Thank you. Next slide, please.

8 Next slide, please.

9 All right. Thank you everyone for being here. Written  
10 comments can be submitted to the project docket until 5:00 p.m.  
11 on March 27th, 2026. We will respond to all comments raising  
12 significant environmental issues and make edits to the analysis  
13 if necessary in the updated staff assessment, which will be filed  
14 by April 24th, 2026, along with the Executive Director's  
15 recommendation. The CEC is planning to consider the Potentia-  
16 Viridi of battery energy storage system project's Opt-In  
17 application at the business meeting to be scheduled for May 26th,  
18 2026. Next slide, please. Before we close, I'll pass it over to  
19 Ryan.

20 MR. YOUNG: Hello again, everyone. I just wanted to  
21 make one more effort to see if anyone wanted to have any public  
22 comments. Again, if you are on Zoom, please use the raise hand  
23 feature and if you're joining us by phone, please press star  
24 nine. We don't appear to have any taker -- Oh, we might have a  
25 taker.

1           Rebecca Frank, I'm going to unmute your line. Please  
2 unmute on your end. Sorry, I'm having a little difficulty here.

3           MS. FRANK: Hi, just a quick question on the community  
4 benefits. Just wanted to verify the amount and how and when it  
5 would be distributed to the two organizations that are listed in  
6 the report.

7           MR. YOUNG: Thank you. Do you want to take that now,  
8 Commissioner, given that we don't have any more public comments?

9           COMMISSIONER GALLARDO: Would the applicant like to  
10 respond to that one otherwise? Yes. Okay. The applicant will go  
11 to the podium to respond. And I want to make clear too, I hope I  
12 didn't confuse anyone online or in the room. You do not have to  
13 have a question to make a public comment. You can just make a  
14 public comment. It does not need to be in a format of a question.

15          MS. ZUCKERMAN: Sure. So the community benefit  
16 agreement with Tri-Valley Haven is for 15 years.

17          COMMISSIONER GALLARDO: I apologize. Can you state  
18 your name just to be clear on the record?

19          MS. ZUCKERMAN: Yes. Sorry about that. Julia Zuckerman  
20 with Clearway Energy Group. The community benefit agreement that  
21 we've signed is with Tri-Valley Haven for Women. It goes for 15  
22 years. It starts once the project's operational. So there's an  
23 initial contribution when the project is complete and then an  
24 annual contribution thereafter. As was said during the  
25 presentation, we do plan to sign at least one more community

1 benefit agreement. And what we're planning for is for a total  
2 community benefit package that will be over \$1.1 million over 20  
3 years. So that will include the additional community benefit  
4 agreement. It also includes Clearway's community engagement,  
5 community benefit program that we carry out for all of our  
6 projects in operation, where we have annual contributions that  
7 are directed by our local site team. Those won't be part of the  
8 formalized community benefits agreement, but those are part of  
9 what we're planning for as part of the overall package.

10 So as we move forward in the process, hope to have  
11 more specifics to share.

12 COMMISSIONER GALLARDO: Julia, to clarify for me, my  
13 benefit, you said \$1.1 million over how many years?

14 MS. ZUCKERMAN: That's over 20 years.

15 COMMISSIONER GALLARDO: Twenty years. Okay.

16 MR. YOUNG: There are no other public comments.

17 MS. CHANG: Thank you, everyone. Now we would like to  
18 invite Commissioner Gallardo to make closing comments.

19 COMMISSIONER GALLARDO: All right. Well, I'd like to  
20 end with gratitude. As we started at the beginning, really  
21 grateful for the Tracy Transit Center here, enabling us to hold  
22 the meeting, helping us set up and to all the staff for all the  
23 diligence in getting to this point of the proceeding. This is a  
24 major milestone. We still have a bit more to go, but I'm very  
25 grateful that we have conducted all this diligence. And again,

1 thank you to the applicant for being here, also responding to  
2 questions and for your collaboration. And with that, we will  
3 adjourn. Thank you so much, everybody.

4 (WHEREUPON THE PROCEEDING CONCLUDED AT 1:51 P.M.)  
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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of March, 2026.



NICCOLE SHERGIRLL  
CER\*\*1829  
CET\*\*2352

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



March 31, 2026

MARTHA L. NELSON, CERT\*\*367