

DOCKETED

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March 5, 2024

Notice of Receipt of Opt-in Application for Perkins Renewable Energy Project (24-OPT-01) / Request for Comments and Information

This letter serves as notification that the California Energy Commission (CEC) has received an Opt-in application for the Perkins Renewable Energy Project (24-OPT-01). IP Perkins, LLC, IP Perkins BAAH, LLC, and related affiliates (collectively, "Applicant"), subsidiaries of Intersect Power, LLC propose to construct and operate the Perkins Renewable Energy Project, an approximately 1,150 megawatt (MW) solar photovoltaic (PV) and battery energy storage facility, on United States Bureau of Land Management (BLM) and Bureau of Reclamation (BOR) administered public lands (approximately 5,611 acres), and private lands (approximately 515 acres) in Imperial County east of El Centro, California. The project would generate and store renewable electricity via arrays of solar PV panels, a battery energy storage system (BESS), and appurtenant facilities. The final project capacity would be based on optimization of buildable acreage and solar PV technology at the time of procurement. The project would construct a new generation interconnection (gen-tie) line that would connect the project substation to a new high-voltage breaker and a half (BAAH) switchyard. The gen-tie would be approximately 200 feet or 1.3 miles in length depending on the two optional locations of the substation. From the switchyard, two new 500 kilovolt (kV) loop-in transmission lines would be constructed to interconnect to the existing San Diego Gas & Electric Company's 500 kV Southwest Power Link Transmission Line that travels east-west just south of the project site. The Project Description (TN 254456) section of the application can be accessed directly at the following link:
<https://efiling.energy.ca.gov/GetDocument.aspx?tn=254456&DocumentContentId=89847>.

In 2022, Assembly Bill 205 established a new Opt-in Certification program for eligible non-fossil-fueled power plants, energy storage, and manufacturing and assembly facilities to optionally seek certification through the CEC. Upon receipt of an application, the CEC has the exclusive authority to certify the site and related facility. With certain exceptions, the issuance of a certificate by the CEC is in lieu of any permit, certificate, or similar document required by any state, local, or regional agency, or federal agency to the extent permitted by federal law, and supersedes any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law. The CEC is the lead agency under the California Environmental Quality Act and is required to prepare an environmental impact report for any facility that elects to opt into the CEC's jurisdiction.

The CEC provides the following notice pursuant to Public Resources Code section 25545.8, which states that subsections (f) and (k) of Public Resources Code section 25519 apply to an Opt-in application. The relevant language from Public Resources Code section 25519 is as follows:

(f) Upon receipt of an application, the commission shall forward the application to local governmental agencies having land use and related jurisdiction in the area of the proposed site and related facility. Those local agencies shall review the application and submit comments on, among other things, the design of the facility, architectural and aesthetic features of the facility, access to highways, landscaping and grading, public use of lands in the area of the facility, and other appropriate aspects of the design, construction, or operation of the proposed site and related facility.

(k) The commission shall transmit a copy of the application to any governmental agency not specifically mentioned in this act, but which it finds has any information or interest in the proposed site and related facilities, and shall invite the comments and recommendations of each agency. The commission shall request any relevant laws, ordinances, or regulations that an agency has promulgated or administered.

Pursuant to California Code of Regulations, title 20, section 1877, subsection (f), the CEC staff shall provide information to the local government for review and comment. The relevant language from California Code of Regulations, title 20, section 1877 is as follows:

(f) The opt-in application shall contain preliminary information demonstrating overall net positive economic benefit to the local government that would have had permitting authority over the site and related facility, consistent with Public Resources Code section 25545.9. Staff shall provide the submitted information to the local government for review and comment.

The CEC webpage for the project can be found at the following link:
<https://www.energy.ca.gov/powerplant/solar-photovoltaic-pv/perkins-renewable-energy-project>.

The documents which comprise the Opt-in application can be found in the project docket, which is accessible via the project webpage or directly at the following link: <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-OPT-01>. The applicant has provided information to demonstrate that the project would provide a net positive economic benefit to the local government that would have had permitting authority in Appendix E.3 Public Resources Code Section 21183 and 21183.6 (TN 254445) and Appendix S Community Benefits Agreement Narrative (TN 254444). The applicant filed two other appendices with a request for confidential status – Appendix R Socioeconomic, Economic Impact, and Fiscal Analysis and Appendix S Executed Community Benefits Agreements. The request for confidentiality will be reviewed and a determination will be made to whether to grant or deny the request. We look forward to receiving Imperial County's comments pursuant to Public Resources Code sections

25519(f) and 25519(k), and California Code of Regulations, title 20, section 1877(f) at your earliest convenience.

The CEC also wishes to make Imperial County aware that Public Resources Code section 25538 applies to an Opt-in application. The language from Public Resources Code section 25538 is as follows:

Upon receiving the commission's request for review under subdivision (f) of Section 25519 and Section 25506, the local agency may request a fee from the commission to reimburse the local agency for the actual and added costs of this review by the local agency. The commission shall reimburse the local agency for the added costs that shall be actually incurred by the local agency in complying with the commission's request.

To stay informed about this project and receive notice of upcoming public meetings, sign up to the project subscription, which can be accessed on the project webpage. Once enrolled, automatic email notifications are sent via govDelivery when documents and notices are posted to the project docket.

Feel free to reach out to us directly via email if you have any questions about this notice. Thank you.

Lisa Worrall
Project Manager
California Energy Commission

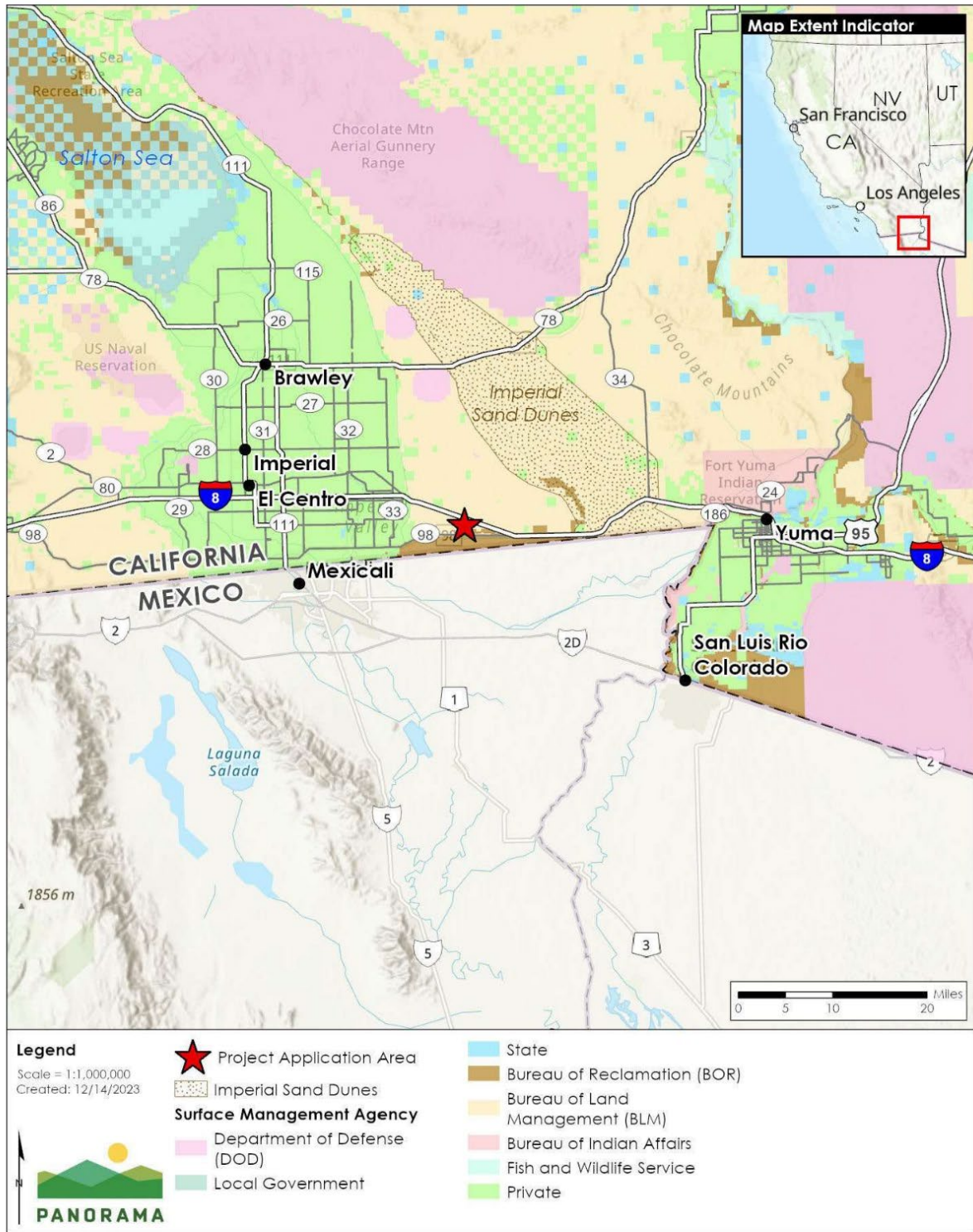
Ann Crisp
Co-Project Manager

lisa.worrall@energy.ca.gov

ann.crisp@energy.ca.gov

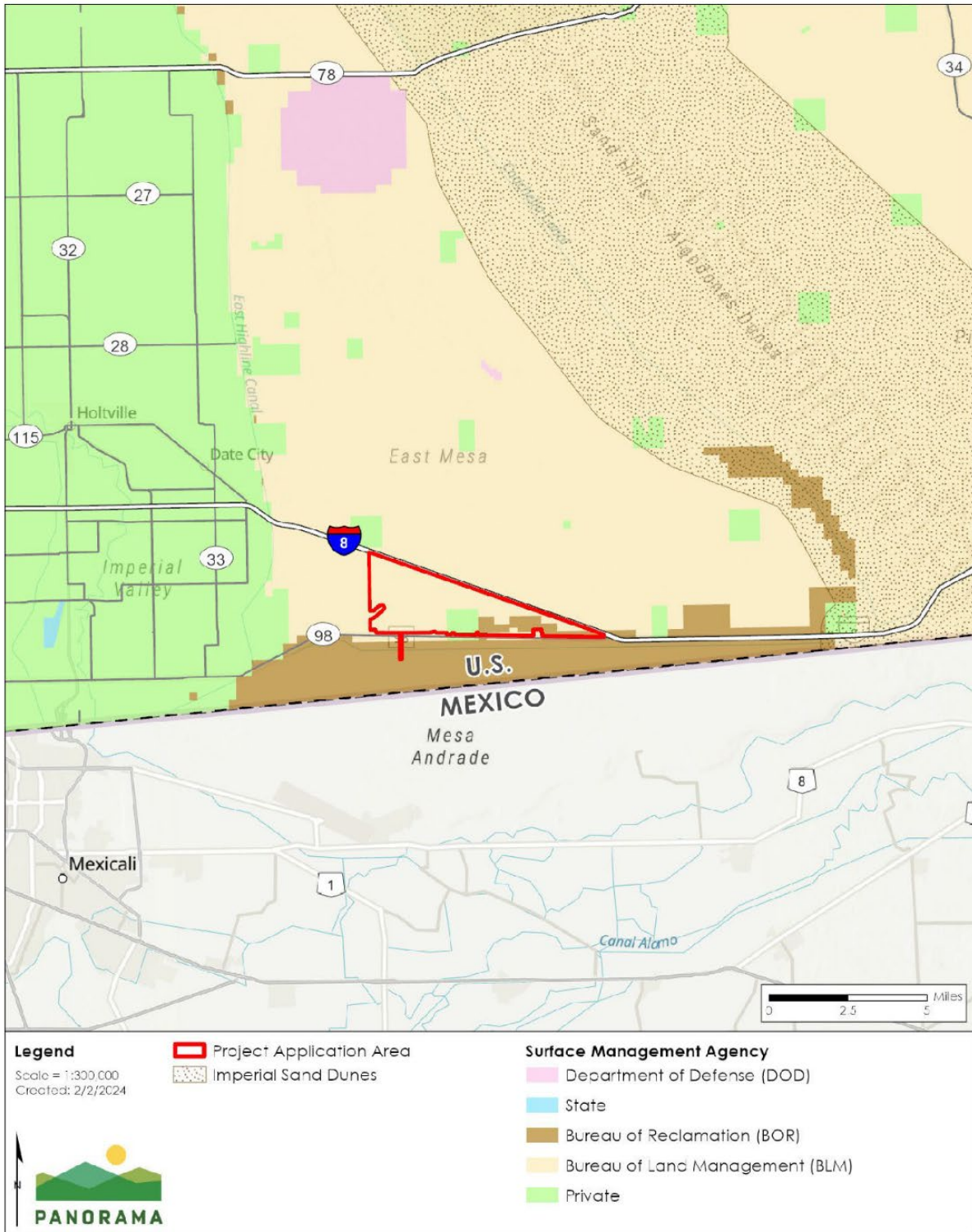
Enclosures: Figure 1.3-1 Regional Setting (from application, TN 254456)
Figure 2.1-2 Project Vicinity (from application, TN 254456)

Figure 1.3-1 Regional Setting



Source: (BLM 2022)(BLM 2012)

Figure 2.1-2 Project Vicinity



Source: (Intersect Power 2023)(BLM 2022)(BLM 2012)