CALIFORNIA ENERGY COMMISSION

CALIFORNIA NATURAL RESOURCES AGENCY

Notice of Determination
by the California Energy Commission

To: Office of Planning and Research
1400 Tenth Street Room 113
Sacramento, CA 95814

From: California Energy Commission
715 P Street, 3rd Floor
Sacramento, CA 95814

Date: October 10, 2025

Lead Agency:
County of Riverside
Riverside County Planning Department
4080 Lemon Street 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409
Tim Wheeler
(951) 955-6060

Subject: Filing of **Notice of Determination** by Responsible Agency in compliance with Public Resources Code section 21108

State Clearinghouse Number: 2018021021

Project Name: **Athos Renewable Energy Project/Distributed Energy Backup Assets Award**
Project Applicant: SE U.S. Development LLC
Award Number: DBA-25-002
Contact Person: O'Shea Bennett, California Energy Commission (as Responsible Agency)
Phone #: (916) 477-0838
Project Location: **33°44'34.2"N 115°21'37.0"W at SR 177 and Capp Road, Desert Center, California**

Project Description

The funding agreement (DBA-25-002, or Agreement) between the California Energy Commission (CEC) and SB US Development, LLC (Applicant) will provide partial funding from the CEC's Distributed Energy Backup Assets (DEBA) Program for the Athos Storage B Battery Energy Storage System Project (BESS Project). The DEBA funding of $25,000,000 under Agreement DBA-25-002 will enable the Applicant to purchase, install, and report performance of a 75 megawatt (MW) portion of a 402.3 MW/four-hour lithium-ion battery system approved by the Lead Agency at the Athos Renewable Energy Project in Riverside County.

Procedural Background

On June 18, 2019, the County of Riverside as Lead Agency adopted a Final Environmental Impact Report (FEIR) and Mitigated Negative Declaration, a Mitigation Monitoring and Reporting Program, and a Conditional Use Permit No. 180001 (CUP180001) to approve the construction and operation of the Athos Renewable Energy Project (Athos Project) including 450 MW of solar photovoltaic electricity generation and up to 500 MW of energy storage. The solar photovoltaic component of the Athos Project was constructed and came online in December 2022.

In January 2025, the Applicant submitted a substantial conformance application to the County of Riverside to construct the 402.3MW BESS Project at the Athos Project site. The Applicant also applied to the CEC for grant funding to construct and operate a 75 MW portion of the BESS project. These applications contained additional information about the BESS Project which was not known at the time the County adopted the 2019 FEIR for the Athos Project.

Responsible Agency Determinations

This is to advise that on October 8, 2025, the CEC approved the DEBA funding under Agreement DBA-25-002 and has made the following determinations regarding the BESS Project as a Responsible Agency:

1. The County of Riverside as the Lead Agency for the BESS Project prepared the 2019 Final EIR, 2019 Mitigation Monitoring and Reporting Program (MMRP), and the findings and Statement of Overriding Considerations relevant to the Athos Project and CUP180001, all adopted by the County Board of Supervisors on June 18, 2019, and further prepared the Substantial Conformance determination, 2025 Addendum, and 2025 Updated MMRP relevant to the 402.3 MW BESS project, all approved by the County staff,
2. The County has already adopted and approved, and will enforce, the mitigation measures and conditions applicable to the BESS project, including the 75 MW component proposed for the DEBA funding.
3. The CEC has reviewed the CEC staff memorandum documenting staff's review and analysis of the County's CEQA documentation and the BESS Project applications, and finds that these documents are adequate for its use as the decision-making body for its consideration as Responsible Agency of DBA-25-002.
4. Approval of DBA-25-002 is within the scope of the project and activities evaluated in the Lead Agency's documents.
5. Mitigation measures and additional conditions were made a condition of the approval of the BESS Project by the Lead Agency. Additional mitigation measures were not made as a condition of the CEC's approval of the DEBA award.
6. The DEBA award will not have a significant effect on the environment beyond the unmitigated environmental impacts to direct and cumulative visual resources and cumulative cultural resources adopted by the County of Riverside as Lead Agency.
7. The CEC as a Responsible Agency adopted a Statement of Overriding Considerations for the unmitigated environmental impacts to direct and cumulative visual resources and cumulative cultural resources adopted by the County of Riverside as Lead Agency.
8. The CEC made findings as a Responsible Agency pursuant to the provisions of CEQA.
9. Compliance with the environmental filing fee requirement at Fish and Game Code section 711.4 was completed by the Lead Agency and the receipt is on file with the State Clearinghouse.

Availability of Documents

The CEC docket files containing the Commission resolution approving the DEBA award, CEQA findings as a Responsible Agency, and the staff CEQA analysis are available online at Docket Number 22-RENEW-01, https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-RENEW-01, or available for public viewing at: California Energy Commission, 715 P Street, Sacramento, California, 95814.

Signature	Date	Renee Webster-Hawkins Senior Staff Attorney Title
	10/10/2025	

OPR: