



**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT**

Steve Maxey
Director

2222 "M" Street
Merced, CA 95340
(209) 385-7654
(209) 726-1710 Fax
www.countyofmerced.com

Equal Opportunity Employer

SENT VIA EMAIL / U.S. MAIL

DATE: November 3, 2023

TO: Robert Pennell, Cultural Resources Director
P.O. Box 410
Friant, CA 93626

FROM: Tiffany Ho, Deputy Director of Planning
Merced County Community & Economic Development Dept.
2222 "M" Street, Merced, CA 95340
Tiffany.Ho@countyofmerced.com
(209) 385-7654 ext. 4407

SUBJECT: **AB 52 Tribal Consultation Letter for
Conditional Use Permit No. CUP22-015 ("Zeta Solar Project")
Assessor's Parcel Numbers (APNs) 090-130-018, 090-130-044,
090-130-060, and 088-180-063**

The purpose of this letter is to offer consultation pursuant to Assembly Bill 52 for the project described below.

The County of Merced has received an application, Conditional Use Permit No. CUP22-015 ("Zeta Solar Project"), which is a request to construct and operate a 75-megawatt (MW) alternative current (AC) solar power generation facility and battery energy storage system (BESS), including a 1,400-foot long generation-tie (gen-tie) line to delivery power to the Mercey Springs Substation. The project site is located on east side of Poleline Road, approximately 0.5 miles north of Eagle Field Road, in the Los Banos area, identified as Assessor's Parcel Numbers (APNs) 090-130-018, and 090-130-044, and 090-130-060, 088-180-063. The project site is designated Agricultural land use in the General Plan and zoned A-2 (Exclusive Agricultural). A map showing the project location is attached to this letter.

Pursuant to PRC § 21080.3.1, you have 30 days from receipt of this letter to request AB 52 consultation, in writing, with the County of Merced. Please direct any consultation requests to my attention using the contact information provided above.

Attachments: A – Project Location Map

Buildings and Safety Division
Robert Lindsey, Deputy

**Economic and Castle Airport
Development Division**
Mark Mimms, Deputy

**Environmental Health
Division**
Larry Fay, Interim Deputy

Planning Division
Tiffany Ho, Deputy

STRIVING FOR EXCELLENCE

CONDITIONAL USE PERMIT APPLICATION
Zeta Solar and Battery Energy Storage System Project

1 Planning Permit Application Form

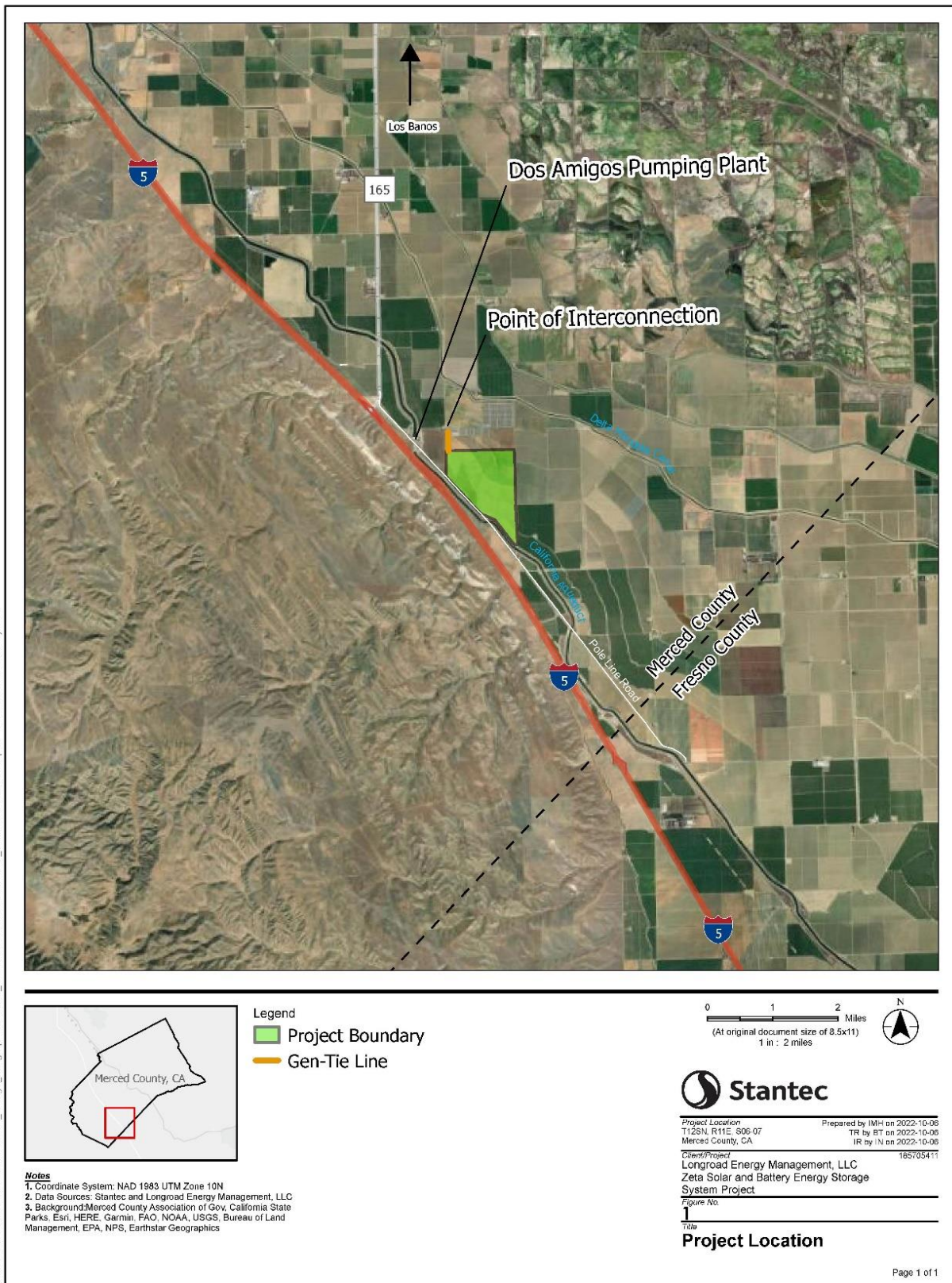


Figure 1. Project Location



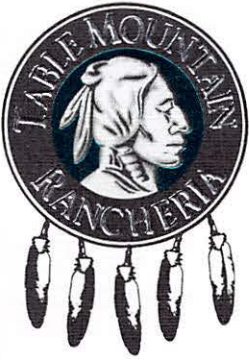


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TRIBAL GOVERNMENT OFFICE

CERTIFIED 4066 1702

November 21, 2023

Tiffany Ho, Deputy Director of Planning
Merced County Community & Economic Development Dept.
2222 "M" Street,
Merced, CA 95340

RE: Conditional Use Permit No. CUP22-015 (Zeta Solar Project)

Dear: Tiffany Ho

This is in response to your letter dated, November 3, 2023, regarding, Conditional Use Permit No. CUP22-015 (Zeta Solar Project) in Los Banos, California. Thank you for notifying us of the potential development and the request for consultation.

We decline participation at this time but would appreciate being notified in the unlikely event that cultural resources are identified.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Pennell", with a long horizontal stroke extending to the right.

Robert Pennell
Tribal Cultural Resources Director
rpennell@tmr.org
559.325.0351

23736

Sky Harbour Road

Post Office

Box 410

Friant

California

93626

(559) 822-2587

Fax

(559) 822-2693



C.R.

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23736 Sky Harbour Road • Post Office Box 410
Friant, California 93626

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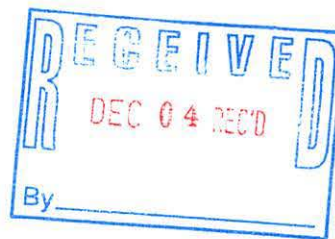
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Tiffany Ho, Deputy Director
2222 "M" Street,
Merced, CA 95340

