

Notice of Determination

Appendix D

To:

☒ Office of Planning and Research
 U.S. Mail: _____ Street Address: _____
 P.O. Box 3044 1400 Tenth St., Rm 113
 Sacramento, CA 95812-3044 Sacramento, CA 95814

☐ County Clerk
 County of: _____
 Address: _____

From:

Public Agency: Central Valley Region. Water Board
 Address: 11020 Sun Center Drive # 200
 Rancho Cordova, CA 95670
 Contact: Jenna Yang
 Phone: (916) 464-4764

Lead Agency (if different from above):
 California Energy Commission
 Address: 715 P Street
 Sacramento, CA 95814
 Contact: Eric Veerkamp
 Phone: 916-661-8458

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2025090227

Project Title: Potentia-Viridi Battery Energy Storage System Project

Project Applicant: Levy Alameda, LLC

Project Location (include county): 17257 Patterson Pass Road, Tracy, CA 95377; Alameda County

Project Description:

The 70-acre Project includes construction of the following components to support the battery energy storage system: enclosures, Power Conversion System, medium voltage collection system, substation, control building, telecommunications facilities, access roads, laydown yards, stormwater facilities and outfall, site security and fencing (including a fire detection system), and operations and maintenance building. The Project would draw electricity from the power grid to charge and store electrical energy and discharge back to the power grid when the stored energy is needed.

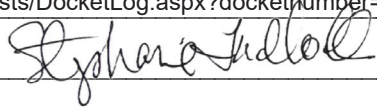
This is to advise that the Central Valley Regional Water Quality Control Board has approved the above
 (☐ Lead Agency or ☒ Responsible Agency)

described project on 6/5/2026 and has made the following determinations regarding the above
 (date)
 described project.

1. The project ☒ will ☐ will not] have a significant effect on the environment.
2. ☒ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations ☒ was ☐ was not] adopted for this project.
6. Findings ☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

<https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=24-OPT-04>

Signature (Public Agency):  Title: Senior Environmental Scientist

Date: 5 June 2026 Date Received for filing at OPR: _____