Notice of Exemption **Form D**

To: Office of Planning and Research
PO Box 3044
1400 Tenth Street, Room 113
Sacramento, CA 95812-3044

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

Project Applicant: BoxPower Inc.

Project Title: INFINITE: Integrating Flexible Interconnection Technologies for Electrified Resilience

Project Location – Specific: Colusa Old Reservation, Reservation Road, Colusa, CA 95932 (39°17'49.9"N 122°01'19.1"W)

Project Location – City: Colusa **Project Location – County:** Colusa County

Description of Nature, Purpose and Beneficiaries of Project:

The purpose of this Agreement is to fund the development and demonstration of an advanced microgrid/distributed energy resource (DER) controller for flexible interconnection and to validate its performance using an emulated utility distributed energy resource management system (DERMS), advancing the controller from a Technology Readiness Level (TRL) 3 to TRL 7. This project will demonstrate a replicable approach to reduce interconnection timelines and costs while enhancing grid resilience for tribal and disadvantaged communities. This Agreement will also enable expansion of housing at the Colusa Indian Community, which is currently constrained by limited electricity infrastructure capacity, by enabling flexible interconnection in lieu of immediate long lead time upgrades.

The proposed project will be constructed entirely on Tribal Trust Land owned by the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community Council (CICC). As a sovereign tribal government, CICC serves as the Authority Having Jurisdiction (AHJ) for all construction, electrical, environmental, and safety approvals. Accordingly, no county or state building permits are required, and no local jurisdiction has discretionary approval authority over the project. Tribal approval processes covering construction, electrical work, trenching, grading, environmental review, and cultural resource protection will be completed following the 60–90% engineering design milestone and prior to construction. These tribal permits are underway but not yet complete, with preliminary site plans, distribution layouts, and equipment specifications already under review by Colusa Indian Energy and the Colusa Indian Community Council.

The project occurs on previously disturbed land within an existing housing development envelope, and the scope consists primarily of underground electrical distribution, battery energy storage, and associated electrical upgrades to meet utility interconnection requirements. Based on this scope, the project should qualify for a Notice of Exemption (NOE) under CEQA (e.g., Class 3 – New Utility Extensions; Class 4 – Minor Alterations to Land; or Class 32 – Infill Development).

Construction is expected to begin in 2028, following completion of final design, equipment procurement, and tribal approvals, and to be completed, including commissioning and site acceptance testing, by approximately October 2028. Active construction is anticipated to last approximately three months, consisting of approximately 30 working days for the medium-voltage distribution scope and approximately four weeks for installation of the battery energy storage system (BESS) and associated equipment, followed by approximately four weeks of commissioning. The project is expected to operate for a minimum of 10 years, with an expected operating life of approximately 20 years, beginning in late 2028. Total estimated ground disturbance for the microgrid equals approximately 9,000 square feet, of which approximately 8,250 square feet is underground trenching for approximately 5,500 linear feet of medium-voltage conduit; the remainder consists of concrete equipment pads, including approximately five transformer pads (approximately 6 feet by 6 feet each), one to two sectionalizing cabinet foundations (approximately 5 feet by 15 feet each), and pads for the BESS (approximately 29 feet by 5.5 feet), switchgear (approximately 10 feet by 6 feet), and control panel (approximately 5 feet by 5 feet). The entire microgrid system is to be located on previously disturbed and developed land comprising graded dirt and gravel, entirely on Tribal land. Sitework is expected to require access by approximately 5 to 10 light, medium, and heavy-duty construction vehicles each day for several weeks during active excavation for equipment pads and trenching, and deliveries of equipment and materials for the project. These vehicles will include personal vehicles for construction

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

personnel as the bulk of the traffic, with soil haul trucks (approximately 30 total truckloads of soil import/export), concrete trucks, delivery vehicles, and similar being the remainder. Previously disturbed vacant land in the immediate vicinity will be designated for parking and staging of equipment and materials during construction activities; the site has ample staging and parking area.

Major equipment delivery is anticipated to require approximately three to five truck deliveries, including one BESS enclosure approximately 29 feet in length that will be offloaded and set by crane in approximately one mobilization; no major equipment is anticipated on site following installation. During commissioning, staff will require approximately two vehicle trips per day, for approximately one month. Fewer than 20 construction workers will be on-site during active construction, consisting of approximately 9 workers for the medium-voltage distribution scope (an underground/concrete crew of 6 and 3 electricians) and approximately 4 to 6 workers for the BESS scope, with approximately 2 to 4 personnel on-site during commissioning and testing activities. No permanent operational staff are anticipated; the system will be remotely monitored, with periodic maintenance visits. No new security fencing is planned as part of the project; all equipment will be located within an existing secured area. Trenching for electrical conduits and conductors between the battery pad, equipment locations, and existing facilities will be required. Minor excavations of a few feet in depth or less will be required for installation of concrete pad-mounted equipment. Minor clearing, grubbing, and leveling will be required. With respect to hazardous equipment and materials, the BESS uses lithium iron phosphate (LFP) battery chemistry and will be a UL 9540-listed system housed in an outdoor-rated enclosure with integrated fire detection and safety features consistent with NFPA 855; no bulk hazardous materials will be stored on site, and hazardous materials during construction are limited to fuels and lubricants typical of standard construction equipment. The microgrid equipment will be housed in outdoor-rated, pad-mounted enclosures, and no new occupied structures are planned for the project.

Name of Public Agency Approving Project: California Energy Commission

Name of Person or Agency Carrying Out Project: BoxPower Inc.

Exempt Status: (*check one)*

- ☐ Ministerial Exemption (Pub. Resources Code § 21080(b)(1); Cal. Code Regs., tit. 14, § 15268);
- ☐ Declared Emergency (Pub. Resources Code § 21080(b)(3); Cal. Code Regs., tit. 14, § 15269(a));
- ☐ Emergency Project (Pub. Resources Code § 21080(b)(4); Cal. Code Regs., tit. 14, § 15269(b)(c));
- ☐ Categorical Exemption. State type and section number

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- ☐ Statutory Exemptions. State code number.
- ■ Common Sense Exemption. (Cal. Code Regs., tit. 14, §15061(b)(3))

Reasons why project is exempt:

This project is covered by the Common Sense Exemption under Cal. Code Regs., tit. 14, § 15061 (b) (3) that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

This project will take place on tribal land, but off-reservation impacts must still be evaluated under Government Code section 12012.101(b)(2), but this project is exempt under the "common sense" CEQA exemption because the proposed project will not:

- construct on or alter any off-reservation land;
- impact local air quality;
- use groundwater resources or otherwise impact any off-reservation water resources;
- build additional transportation infrastructure;
- generate additional traffic volumes;

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

- increase, once the project is complete, ambient noise beyond the existing commercial activities; or
- degrade the visual character or quality of off-reservation views, including those of scenic resources or objects of aesthetic significance.

The proposed project will consist of the installation of a microgrid system at the reservation of the Colusa Tribe in Colusa, California. The microgrid system installation will be a minor alteration to an existing facility within the interior of the reservation with no expansion beyond the reservation operation. Vehicle trips associated with the construction of the project will be temporary and the operation of the microgrid system will result in a negligible number of regular operational trips for maintenance. BMPs will be used during installation and operation of the microgrid system. Therefore, no adverse effects to offsite air or water quality will occur as a result of the project. The installation and operation of the microgrid system would not substantially degrade the existing visual character or quality of off-reservation visual resources, as the system components are not visually obtrusive.

Compared with the current supply of energy, the proposed project will improve energy resiliency for Tribal facilities and the local electric grid, as well as reduce overall energy demand on the local energy provider and lower fossil fuel usage and greenhouse gas (GHG) emissions. Because the proposed project will improve air quality and reduce GHG emissions, and does not provide for any physical changes outside of the Indian reservation, it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the off-reservation environment. Based on all these factors, the proposed project meets the CEQA "common sense" exemption.

The project does not involve impacts on any particularly sensitive environment; will not impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies; does not involve any cumulative impacts of successive projects of the same type in the same place that might be considered significant; does not involve unusual circumstances that might have a significant effect on the environment; will not result in damage to scenic resources within a highway officially designated as a state scenic highway; the project site is not included on any list compiled pursuant to Government Code section 65962.5; and the project will not cause a substantial adverse change in the significance of a historical resource. Therefore, none of the exceptions to categorical exemptions listed in CEQA Guidelines section 15300.2 apply to this project, and this project will not have a significant effect on the environment.

Public Agency
Contact Person: **Sean Anayah** **Area code/Telephone/Ext:** 916-931-5044

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: ***Sean Anayah*** **Date:** **10/28/2026** **Title:** **CEC Agreement Manager**

■ **Signed by Public Agency**

☐ **Signed by Applicant** **Date received for filing at OPR:** _____

Authority cited: Sections 21083 and 21110, Public Resources Code. Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.