

# County of Yuba

## **Community Development & Services Agency**

915 8<sup>th</sup> Street, Suite 123, Marysville, CA 95901

### **Planning Department**

Phone: (530) 749-5470 Fax: (530) 749-5434 Web: http:// www.co.yuba.ca.us

### DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| <b>MEETING DATE:</b> | March 4, 2021                                    |
|----------------------|--|
| TO:                  | DEVELOPMENT REVIEW COMMITTEE                     |
| FROM:                | Ciara Fisher, Planner II                         |
| RE:                  | MINOR USE PERMIT CUP 2020-0005 (Marysville BESS) |

<u>**REQUEST</u>**: The applicant is requesting the installation of a Battery Energy Storage System ("BESS") for a property located at 2102 Powell Road, in the Hallwood Community (APN 018-110-031-000).</u>

<u>RECOMMENDATION</u>: Staff recommends that the Development Review Committee (DRC) make a determination that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15303(b) (New Construction or Conversion of Small Structures) and approve Minor Use Permit CUP 2020-0005 subject to making the necessary findings and the conditions of approval contained herein (Attachment 2).

<u>BACKGROUND/DISCUSSION:</u> The 2030 General Plan designates the subject site land use as Rural Community and the zoning as Rural Residential, 5 acres minimum (RR-5). The project site is located at 2102 Powell Road in the community of Hallwood, identified as Assessor's Parcel Number 018-110-031-000. The site is approximately 2.378 acres in size and currently has an existing 1,200 square foot manufactured home located on the north east portion of the property. The project components are (1) 53' x 8' x 6'6" container enclosing lithium ion battery storage system as well as (1) inverter, and (1) transformer with concrete foundations surrounded by a compressed granite all season surface. Site access will be on an all season surfaced road off of Plantz Road.

The nearest substation is the Marysville PG&E substation approximately 3.5 miles away in Marysville, Yuba County. The anticipated Point of Interconnection is at an electric utility pole approximately 175 away across the street on Plantz Road adjacent to the battery site. The battery site will be visible from Plantz Road and Powell Road.

The project will use Powin's proprietary Battery Pack Operating System that maintains system health and allows the batteries to respond to the utility grid. Specifically, it is a 2.5 MW, 2.2 MWh system that could power approximately 1,500 average homes over an 8 hour time period at a maximum discharge rate. This system is not intended for long-duration back-up power, but will

typically be deployed to charge when there is an abundance of solar energy on the grid and will discharge quickly during peak hours to support the grid and reduce the need for carbon intensive electricity sources. The timing of the discharge period will be determined by the type of grid support needed.

### SURROUNDING USES

|         | GENERAL PLAN      | ZONING | EXISTING                     |
|---------|-------------------|--------|------------------------------|
|         | LAND USE          |        | LAND USE                     |
|         | DESIGNATION       |        |                              |
| Project | Rural Community   | RR-5   | Rural Residential            |
| Site    |                   |        |                              |
| North   | Rural Community   | RR-5   | Vacant                       |
| East    | Rural Community   | RR-5   | Rural Residential and        |
|         |                   |        | Orchards                     |
| South   | Rural Community   | RR-5   | Rural Residential and Vacant |
| West    | Natural Resources | AE-80  | Interchange to HWY 20        |

The surrounding properties to the east, north, and south are zoned Rural Residential, 5 acres minimum (RR-5). The majority of the immediate adjacent properties are rural residential, orchards, or vacant. The General Plan Land Use Diagram has a General Plan designation of Rural Community for the subject property as well as surrounding parcels. The closest residential building is located approximately 200' away. The closest commercial building is approximately 650' away on Plantz Road.

<u>GENERAL PLAN/ZONING</u>: The property has a General Plan Designation of Rural Community on the 2030 General Plan Land Use Map. The Rural Community land use classification allows for residential; a wide variety of agricultural uses, and other natural resource-oriented commercial uses; tourism uses; local retail and commercial services; institutional uses; community halls and other cultural and civic land uses; open space-oriented uses; and public facilities and infrastructure. The intent of the General Plan designation is to provide rural residential opportunities with supportive services and tourism- oriented uses. The project complies with the following General Plan Policies:

1. Policy CD2.1: The County will encourage infill development and redevelopment of vacant and underutilized properties within existing unincorporated communities.

The project site is located on a 2.378 acre property with an existing residential use that is not utilizing the entirety of the property. The project will develop 0.5 acres of the parcel with the Battery Energy Storage System (minor utilities).

2. Policy CD9.4 The County will ensure an appropriate level of rural services and infrastructure, which could vary from urban service levels, considering appropriate densities, up front and long-term infrastructure costs, and environmental goals.

As mentioned previously, the BESS could power approximately 1,500 average homes over an 8 hour time period and will support the grid and reduce the need for carbon intensive electricity sources in Yuba County.

The property has a Zoning Designation of Rural Residential, 5 acres minimum (RR-5). Pursuant to Development Code Section 11.06.020, Rural Community Land Use Regulations, Minor Utilities are permitted with a Minor Use Permit in the RR-5 Zoning Designation.

<u>ENVIRONMENTAL REVIEW</u>: Staff has determined that the project is categorically exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15315 (Minor Land Divisions) and 15303(c) (New Construction or Conversion of Small Structures).

Section 15303(c) (New Construction or Conversion of Small Structures) exempts commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use, if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The applicant is proposing to build a 53' x 8' x 6'6' container enclosing lithium ion battery storage system, an 8' x 9' Inverter, and a Transformer with concrete foundations surrounded by a compressed granite all season surface. Therefore, the construction is exempt from CEQA.

The applicant prepared additional environmental research to supplement the exemption of the project (See Attachment 2). Specifically:

- The site is approximately 2,300 feet from a waterway that is south east of the site, and approximately 4,300 feet away from Yuba River.
- The closest residential building is located approximately 200 feet away on the parcel directly east. The closest commercial building is approximately 650 feet away on Plantz Road.
- The CNDDB Bios map identified 2 species found within the vicinity of the proposed project site: Monardella Venosa (Veiny Monardella) and Pseudobahia Bahiifolia (Hartweg's Golden Sunburst). The Hartweg's Golden Sunburst is considered endangered by both, the federal and state authorities. Conditions of Approval have been added to address the potential discovery of the plants at the project site (Condition 22, Attachment 3).
- A complete records search was conducted by the North Central Information ("NWIC") Center on the parcel directly north of the proposed project site and concluded that it does not contain sensitive archaeological resources, nor are there prehistoric-period resources within a quarter mile radius.
- Geology, Soils, and Mineral Resources on the project site consist of Holillipah loamy sand (37%) and Tujunga gravelly sand (63%) at the site.
- The area surrounding the project site has a slope of less than 1%, and the installation of the BESS will maintain existing topography resulting in a minimal change to the local hydrology. There will be less than 500 CY of cut and fill, and any cut and fill will be

designed to maintain a balanced site. The site will be covered with a crushed aggregate resulting in a permeable surface, with the intent of retaining storm water on site.

• According to the National Flood Hazard layer FIRMette map, the site is identified outside the special flood hazard area and is labelled as Zone X which is determined to be outside the 500-year flood zone and protected by levee from 100- year flood.

<u>COMMENTS</u>: Planning staff has received the following comment letters (Attachment 5):

• <u>County Staff</u> – The Public Works Department, Environmental Health Department, Building Department, and Code Enforcement Department have reviewed the project and provided comments and/or conditions of approval that are incorporated into the attached Conditions of Approval.

<u>FINDINGS</u>: Projects are evaluated for consistency with the County's General Plan, conformance with the County's Zoning Ordinance, and potential for impacts to the health, safety and welfare of persons who reside or work in the area surrounding the project. In the case of addressing project impacts to health, safety, and welfare, specific findings need to be met for each entitlement. Below are the findings for each project entitlement needed for project approval.

### **Conditional Use Permit:**

1. The proposed use is allowed within the applicable zoning district or overlay district and complies with all other applicable provisions of this Code and all other titles of the Yuba County Code;

Pursuant to Development Code Section 11.06.020, Rural Community Land Use Regulations, Minor Utilities are permitted with a Minor Use Permit in the RR-5 Zoning Designation. Approval of the proposed project would make the project consistent and ensure compliance with all provisions of the Development Code and all other Yuba County Codes. Furthermore, based on the Site Plan, the project meets all applicable zoning regulations.

2. The proposed use is consistent with the General Plan, and any applicable adopted community plan or specific plan;

The project site is designated as Rural Community on the 2030 General Plan Land Use diagram and RR-5 zoning designation. The proposed BESS is consistent with the character of the General Plan and Zoning Designation (See General Plan/Zoning Section above for consistency).

3. The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the surrounding area;

The nearest substation is the Marysville PG&E substation approximately 3.5 miles away in Marysville, Yuba County. The Marysville BESS, is ideally located to quickly respond to temporary instances of under power events on the grid. In partnership with other BESS projects, this can prevent local or grid-level blackouts and reduces the frequency of outages.

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4. The proposed use will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;

The project site is located on a rural residential lot, with an existing 1,200 square foot manufactured home, and is surrounded by single-family homes and orchards. Furthermore, the design of the Powin Battery Energy Storage System consists of a corrugated 53' metal container, similar to a standard shipping container, and will be fenced to protect public health and safety. Inside the container are battery cells, consolidated into stacks, a DC collection system, AC distribution for auxiliary power, communications network, and a Fire suppression system. The project has been conditioned to meet all Yuba County Code requirements.

5. The proposed use complies with any design or development standards applicable to the zoning district or the use in question unless waived or modified pursuant to the provisions of this Code;

The project has been conditioned to meet the screening and landscaping standards in Chapter 11.24 Landscape of the Yuba County Development Code.

6. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and reasonably foreseeable future land uses in the vicinity;

The proposed project design, location, size and operating characteristics, as conditioned with the projects conditions of approval, will be compatible with all future development in the vicinity of the project.

7. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and

The proposed project has access to utilities that are existing in the area including but not limited to electricity, well and septic. The BESS will have direct access to Plantz Road.

8. An environmental determination has been prepared in accordance with the California Environmental Quality Act.

Staff has determined the project is exempt from environmental review per the California Environmental Quality Act (CEQA) Section 15303(c).

Report Prepared By:



### ATTACHMENTS

- 1. Site Plan/Elevations
- 2. Site Report
- Conditions of Approval
   Comment Letters
- cc: Nick Johnston/Chris Benedict



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| C.L. OF PLANTZ ROAD -  | UGA                                | 18'-3"<br>18'-3"<br>-<br>-<br>-<br>-<br>-<br>-<br>-<br>-<br>-<br>-<br>-<br>-<br>- | <ul> <li>LIMITS TO COMPRESSED GRANITE</li> <li>(N) FENCE AROUND EQUIPMENT YARD</li> <li>(N) POWIN BATTERY CONTAINER</li> <li>(N) CONCRETE SLAB FOUNDATION<br/>[ELEV. 1' ABOVE GRADE, TOC ELEV. 86']</li> <li>176'-7"</li> </ul> | SHEET FLOW.  |  |  | 3 |   |   | UPDATE CONTAINER TO 53'<br>UPDATES PER ZACK'S COMMENTS<br>INITIAL REVISION<br>'D. DESCRIPTION  |
| 2<br>PROJECT SIT   |  | (N) GATE<br>[ACCESS POINT]<br>1%<br>1%  | NSFORMER  |  |  |  | 4 | (D,<br>5901   | 5 MW<br>2 MWH   | Intum-ton         02         5/30/2020         AF         AB           2 MWH         02         5/30/2020         AF         AB           01         4/28/2020         MH         AB           ROJECT         00         3/31/2020         MH         AB           REVISION         DATE         DRWN BY         APRVI |
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# Marysville Battery Energy Storage System Project Site Report

Review Performed By: Amalia Lopez

Date: June 01, 2020

Address: 2102 Powell Road, Hallwood, CA 95901

**APN:** 018-110-031-000, Yuba County



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### Section 1: Summary

GCL ("GCL") has engaged Flux Energy Systems, Inc. ("Flux") to review, but not interpret, publicly available records for the Marysville Battery Energy Storage Project. This is a desk top review, and no environmental, biological, or civil engineers have reviewed these results yet. Instead, it is a high-level report intended to summarize local biological, cultural, geological, historical, and archaeological resources and flood zones.

### Section 2: Project Scope

The scope of the project is the installation of a Battery Energy Storage System ("BESS") at 2102 Powell Road, Hallwood, CA 95901 (APN #: 018-110-031-000). The project components are (1) 53' x 8' x 6'6" container enclosing lithium ion battery storage system as well as (1) inverter, and (1) transformer with concrete foundations surrounded by a compressed granite all season surface. Site access will be on an all seasons road off Plantz Road.

The nearest substation is the Marysville PG&E substation approximately 3.5 miles away in Marysville, Yuba County. The anticipated Point of Interconnection is at an electric utility pole approximately 175 away across the street on Plantz Road adjacent to the battery site. The battery site will be visible from Plantz Road and Powell Road.



### Section 3: Desk Top Review

Project Vicinity 1



Figure 1. Google maps image of project vicinity

The project is located on a 0.5 acre site, of a 2.378 acre parcel, approximately 800' from CA Highway 20. The site is approximately 2300' from a waterway that is south east of the site, and approximately 4300' away from Yuba River. The battery site and neighboring sites are classified as Rural Residential Zoning Districts. The closest residential building is located approximately 200' away. The closest commercial building is approximately 650' away on Plantz Road.

<sup>1</sup> 

https://www.google.com/maps/place/2102+Powell+Rd,+Marysville,+CA+95901/data=!4m2!3m1!1s0x809b5403ec70534f:0x3394f 8577a0e3c7a?sa=X&ved=2ahUKEwiXmojw0MrIAhWK9Z4KHZ84CusQ8gEwAHoECAoQAQ



### **Biological Resources**



Figure 2. California Natural Diversity Database (CNDDB) Bios map surrounding project site

The CNDDB Bios map identified 2 species found within the vicinity of the proposed project site. The Hartweg's Golden Sunburst is considered endangered by both, the federal and state authorities. Figure 2 above shows the closest resources.

| Scientific Name<br>(common name)                      | Accuracy | Federal<br>Status | State<br>Status | Distance<br>from site |  |
|---|----------|-------------------|-----------------|-----------------------|--|
| Monardella Venosa (Veiny<br>Monardella)               | 5 miles  | None              | None            | Within                |  |
| Pseudobahia Bahiifolia<br>(Hartweg's Golden Sunburst) | 5 miles  | Endangered        | Endangered      | Within                |  |

*Veiny Monardella* (*Veiny Monardella*) could be found within the vicinity of the project site. It is an annual herb that is native to California<sup>2</sup>.It is classified as a California Rare Plant Rank 1B, which means that they are rare throughout their range and have declined significantly over the last 100 years. It has purple flowers that have slender, translucent veins <sup>3</sup>.

**Pseudobahia Bahiifolia** (Hartweg's Golden Sunburst) could be found within the vicinity of the project site. It is an annual herb that blooms around Mar-April and is found in soils that are Acidic and Clay. It is classified as a California Rare Plant Rank 1B, which means

<sup>&</sup>lt;sup>2</sup>https://www.calflora.org/cgi-bin/species\_query.cgi?where-taxon=Monardella+venosa

<sup>&</sup>lt;sup>3</sup> <u>http://ucjeps.berkeley.edu/eflora/eflora\_display.php?tid=91109</u>



that they are rare throughout their range and have declined significantly over the last 100 years.<sup>4</sup> It has many really small occurrences and are seriously threatened by development, agriculture, overgrazing, and trampling.<sup>5</sup> It has yellowish disk flowers.

### Cultural Resources

Based on a complete records search conducted by the North Central Information Center, the proposed project site is not sensitive with respect to cultural resources.

### Geology, Soils and Mineral Resources<sup>6</sup>

**Holillipah loamy sand** (37%) and **Tujunga gravelly sand** (63%) are the predominate series of soils found at the site.

### The USDA classifies the Holillipah series as

"The Holillipah series consists of stratified very deep, somewhat excessively drained soils that formed in alluvium from mixed sources. Holillipah soils are on floodplains and alluvial fans and have slopes of 0 to 2 percent.<sup>7</sup>"

The surface layer (0 to 6 inches) is predominately loamy sand with lower layers (6-66 inches) consisting of stratified sand to silt loam. The pH is of little concern ranging from slightly acidic (6.5) at the surface to neutral (7.0) at depths lower than 8 inches. The depth to water table is more than 80 inches. It is recommended that a geotechnical analysis is performed to evaluate the site-specific soil electrical and thermal resistivity, percolation and specific design requirements for the project foundations.<sup>8</sup>

The Tujunga series is found in the top 2/3<sup>rd</sup> area of the BESS Site. The USDA classifies the **Tujunga** series as

<sup>&</sup>lt;sup>4</sup>https://www.calflora.org//cgi-bin/species\_query.cgi?where-taxon=Pseudobahia+bahiifolia

<sup>&</sup>lt;sup>5</sup> <u>http://www.rareplants.cnps.org/detail/1250.html</u>

<sup>&</sup>lt;sup>6</sup> <u>https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx</u>

<sup>&</sup>lt;sup>7</sup> https://soilseries.sc.egov.usda.gov/OSD\_Docs/H/HOLILLIPAH.html

<sup>&</sup>lt;sup>8</sup> https://soilseries.sc.egov.usda.gov/OSD\_Docs/H/HOLILLIPAH.html



"The Tujunga series consists of very deep, somewhat excessively drained soils that formed in alluvium from granitic sources. Tujunga soils are on alluvial fans and floodplains, including urban areas. Slopes range from 0 to 12 percent.<sup>9</sup>"

The surface layer (0 to 7 inches) consists of gravelly sand with lower layers (7 to 65 inches) consisting of loamy sand and stratified gravelly sand to gravelly loamy sand. The pH is of little concern ranging from slightly acidic (6.6) at the surface to slightly lkaline (7.7) at lower depths. The depth to water table is more than 80 inches.

### Existing & Future Topography Summary<sup>10</sup>



Figure 3. Topography summary of project site

The area surrounding the project site has a slope of less than 1%, and the installation of the BESS will maintain existing topography resulting in a minimal change to the local hydrology. There will be less than 500 CY of cut and fill, and any cut and fill will be designed to maintain a balanced site. The site will be covered with a crushed aggregate resulting in a permeable surface, with the intent of retaining storm water on site.

<sup>&</sup>lt;sup>9</sup> <u>https://soilseries.sc.egov.usda.gov/OSD\_Docs/T/TUJUNGA.html</u>

<sup>&</sup>lt;sup>10</sup> http://www.arcgis.com/home/webmap/viewer.html?webmap=75523ad5fb2e4f24867bf90f554c9d80



### FEMA Flood Map<sup>11</sup>



Figure 4. FEMA Flood Map surrounding project site

According to the National Flood Hazard layer FIRMette map,the site is identified outside the special flood hazard area and is labelled as Zone X which is determined to be outside the 500-year flood zone<sup>12</sup> and protected by levee from 100- year flood<sup>13</sup>.

 $<sup>\</sup>frac{11}{https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-122.9235289955331,39.16167762693425,-122.91833623887955,39.16375729268221$ 

<sup>&</sup>lt;sup>12</sup> <u>https://www.fema.gov/flood-zones</u>

<sup>&</sup>lt;sup>13</sup> https://snmapmod.snco.us/fmm/document/fema-flood-zone-definitions.pdf



### **Section 4: Site Summary**

SITE DETAILS

| ADDRESS  | 2102 Powell Road, Hallwood,<br>CA 95901-9402  |
|--|---|
| APN  | 018-110-031-000   |
| LATITUDE/LONGITUDE   | 39.180306, -121.541690  |
| WIND SPEED   | 115 MPH <sup>14</sup>   |
| SEISMIC ZONE   | The 76% probability of one or<br>more magnitude 7.0<br>earthquakes striking Northern<br>California is based on a 30-<br>year period, beginning in<br>2014 <sup>15</sup> |
| SITE SLOPE   | < 1%  |
| DISTANCE TO POI  | 200'  |
| DISTANCE TO GRADED ROAD  | 50'-100'  |
| DISTANCE TO CLOSEST RESIDENCE  | 200'  |
| DISTANCE TO CLOSEST COMMERCIAL   | 650'  |
| DISTANCE TO AIRPORT RUNWAY   | 5 miles   |
| WITHIN OR ADJACENT TO WATER,<br>WETLANDS, WILD, SCENIC RIVERS,<br>WILDERNESS STUDY OR CRITICAL<br>HABITAT AREAS? | No  |
| CONTAMINATED LAND USE?   | Undetermined  |
| ZONING   | RR-5/ RC  |
| LAND USE   | RR-5/ RC  |
| GENERAL PLAN   | Rural Commercial  |
| SPECIAL PLAN   | N/A   |
| Figure 5. Project site details a   | and summary   |

 <sup>&</sup>lt;sup>14</sup><u>https://www.yubacity.net/UserFiles/Servers/Server\_239174/File/Development%20Services/Building/Information%20Bulletin/Design%20Criteria%202018.pdf</u>
 <sup>15</sup><u>https://www.earthquakeauthority.com/California-Earthquake-Risk/Faults-By-County</u>

### DRAFT CONDITIONS OF APPROVAL YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE

# Applicant: GCL System Integration Technology LLCCase Number: CUP 2020-0005Owner: Ruth Ann LaffondDRC Hearing Date: March 4, 2021APN: 018-110-031DRC Hearing Date: March 4, 2021

<u>ACTIONS FOR CONSIDERATION:</u> Staff recommends the Development Review Committee take the following actions:

- I. After review and consideration, make a determination the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Section 15303(b) (New Construction or Conversion of Small Structures).
- II. Approve Minor Use Permit CUP 2020-0005 subject to the conditions below, or as may be modified at the public hearing, making the findings made in the Staff Report, pursuant to County of Yuba Title XI Sections 11.40.040 and 11.57.060.

### **GENERAL CONDITIONS**

- 1) As a condition for project approval, Owner or an agent of Owner acceptable to County shall defend, indemnify, and hold harmless the County and its agents, officers, and employees from any claim, action, or proceeding, against the County or its agents, officers, and employees; including all costs, attorneys' fees, expenses, and liabilities incurred in the defense of such claim, action, or proceeding to attack, set aside, void or annul an approval by the County, Planning Commission, Development Review Committee, or other County advisory agency, appeal board, or legislative body concerning the conditional use permit. County shall promptly notify owner of any such claim, action, or proceeding and shall cooperate fully in the defense of said claim, action, or proceeding.
- 2) Owner(s), Owner's agent(s) or Applicant shall comply with all applicable federal, state, and local laws, ordinances, and regulations, including the requirements provided by Chapter 11 of the Yuba County Development Code.
- 3) Unless specifically provided otherwise herein or by law, each condition of these Conditions of Approval shall be completed to the satisfaction of the County. Failure to comply with this provision may be used as grounds for revocation of this permit.
- 4) The Conditional Use Permit may be effectuated at the end of the ten (10) day appeal period which is March 15, 2021. Minor Use Permit CUP 2020-0005 shall be designed and operated in substantial conformance with the approved conditional use permit as outlined in the approved site plan filed with the Community Development & Services Agency and as conditioned or modified below. No other expansion of uses are authorized or permitted by this use permit.
- 5) This conditional use permit approval shall be effectuated within a period of twenty-four (24) months from this approval date and if not effectuated shall expire on March 4, 2023. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than ninety (90) days from March 4, 2023.
- 6) Minor modifications to final configuration of the conditional use permit may be approved by the Community Development and Services Agency Director.

### **PUBLIC WORKS DEPARTMENT:**

7) All existing or proposed driveway encroachments onto Plantz Road shall conform to the current Yuba County Standards for a Rural Driveway (Drawing No. 127 and 128) under permit issued by the Department of Public Works.

### DRAFT CONDITIONS OF APPROVAL YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE

# Applicant: GCL System Integration Technology LLCCase Number: CUP 2020-0005Owner: Ruth Ann LaffondDRC Hearing Date: March 4, 2021APN: 018-110-031DRC Hearing Date: March 4, 2021

- 8) All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Applicant's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project. Applicant shall pay all fees for inspection to the Public Works Department prior to any construction.
- 9) Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less than 1 acre but is associated with a larger common plan of development, the applicant is required to obtain a Yuba County grading permit issued by the Public Works Department and a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWQ. Coverage under the General Permit must be obtained prior to any construction. More information may be found at

http://www.swrcb.ca.gov/stormwtr/construction.html. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and postconstruction stormwater management measures for this project shall be in substantial compliance with the SWPPP.

- 10) Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
- 11) Strict control over dust problems created during construction shall be adhered to with regard to surrounding properties and public facilities. The construction specifications and/or improvement plans shall have items reflecting dust control measures in detail.

### **ENVIRONMENTAL HEALTH DEPARTMENT:**

12) Facility will be required to submit a hazardous materials business plan to the CUPA department, if storage of hazardous materials exceed the threshold set by the state. Contact Gary Cantwell at (530) 749-7526 for more information.

### **BUILDING DEPARTMENT:**

- 13) All buildings must have permits; with fully engineered, structural, electrical, and mechanical plans.
- 14) All development on this site must meet all current building codes including accessibility and must meet any and all fire code as well as local fire authority requirements.

# DRAFT CONDITIONS OF APPROVAL YUBA COUNTY DEVELOPMENT REVIEW COMMITTEE

# Applicant: GCL System Integration Technology LLCCase Number: CUP 2020-0005Owner: Ruth Ann LaffondDRC Hearing Date: March 4, 2021<u>APN: 018-110-031</u>PLANNING DEPARTMENT:

- 17) Minor modifications to the final site configuration may be approved by the Community Development & Services Agency Director.
- 18) Major modifications shall require an amendment to the Conditional Use Permit.
- 19) Any relocation or rearrangement of any existing PG&E facilities to accommodate this project will be at the developers/applicants expense or as agreed by PG&E. There shall be no building of structures under or over any PG&E facilities or inside any PG&E easements that exist within the subject area.
- 20) Any and all physical improvements associated with this Conditional Use Permit shall be maintained to the standards specified in these Conditions of Approval set forth for this use permit. Failure to maintain said physical improvement(s) in said manner may be used as grounds for revocation of this use permit.
- 21) Operator shall meet all requirements of the Feather River Air Quality Management District.
- 22) Prior to the issuance of any building permits or physical improvements, a qualified biologist will conduct a pre-construction survey within 250 feet of the project site, where accessible, to

ensure Monardella Venosa (Veiny Monardella) and Pseudobahia Bahiifolia (Hartweg's Golden Sunburst) are not located within the project vicinity.

23) Prior to the issuance of any building permits or physical improvements, a Landscape Plan shall be submitted to the Planning Department and shall be in compliance with Chapter 11.24 Landscape of the Yuba County Development Code.

Yuba County CDSA

Ciara Fisher Planner II

Page 3 of 3

### PUBLIC WORKS PRELIMINARY CONDITIONS OF APPROVAL YUBA COUNTY

| Applicant: | ZACK ANAWALT  |
|------------|---------------|
| Owner:     | LAFFOND, RUTH |
| APN:       | 018-110-031   |

Case Number: CUP 2020-0005

- 1. All existing or proposed driveway encroachments onto Plantz Road shall conform to the current Yuba County Standards for a Rural Driveway (Drawing No. 127 and 128) under permit issued by the Department of Public Works.
- 2. All road and drainage construction required by these conditions of approval shall be inspected in compliance with Section 4 of the Yuba County Standards and approved by the Yuba County Department of Public Works. Applicant's contractor shall meet on-site with the Public Works Department representative prior to the commencement of work to discuss the various aspects of the project. Applicant shall pay all fees for inspection to the Public Works Department prior to any construction.
- 3. Whenever construction or grading activities will disrupt an area of 1 acre or more of soil or is less that 1 acre but is associated with a larger common plan of development, the applicant is required to obtain a Yuba County grading permit issued by the Public Works Department and a National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000004, Order No. 2013-0001-DWO. Coverage under the General Permit must be obtained prior to any construction. More information may be found at http://www.swrcb.ca.gov/stormwtr/construction.html. Owner must obtain an approved and signed Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB), a Waste Discharge Identification (WDID) number and a Storm Water Pollution Prevention Plan (SWPPP), as described by either the RWQCB or the State Water Regional Control Board (SWRCB). The SWPPP shall describe and identify the use of Storm Water Best Management Practices (BMP's) and must be reviewed by the Yuba County Public Works Department prior to the Department's approval of Improvement Plans or issuance of a Grading Permit for the project. See Yuba County's Stormwater Regulations for Construction Activities Procedures for details. According to state law it is the responsibility of the property owner that the SWPPP is kept up to date to reflect changes in site conditions and is available on the project site at all times for review by local and state inspectors. Erosion and sediment control measures, non-stormwater and material management measures, and post-construction stormwater management measures for this project shall be in substantial compliance with the SWPPP.
- 4. Erosion control shall conform to section 11 of the Yuba County Improvement Standards.
- 5. Strict control over dust problems created during construction shall be adhered to with regard to surrounding properties and public facilities. The construction specifications and/or improvement plans shall have items reflecting dust control measures in detail.

### ENVIRONMENTAL HEALTH DEPARTMENT CONDITIONS OF APPROVAL CUP 2020-0005

1. Facility will be required to submit a hazardous materials business plan to the CUPA department, if storage of hazardous materials exceed the threshold set by the state. Contact Gary Cantwell at (530) 749-7526 for more information.

### Fisher, Ciara

| From:    | Mckee, Deborah@DOT <deborah.mckee@dot.ca.gov></deborah.mckee@dot.ca.gov> |
|----------|--|
| Sent:    | Thursday, December 3, 2020 8:15 AM                                       |
| То:      | Fisher, Ciara  |
| Subject: | CUP2020-0005 Anawalt-GCL System Integrated Tech (03-YUB-2020-00085)      |
|          |  |

Good morning Ciara.

Thank you for submitting this project to our office for our review. At this time, we do not have any comments.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this parcel.

Thank you, Deborah

### Deborah McKee

Transportation Planning - North California Department of Transportation, District 3 703 B Street | Marysville, CA 95901 Office: (530) 741-5455 Email: <u>deborah.mckee@dot.ca.gov</u> <u>www.dot.ca.gov/d3/</u> For real-time highway conditions: <u>http://quickmap.dot.ca.gov/</u>





PGEPlanReview@pge.com

6111 Bollinger Canyon Road 3370A San Ramon, CA 94583

December 16, 2020

Ciara Fisher County of Yuba Planning Department 915 8<sup>th</sup> St Marysville, CA 95901

Re: CUP2020-0005

Dear Ciara Fisher,

Thank you for providing PG&E the opportunity to review your proposed plans for CUP2020-0005 dated 12/11/2020. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: <u>https://www.pge.com/cco/.</u>

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or <u>pgeplanreview@pge.com</u>.

Sincerely,

PG&E Plan Review Team Land Management

### Fisher, Ciara

| From:    | Marquez, Melanie  |
|----------|---|
| Sent:    | Monday, November 23, 2020 12:06 PM  |
| То:      | Fisher, Ciara; Benedict, Christopher; Maddux, Dave; Johnston, Nick                      |
| Cc:      | Perkins, Kevin; Hochstrasser, Margaret; Burns, Danny; Peterson, Daniel; Pickell, Clark; |
|          | Strang, Jeremy; Crouse, Pam; Nix, Amanda  |
| Subject: | RE: BESS Use Permit (CUP2020-0005)  |

Hi Ciara,

Code Enforcement division does not have any comments regarding the subject project.

Thanks!

Melanie Marquez

Code Enforcement Supervisor County of Yuba, CDSA (530) 749-5430 – Main (530) 749-5643 – Direct (530) 749-5616 – Fax mmarquez@co.yuba.ca.us





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From: Fisher, Ciara <cfisher@CO.YUBA.CA.US>

Sent: Monday, November 16, 2020 3:39 PM

**To:** Benedict, Christopher <cbenedict@CO.YUBA.CA.US>; Maddux, Dave <dmaddux@CO.YUBA.CA.US>; Johnston, Nick <njohnston@CO.YUBA.CA.US>; Marquez, Melanie <mmarquez@CO.YUBA.CA.US>

**Cc:** Perkins, Kevin <kperkins@CO.YUBA.CA.US>; Hochstrasser, Margaret <mhochstrasser@CO.YUBA.CA.US>; Burns, Danny <dburns@CO.YUBA.CA.US>; Peterson, Daniel <dpeterson@CO.YUBA.CA.US>; Pickell, Clark <CPickell@CO.YUBA.CA.US>; Strang, Jeremy <JStrang@CO.YUBA.CA.US>; Crouse, Pam <pcrouse@CO.YUBA.CA.US>; Nix,