

**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  
 1516 Ninth Street, MS-48  
 Sacramento, CA 95814

**Project Applicant:** Spreckels Sugar Company, Inc.

**Project Title:** Spreckels Sugar Company Solar Microgrid Project

**Project Location – Specific:** 395 West Keystone Road

**Project Location – City:** Brawley 92227      **Project Location – County:** Imperial

**Description of Nature, Purpose and Beneficiaries of Project:**

The purpose of this project is to install a microgrid technology system powered by solar photovoltaic (PV) panels at the Spreckels Sugar Company sugar beet processing plant. The microgrid system will reduce greenhouse gas (GHG) emissions by offsetting the majority of the facility's use of electrical grid power with on-site generation of 100 percent renewable energy. The system will include an advanced control and communications system, including an energy storage system for emergency power backup. The installation will consist of three main parts: 1) ground-mounted, fixed-tilt, PV solar panel arrays on two adjacent areas within the Spreckels Sugar Company industrial property, 2) interconnection power line running from the PV system switchgear via new trenched conduit and an existing overhead line to the interconnection point at the facility, and 3) energy storage system with control and communications equipment. The two PV arrays will cover a total of approximately 2.4 acres of unpaved, flat, disturbed, disused land within the 160-acre main industrial facility complex. The energy storage system requires two Tesla Powerpack units rated at 110 kilowatts and 440 kilowatt hours (kWh) for a total of approximately 880 kWh of energy storage. The energy storage system enclosure requires a footprint of approximately 40 square feet; the enclosure will be placed on the concrete pad of an existing covered storage area. The project will reduce the plant's GHG emissions by more than 500 metric tons per year (estimated total during the system's 30-year lifetime of over 15,000 tons). Energy and fuel cost savings will total an estimated \$9,216,774 over the 30-year lifetime. Renewable energy generation will total at least 70,000,000 kWh. The project is consistent with the California Energy Commission's mission of leading the state to a 100 percent clean energy future.

**Name of Public Agency Approving Project:** California Energy Commission

**Name of Person or Agency Carrying Out Project:** Spreckels Sugar Company, 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.  
Cal. Code Regs., tit 14, §§ 15303 (Class 3) and 15311 (Class 11)
- Statutory Exemptions. State code number.
- Common Sense Exemption. (Cal. Code Regs., tit 14, §15061(b)(3))

## Reasons why project is exempt:

The ground-mounted PV arrays will be installed on approximately 2.4 acres of disused land within the Spreckels Sugar Company existing industrial property. The area where the PV arrays will be installed is a few hundred feet south of the main industrial complex of buildings and other structures. Imperial County will require the applicant to satisfy its requirements to obtain a ministerial building permit for the proposed installation; there is no requirement for a local discretionary permit for this project.

**Environmental Analysis:** The project site is disturbed, disused industrial property with areas containing scrap metal equipment, which will be removed from the site before project installation. Because the area for the PV arrays and associated equipment is generally undeveloped, key staff in the CEC Siting, Transmission, and Environmental Protection (STEP) Division evaluated the site to determine whether the proposed project could potentially cause any significant impacts to occur. The California Environmental Quality Act (CEQA) Guidelines specify exceptions to a categorical exemption. For certain exemption classes, including Classes 3 and 11, project location must be considered to determine whether “a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant” (Cal. Code Regs., tit 14, § 15300.2(a)). In evaluating whether a significant effect will occur, “[a] categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances” (Cal. Code Regs., tit 14, § 15300.2(c)). The project is not located in a sensitive environment, nor are any unusual circumstances identified that could lead to a reasonable possibility of a significant effect occurring with project implementation. Another exception is specified for a project which may cause “a substantial adverse change in the significance of a historical resources” (Cal. Code Regs., tit 14, § 15300.2(f)). As discussed below, the project will not have a significant effect on historical resources. The following subsections summarize the results of staff’s analysis:

**Biological Resources:** The site is characterized by heavily disturbed soil with no vegetation present. Machinery and equipment are routinely operated on the property, and the site includes areas for transport, storage, and use of dry and liquid byproducts of beet processing. The solar power arrays and the trenched, interconnection conduit will be installed on bare, disturbed soil within the facility. No special-status plant or wildlife species are expected to occur on the site or near the proposed activities. Therefore, the project would cause no adverse impacts on biological resources.

**Historical Resources:** As defined in Section 15064.5(a) of Title 14 of the California Code of Regulations, historical resources include sites, objects, buildings, structures, manuscripts, areas, and places that meet significance criteria defined in CEQA. These sorts of resources, whether significant or not, are commonly referred to as cultural resources. A review of official records of previous cultural resource studies and known cultural resources on the project site and vicinity (dated April 29, 2020) indicates that no known cultural resources exist on the project site. Six previous cultural resources studies encompassed or bordered the project site. These studies did not identify any cultural resources in the areas slated for ground disturbance under the proposed project. Staff’s review of the regional and local cultural resources record does not suggest that buried cultural resources underlay the proposed project site. The historical resources exception for categorical exemption does not apply to the proposed project because it would not cause a substantial adverse change in the significance of a historical resource (Cal. Code Regs., tit 14, § 15300.2(f)).

**Soil and Water Resources:** Project construction is expected to disturb up to approximately 0.05 acre of soil at the locations for the PV array support foundations and trenching for electrical conduit. This level of soil disturbance would not cause a significant risk to surface water quality through erosion or sedimentation. The project is not expected to need coverage under the State Water Resources Control Board’s Construction General Permit for storm water discharges because construction-related ground disturbance is under 1.0 acre. Wastewater discharge from industrial process water uses is not expected to change. The project would not cause a significant effect on water quality.

During operations, the project will require a minimal amount of potable water for infrequent PV panel washing (up to a couple of thousand gallons annually). This level of water use would not cause a significant effect on water supplies.

**Categorical Exemptions:** An exemption for a Class 3 project provides for construction and location of limited numbers of new, small facilities or structures and installation of small new equipment and facilities in small structures. “The numbers of structures described in this section are the maximum allowable on any legal parcel” (Cal. Code Regs., tit 14, § 15303). Installation of the solar PV arrays at the existing Spreckels Sugar Company facility is an allowable use on the land parcel where the site is located (APN 040-330-002). The property is in an area designated as Heavy Industrial in the *Mesquite Lake Specific Plan* (approved on March 14, 2006), which is part of the Imperial County General Plan. The installation will be within an approximately 2.4-acre area directly south of the main part of the industrial facility. The project’s microgrid technology system will only serve the power needs of the existing facility. The new energy storage system will be enclosed and placed on a concrete pad of an existing covered storage area. Staff conclude that the project will not cause significant effects on the environment due to unusual circumstances, nor is the project site located in a sensitive resource environment. The project will not cause a substantial adverse change in the significance of a historical resource. Therefore, the project is categorically exempt under Section 15303 of Title 14 of the California Code of Regulations.

An exemption for a Class 11 project provides for construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities (Cal. Code Regs., tit 14, § 15311). The microgrid technology system powered by PV arrays involves construction and placement of equipment that is directly appurtenant to the Spreckels Sugar Company industrial process operations. Likewise, the energy storage system is appurtenant to the existing facility and an integral part of the microgrid system. The ground-mounted solar PV array installation is limited to an approximately 2.4-acre area immediately south and within a few hundred feet of the existing industrial complex. As described above, the project will not cause significant effects on the environment due to unusual circumstances, nor is the project site located in a sensitive resource environment. The project will not cause a substantial adverse change in the significance of a historical resource. Therefore, the project is categorically exempt under Section 15311 of Title 14 of the California Code of Regulations.

Each exemption is an independent basis for finding the project exempt.

**Lead Agency**

**Contact Person:** Hannah Craig **Area code/Telephone/Ext:** 916-327-2457

**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:** Hannah Craig **Date:** 6/11/2020 **Title:** Energy Analyst

Governor’s Office of Planning & Research

**Jun 11 2020**

**STATE CLEARINGHOUSE**

- Signed by Responsible Agency
- Signed by Lead Agency
- Signed by Applicant

**Date received for filing at OPR:** \_\_\_\_\_