



ORTEGA GRID BESS
PLANNING APPLICATION No. 2021-26
Commercial Design Review No. 2021-12

CLASS 32 CATEGORICAL EXEMPTION CHECKLIST

Prepared By:
CITY OF LAKE ELSINORE
130 South Main Street
Lake Elsinore, CA 92530

Applicant:
ORTEGA GRID, LLC
621 W Randolph Street
Chicago, IL 60661

Project Location:
Camino Del Norte & O Hana Circle

APN:
377-200-045

June 2022

SURROUNDING LAND USES AND PROJECT SETTING:

The proposed development site is currently undeveloped and consists of one 1.79-acre parcel (APN: 377-200-045) located southeast of the intersection of Camino Del Norte and O Hana Circle in the City of Lake Elsinore, as depicted in Figure 1. Existing surrounding land uses include a multitenant commercial building to the north, vacant land to the south and the east, and the Caltrans Interstate 15 right-of-way to the west (across Camino Del Norte). Existing surrounding zoning designations include C-M Commercial Manufacturing to the north, C-2 General Commercial to the south, Open Space (Spyglass Ranch Specific Plan) to the east, and Public Institutional to the west.

PROJECT DESCRIPTION:

The project is a development proposal to construct a 20-megawatt battery energy storage system (BESS). The primary function of the proposed BESS is to store and deliver electricity to the grid under agreement with Southern California Edison (SCE). The proposed BESS includes twelve battery enclosures that are each 40 feet long, 8 feet wide, and 10 feet tall. The battery enclosures will be aligned along a central, "Y"-shaped paved access road. The proposed development also includes the construction of auxiliary equipment including switchgears, transformers, and other power station components. The proposed BESS would connect to existing SCE transmission lines situated along the eastern boundary of the site.

The proposed BESS would be screened by an 8-foot-tall split-face CMU wall along the street frontage and 8-foot-tall metal security fencing along interior lot lines. Landscaping consisting of trees, shrubs, and groundcovers would be installed along the facility perimeter in order to provide effective screening from the public right-of-way. Access to the proposed development will be provided from Camino del Norte by a vehicle overcrossing to be constructed above an existing earthen channel in the northwest portion of the site. The proposed site plan is depicted in Figure 2.

The project is also required to construct off-site improvements such as street widening of Camino Del Norte along the project frontage which will require the extension of an existing culvert passing underneath Camino Del Norte and Interstate 15.

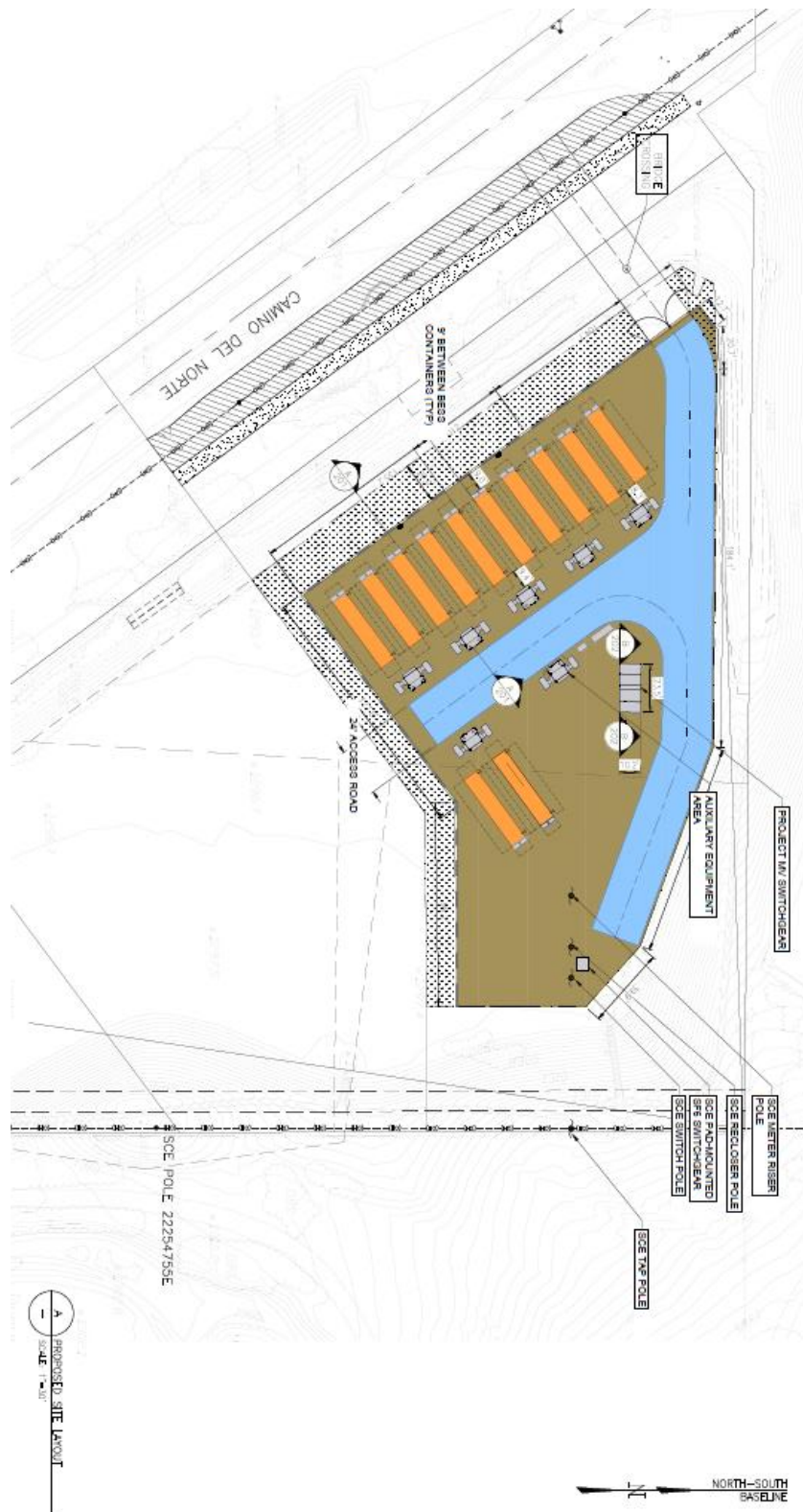
GENERAL PLAN DESIGNATION: General Commercial (GC)

ZONING: General Commercial (C-2)

Figure 1 – Aerial/Vicinity Map



Figure 2 – Site Plan



INFORMATION DEMONSTRATING THAT THE PROJECT SATISFIES THE CONDITIONS DESCRIBED IN SECTIONS 15300.2 AND 15332 OF TITLE 14 OF THE CALIFORNIA CODE OF REGULATIONS:

Criterion (a): Is the project consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations?

The proposed development site has a General Plan designation of General Commercial (GC) and is located within the Business District planning area. The GC designation provides for retail, services, restaurants, professional and administrative offices, hotels and motels, mixed-use projects, public and quasi-public uses, and similar and compatible uses with a maximum 0.40 Floor Area Ratio (FAR). The project is a development proposal to construct a public utility installation and associated improvements. No habitable floor area is proposed. Therefore, the project is consistent with applicable general plan policies.

The subject parcel is zoned General Commercial (C-2). In accordance with Section 17.124.020.B of the C-2 zone of the Lake Elsinore Municipal Code (LEMC), all permitted uses of the C-O district, including Public Utility Distribution and Transmission Facilities (Public Utilities Installations) pursuant to LEMC Section 17.116.020.O, are permitted in the C-2 zone. The proposed use is considered a Public Utility Installation and is permitted in the C-2 zone. Therefore, the project is consistent with the applicable zoning designation and regulations.

Criterion (b): Is the proposed development located within the city limits on a project site of no more than five acres substantially surrounded by urban uses?

The proposed development site is approximately 1.79 gross acres and is entirely located within the city limits of Lake Elsinore. The proposed development site is located in a developed area of the Business District and is surrounded by urban uses.

Criterion (c): Does the project site have value as habitat for endangered, rare or threatened species?

The following review of habitat conditions in the project area is based on the Biological Resources Report dated June 4, 2021 (included as Appendix A) prepared by Stantec for the project.

The project area is generally undeveloped and consists primarily of non-native ruderal vegetation. Small patches of sensitive vegetation communities occur on the northeast and eastern portions of the site; however, the project will not directly impact these areas. No wetlands were observed in the project area. The project area does not support habitat for endangered, rare, or threatened species.

The project area is in the boundaries of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). The project area is not in a MSCHP Criteria Cell, and therefore the project is not required to undergo the Lake Elsinore Acquisition Process and Western Riverside Regional Conservation Authority's Joint Project Review processes. The proposed development site is not located additional survey areas for amphibians, mammals, or any special linkage areas specified by the MSHCP. Furthermore, no wetlands, riparian/riverine areas, or vernal pools were observed within the project area.

Criterion (d): Would approval of the project result in any significant effects relating to traffic, noise, air quality, or water quality?

I. Traffic

The proposed BESS consists of newly constructed battery enclosures and associated equipment. Short-term construction traffic impacts would be insignificant.

The proposed BESS would be unmanned except for periodic and temporary visits by maintenance crews. Therefore, the project would not cause any long-term operational traffic impacts.

II. Noise

The proposed development site is currently undeveloped. Existing ambient noise is likely dominated by vehicular traffic on Camino Del Norte and Interstate 15. There are no known sensitive receptors in the vicinity of the proposed development site.

Moderate levels of noise would be generated during project construction resulting from the operation of heavy equipment. Project construction would be temporary in nature, and the levels of noise expected during construction are not anticipated to have the potential to significantly impact surrounding receptors. The project would be unmanned and project operation would generate negligible noise levels.

Lastly, the construction and operation of the project would comply with the City of Lake Elsinore Municipal Code Chapter 17.176 Noise Control. Therefore, potential noise impacts associated with the project would be less than significant.

III. Air Quality

The proposed station consists of newly constructed battery enclosures and associated equipment. The project is required to follow South Coast Air Quality Management District (SCAQMD) Rule 403 by implementing standard BMPs during project construction. Furthermore, given the relatively small project scale, emissions resulting from the transportation of construction crews and equipment to and from the subject site is negligible. Therefore, any short-term construction air quality impacts would be temporary and less than significant.

During operation, the station and its associated equipment are expected to generate less than significant emissions.

IV. Water Quality

The proposed development site is located within the San Jacinto River Sub-Watershed of the Santa Ana Watershed region of Riverside County. The Santa Ana Regional Water Quality Control Board (SARWQCB) sets water quality standards for ground and surface waters within the region. Water quality standards are defined under the Clean Water Act to include both the beneficial uses of specific water bodies and the levels of water quality that must be met and

maintained to protect those uses (water quality objectives).

Project construction would include grading, excavation, installation of subsurface infrastructure, and other earthmoving activities that have the potential to cause erosion that could degrade surface or ground water quality and/or violate water quality standards. The use of heavy construction equipment could result in the accidental release of hazardous materials (e.g., oils, fuels, and other water quality pollutants) that also could potentially affect surface and/or ground water quality. As required by the Clean Water Act, the Project would comply with the Santa Ana Municipal Separate Storm Sewer (MS4) NPDES Permit. The NPDES MS4 Permit Program, which is administered in the project area by Riverside County and is issued by SARWQCB, regulates storm water and urban runoff discharges from developments to natural and constructed storm drain systems in the City. Since the project would disturb one or more acres of soil, construction activities would be subject to the Construction General Permit (NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ, adopted September 2, 2009 and effective as of July 2, 2010) issued by the SWRCB. The Construction General Permit requires implementation of a Storm Water Pollution Prevention Plan (SWPPP) for site clearing, grading, and disturbances such as stockpiling or excavation. The SWPPP would generally contain a site map showing the construction perimeter, proposed buildings, storm water collection and discharge points, general pre- and post-construction topography, drainage patterns across the site, and adjacent roadways.

The proposed development site is currently vacant and primarily consists of undeveloped, pervious surface. Existing stormwater runoff generally flows from east to west toward an earthen bottom channel. The proposed development consists of the construction of battery enclosures and associated site improvements which will increase the overall amount of stormwater runoff to the existing storm drain system.

Conclusion: The SWPPP must also include construction-phase BMPs to protect against stormwater runoff. Through implementation of both the proposed project design and SWPPP BMPs, along with regulatory compliance, the project would meet applicable standards and discharge regulations. Therefore, the project would not otherwise substantially degrade surface or ground water quality, and any water quality impacts resulting from the proposed project would be less than significant.

The proposed development will create impervious surfaces including an internal site access road, battery container structures, and auxiliary equipment; all other portions of the development site will remain pervious landscape areas consisting of vegetation or mulch. The project has been designed so that impervious areas will drain into onsite landscape areas. Furthermore, the project is not expected to create any significant source of runoff pollutants. Therefore, potential impacts to water quality from project operation would be less than significant.

Criterion (e): Can the site be adequately served by all required utilities and public services?

Fire Protection: The project would follow City policies and ordinances relating to hazard mitigation and fire prevention. The project would be required to comply with applicable fire code

requirements for construction and access to the site and as such, will be reviewed by the City Fire Department to determine the specific fire requirements applicable to ensure compliance with these requirements. Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the benefit of the citizens whereby as a condition to the issuance of a building permit or certificate of occupancy by the City, the property owner or land developer is required to pay development impact fees or provide other consideration to the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which will benefit such new development. Section 16.74.049 includes a “fire facilities fee” to mitigate the additional burdens created by new development for City fire facilities. Since the project includes new housing, impacts must be offset through the payment of the appropriate development impact fees. The project would incrementally increase demands for fire protection services associated with service calls, inspections, and other fire agency programs. The increase in demand for fire protection services from this increase is not anticipated to require the construction of new facilities or infrastructure. Therefore, the proposed project would not result in substantial adverse physical impacts related to fire protection, and impacts would be less than significant.

Police Protection: Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which would benefit such new development. The project is subject to this development impact fee program in order to mitigate potential impacts to police protection resources. Additionally, the project would be required to comply with applicable law enforcement requirements and standards to ensure adequate law enforcement protection is available to serve the proposed development. Potential impacts would be considered incremental and can be offset through the payment of the development impact fee and compliance with regulatory requirements. The proposed project would not result in substantial adverse physical impacts related to police protection. Therefore, potential impacts associated with police protection would be less than significant.

Schools: The proposed development site is located within the Lake Elsinore Unified School District (LEUSD). The project would be required to pay school impact fees as levied by the LEUSD, which would provide funding for school facilities. The project does not propose new housing which could generate new students who would require LEUSD facilities and services. Therefore, any potential impacts would be considered incremental and would be offset through the payment of the appropriate development impact fees for schools. Based on the above, the proposed development will not result in substantial adverse physical impacts related to schools. Therefore, any impacts would be less than significant.

Parks: The proposed development does not include residential uses so it would not generate additional demand for park facilities or services. Therefore, a direct increase in park usage is not expected as a result of the project. New nonresidential development may cause incremental indirect impacts to park facilities from the occasional use of a park by employees during a lunch or dinner break. Section 16.34.060 in Chapter 16.34 (Required Improvements) for the LEMC requires that prior to the issuance of a building permit, the property owner or developer must

pay fees for the purposes set forth in that section. Paragraph D of Section 16.34.060 describes the City's Park Capital Improvement Fund and describes that the City Council has the option to request dedication for park purposes or in lieu thereof, request that the property owner or developer pay a fee for the purpose of purchasing the land and developing and maintaining the City park system. As a nonresidential project, the proposed Project would be required to pay park fees to the City for the purpose of establishing, improving, and maintaining park land within the City. Since the project does not propose new housing, any potential impacts would be considered negligible, and the payment of the appropriate park fees may be presumed to offset any potential impacts. Therefore, any impacts would be less than significant.

Other Public Facilities: The City is part of the Riverside County Library System. Section 16.34.060 in Chapter 16.34 (Required Improvements) of the LEMC requires that prior to the issuance of a building permit, the property owner or developer must pay fees for the purposes set forth in that section. Paragraph B of Section 16.34.060 describes the City's Library Mitigation Fee and states that an in-lieu fee for future construction of library improvements shall be paid to the City to assure the necessary library facilities are provided to the community. Since the project does not propose new housing, any potential impacts would be considered negligible, and the payment of library mitigation fees may be presumed to offset any potential impacts. Therefore, any impacts would be less than significant.

Chapter 16.74 of the LEMC establishes a program for the adoption and administration of development impact fees by the City for the purpose of defraying the costs of public expenditures for capital improvements (and operational services to the extent allowed by law) which would benefit such new development. Section 16.74.048 includes an "Animal shelter facilities fee" to mitigate the additional burdens created by new development for animal facilities. In addition, the property owner would be required to pay City Hall & Public Works fees, Community Center Fees, and Marina Facilities Fees prior to the issuance of building permits. Therefore, any impacts would be less than significant.

Wastewater/Sewer: The project does not propose connect to wastewater system because the project will not be permanently occupied. The project will be required to pay sewer connection fees. Implementation of the proposed project will not require, or result in, the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Therefore, any impacts would be less than significant.

Storm Water Drainage: On-site grading and drainage improvements proposed in conjunction with the proposed site work would be required to comply with provisions of the National Pollutant Discharge Elimination System (NPDES) program, including Waste Discharge Requirements (WDR), and the 2010 Santa Ana Municipal Separate Sewer Permit (MS4) Permit, as enforced by the Santa Ana Regional Water Quality Board (SARWQCB). Pursuant to the City's Municipal Code, all construction Projects shall apply Best Management Practices (BMPs) to be specified in a Stormwater Pollution Prevention Plan (SWPPP) prepared by the project applicant. In addition, the project was required to submit a drainage study to ensure onsite and offsite drainage is accurately assessed and sufficient infrastructure is required for project

construction. The project will not substantially alter the existing drainage pattern of the site or area, nor will it require new or expanded off-site storm drain facilities the construction or relocation of which could cause significant environmental effects. Therefore, any impacts would be less than significant.

Water Supplies: The project does not propose connect to wastewater system because the project will not be permanently occupied. Therefore, there are no impacts to water supplies.

Solid Waste Disposal: All development within the City of Lake Elsinore is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991), AB 939 (CalRecycle), and other local, state, and federal solid waste disposal standards. The California Integrated Waste Management Act of 1989 (AB 939) requires every city and county in the state to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, that identifies how each jurisdiction will meet the mandatory state diversion goal of 50% by and after the year 2000. The purpose of AB 939 is to “reduce, recycle, and re-use solid waste generated in the state to the maximum extent feasible.” The project is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991), AB 939, and other applicable local, state, and federal solid waste disposal standards as a matter of regulatory policy as standard condition of approval, thereby ensuring that the solid waste stream to the waste disposal facilities is reduced in accordance with existing regulations. Any potential impacts will be less than significant.

Electricity, Natural Gas, Telephone, Television: The proposed development site is located in a developed setting with direct access to existing utilities. There are no anticipated significant service or system upgrades required to serve the project, except for the proposed connections between the proposed BESS and adjacent SCE transmission lines. Any increase in the demand for public utilities by the project would be less than significant.

DETERMINATION:

I find that the answers given above are adequately supported by the information sources cited following each question and that the effects of the proposed Project are typical of those generated within that class of Projects (*i.e.*, Class 32 – Infill Development Projects) characterized as in-fill development meeting the conditions of Section 15332 of Title 14 of the California Code of Regulations. The proposed Project will not cause a significant effect on the environment and is, therefore, categorically exempt from the requirement for the preparation of environmental documents under the California Environmental Quality Act.

Kevin Beery, Associate Planner

Date

Appendices:

The following documents were used as information sources during preparation of this document. They are available for public review at the City of Lake Elsinore, Community Development Department, 130 South Main Street, Lake Elsinore, CA 92530, ph. (951) 674-3124.

- A) Biological Resources Report dated June 4, 2021 prepared by Stantec