



CITY OF EAST PALO ALTO

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Notice of Exemption California Environmental Quality Act

TO:**COUNTY CLERK**

County of San Mateo
555 County Center Redwood
City, California 94063-1665

FROM:**CITY OF EAST PALO ALTO**

Planning Division
1960 Tate Street
East Palo Alto, California 94303

PROJECT TITLE: Noon Energy / 350 Demeter Street

PROJECT LOCATION SPECIFIC:

Approximately 2-acre parcel at 350 Demeter Street (APN 063-121-320)

PROJECT LOCATION, CITY, COUNTY:

East Palo Alto, San Mateo County

PROJECT DESCRIPTION:

The approximately 2-acre project site includes two industrial buildings and surface parking areas. The buildings were built in 1981 and are approximately 18,473 square feet and 19,200 square feet, respectively. The project would temporarily install a solid oxide battery energy storage system (BESS) at an existing paved area between the two buildings. The BESS, developed by Noon Energy, would provide 50 kW / 0.5 MWh (10 hours) of low-cost, long-duration energy storage (LDES). The project would include two 20-ft shipping containers, storage tanks, and ancillary equipment that would house the proposed 50 kW / 0.5 MWh BESS. The project site includes a concrete fence, gate, and 4-inch-thick concrete pad where the BESS would be installed. The total footprint of the project would be approximately 124'-6" by 44' 6".

During charging operation, the system would use electrolysis to convert low-cost, non-metal oxide chemicals into storage medium. The storage medium would then be retained in a storage tank (14,400 SCF capacity), while a small amount of oxygen would be vented to the atmosphere. During electrical discharging, the process would be reversed, converting storage media plus oxygen from the atmosphere into the original oxide chemical, which would be stored in the discharge tank. It would require water to start the system (0.55 gpm) but once operational, no make-up water is required. The system would be test-operated for a period of approximately 12 months to prove its effectiveness and validate operation and cost parameters, and would then be removed from the project site.

NAME OR PUBLIC AGENCY APPROVING PROJECT

City of East Palo Alto, a municipal corporation

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT:

Noon Energy Inc.

EXEMPT STATUS (Check One)

☐ Ministerial (Sec. 21080 (b) (1); 15268)

- ☐ Declared Emergency (Sec 21080 (b) (4); 15269 (a))
- ☐ Emergency Project (Sec 21080 (b) (4) 15269 (b) (c))
- ☐ Statutory Exemption – CODE NO: _____
- ☒ Categorical Exemption – **Class: 3** SECTION NO: **15303 – New Construction or Conversion of Small Structures**

REASON WHY PROJECT IS EXEMPT

Finding 1: The project consists of installation of small new equipment and facilities in small structures.

Evidence: The project would be located on an existing concrete pad between two existing industrial buildings. The project includes accessory (appurtenant) structures including two 20-ft shipping containers, storage tanks, and ancillary equipment that would house the proposed BESS. The total footprint of the project would be approximately 124'-6" by 44' 6" within the 2-acre parcel.

Finding 2: The proposed project does not involve unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. The exceptions to the categorical exemptions pursuant to Section 15300.2 of the State CEQA Guidelines are:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Evidence: This exception to the categorical exemption does not apply since the project would not be located in a designated sensitive environment area. The project would be installed on an existing concrete pad on a developed parcel zoned for Waterfront Office use. Only standard vegetation maintenance would occur on the project site. There are no known landslides, expansive soils, or other environmental resources of hazardous or critical concern designated or precisely mapped on the project site. The nearest mapped environmentally sensitive habitat area is a wetland area located approximately 500 to 800 feet east and north of the project site, respectively. The project site is separated from the wetland area by a concrete wall and a vacant parcel used for soil stockpiling. The project would not encroach into the wetland. Construction activities would occur for approximately 2-3 weeks and would not require ground disturbance. Due to the minor and temporary nature of construction, such activities would not adversely affect the nearby wetland habitat. During operation, two employees would visit the project site on a daily basis to conduct testing and monitoring. The project would not require special lighting. System equipment would be required to comply with the City's Noise Ordinance (East Palo Alto Municipal Code Chapter 8.52 – Noise Control). Due to the minimal activities associated with project operation, such activities would not adversely affect the nearby wetland habitat.

- b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

Evidence: This exception to the categorical exemption does not apply since the project would be located within an existing developed area where the construction of accessory structures such as the project are both commonplace and allowable under existing zoning and the Ravenswood/4 Corners Specific Plan. Other similar projects built in the same place, over time, and designed in accordance with applicable policies and regulations would not result in significant cumulative impacts.

- c) Significant Effect. 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.

Evidence: This exception to the categorical exemption does not apply. There is no substantial evidence that the project involves unusual circumstances, including future activities, resulting in or which might reasonably result in significant impacts which threaten the environment. The installation of the proposed BESS facility is consistent with the existing industrial use of the project site. There are no unusual environmental circumstances associated with the site. All services are available and adequate.

- d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

Evidence: This exception to the categorical exemption does not apply. The project site is located in a developed area and is not visible from any designated scenic highway. Therefore, the project would not result in damage to scenic resources within a highway officially designated as a state scenic highway.

- e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Evidence: This exception to the categorical exemption does not apply. According to the Department of Toxic Substances Control Envirostor website (<http://www.envirostor.dtsc.ca.gov/public/>) and the State Water Resources Control Board's (SWRCB) Geotracker website (<http://geotracker.waterboards.ca.gov/>), the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

- f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

Evidence: This exception to the categorical exemption does not apply because no archaeological or other cultural sites are known to exist on the project site. The existing industrial buildings were constructed in 1981 and are not age-eligible to be historic resources. The project would be installed on an existing concrete pad and would not include ground disturbance. The project would therefore have no impact on any historical resource.

LEAD AGENCY CONTACT PERSON

AREA CODE, TELEPHONE, Extension
(650) 853-3169

SIGNATURE

TITLE

DATE

Signed by _Applicant _ Lead Agency

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