



## MITIGATED DETERMINATION OF NON-SIGNIFICANCE

**Project Name:** **Greenwater Battery Energy Storage System**

**Permit Application No:** SEPA-2024-0001

**Primary Location:** 1808 East Valley Highway E Sumner, WA 98390  
Parcel(s): BESS and substation project occurs on M-1 zoned parcels 9520000174, 9520000173, 9520000168 and 9520000152. Proposed gen-tie transmission route extends south from the BESS substation to M-1 zoned parcels 9520000143, 9520000121, 9520000110, then east across East Valley Highway through M-1 zoned parcels 0520072002, 0520072001, 9520000071 and LDR-12 zoned parcel 0520072004; gen-tie continues through unincorporated Pierce County parcels 0520071007 and 0520071008 to connect to the PSE White River Substation.

**Description of Proposal:** A proposed 200-megawatt/800-megawatt hour Battery Energy Storage System (BESS) facility to enhance local electrical reliability and meet affordable sustainable energy goals. The proposed facility is located on four contiguous parcels located on the west side of East Valley Highway Easy in the M-1 zone, to include site development of approximately 8 acres containing modular energy storage units arranged in rows. Project includes a proposed gen-tie route with 19 poles which extends from the BESS facility south, then east across East Valley Highway through the parcels to connect to the PSE White River substation located in unincorporated Pierce County.

**Applicant:** GREE bn, LLC  
**BrightNight**  
515 N Flager Dr, Suite P-200  
West Palm Beach, FL 33401  
Contact – [communications@brightnightpower.com](mailto:communications@brightnightpower.com)

**Lead Agency:** City of Sumner

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after reviewing a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. **Documents are available on the City of Sumner website at [www.sumnerwa.gov](http://www.sumnerwa.gov).**

\_\_\_\_\_ There is no comment period for this DNS.

\_\_\_\_\_ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

X This DNS is issued under 197-11-340 (2); the lead agency will not act on this proposal for 14 days from the issue date below.

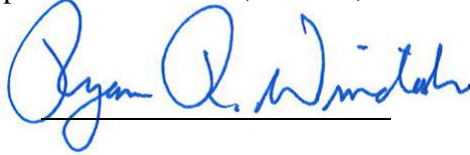
**Responsible Official:** Ryan Windish

**Position/Title:** Community Development Director

**Address:** 1104 Maple Street Suite 250, Sumner, WA 98390

**Phone:** (253) 299- 5524

**Signature**



Ryan Windish

**Determination Date:** July 31, 2024

**Date Issued:** August 1, 2024

**Questions or comments:** Chrissanda Walker, Associate Planner: [chrissandaw@sumnerwa.gov](mailto:chrissandaw@sumnerwa.gov)

### SEPA MITIGATION MEASURES

1. Applicant shall submit to the City a final comprehensive Fire Response Plan approved by East Pierce Fire & Rescue prior to permit issuance.
2. The project shall install two (2) new onsite fire hydrants as approved by East Pierce Fire & Rescue.
3. Drive aisles shall be designed to fire department turning radius standards and the project shall provide access gates on the west side of the property for fire access to the rail line.
4. This project is subject to compliance with the 2021 IBC and IFC and shall comply with NFPA 855 standards for ESS installations.
5. Applicant shall submit a hazard mitigation analysis that satisfies the WA State Fire code and addresses system controls as required under IFC Table 1207.6.
6. Prior to permit issuance, the applicant shall submit a Decommissioning Plan in addition to the required system Commission Plan that meets the requirements of IFC 1207.2.1.
7. The substation shall be designed with a secondary containment/spill/fire prevention mechanism.
8. The project site shall be fully fenced with a 6 foot slatted fence on a minimum of 3 sides to screen the site from view from the right-of-way.
9. The surface of the project site shall be paved with a dustless hard surface and a raised edge or curb shall be installed for secondary site containment to the satisfaction of the City.
10. A public water supply well is located on this property as well as a network of public water mains serving this parcel and the public. The public water supply is a well with a protective radius. Future site plans must show the well, its protective radius, the public water main network, and the related easements for that infrastructure. There shall be no structures proposed within the water main easements or in the way of access. The water mains extend all the way through this site and under the railroad to the west. All existing and proposed public water mains on site shall have a recorded 15' wide public water main easement centered on top of them dedicated if no easement currently exists.
11. The City of Sumner finds the use of the land within the protective well radius, also known as the

sanitary control area, for even a driveway to be unacceptable. The City of Sumner must maintain complete control of the sanitary control area. As part of this project, at a minimum, the property within the well protective radius area shall be dedicated to the City of Sumner with a statutory warranty deed and fenced with a 6' tall chain link security fence and a gate for access. Additionally, unless otherwise granted by another existing easement, a 20' wide access and utility easement shall be granted between the East Valley Highway right-of-way and the access gate to the well sanitary control area for City of Sumner heavy equipment access to the public water source.

12. At development permits, the applicant shall submit a hydrogeologic assessment pursuant to SMC 16.48.090(B).
13. The applicant must complete a utility crossing ROW lease agreement with the City of Sumner for that portion of the proposed transmission lines that passes through City of Sumner right-of-way prior to construction in or over the right-of-way.
14. The applicant shall complete frontage improvements along East Valley highway to include street lighting that meets minimum requirements.
15. Landscape buffer screening shall be installed and/or enhanced along East Valley Highway in accordance with screening requirements in the M-1 zone under section 18.18.060(C) SMC.
16. If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.
17. Work shall immediately stop and the City of Sumner, the State Department of Archaeology and Historic Preservation (DAHP), the Puyallup Tribe of Indians, and the Muckleshoot Tribe shall be immediately notified if any artifacts of possible historic, cultural, or archaeological value are uncovered during excavation. In such cases, the developer shall be required to provide for a site inspection and evaluation by a professional archaeologist or historic preservation professional, as applicable, in coordination with the state and/or affected tribes to ensure that all possible valuable historic, cultural, or archaeological artifacts is properly protected or salvaged.
18. Prior to building permit issuance, the property shall have recorded title notification of the following hazard areas, on forms provided by the City:
  - a. Aquifer Recharge Area
  - b. Seismic Hazard Area
  - c. Volcanic hazard Area
  - d. Wetlands Protection Area
  - e. Steep Slope Hazard Area
19. The Project shall comply with approved agreements and abide by all local, State and Federal regulations and receive necessary approvals prior to commencement of work.