



California Public Utilities Commission



May 5, 2023

David Wilson
LS Power Grid California
16150 Main Circle Drive, Suite 310
Chesterfield, MO 63017

Re: Minor Project Refinement No. 1 for the Gates 500 kilovolt (kV) Dynamic Reactive Support Orchard Substation Project – (A.21-02-018)

Dear Mr. Wilson:

On December 15, 2022, the California Public Utilities Commission (CPUC) adopted the Final Initial Study and Mitigated Negative Declaration (IS/MND) for the Gates 500 kilovolt (kV) Dynamic Reactive Support Orchard Substation Project (Project) and approved the Project (Application 21-02-018). The decision granted LS Power Grid California (LSPGC) a Permit to Construct and approved the Project conditionally with the implementation of Applicant Proposed Measures and Mitigation Measures adopted in the Mitigation Monitoring, Compliance, and Reporting Program (MMCRP). The CPUC issued a Notice to Proceed with construction of the Project on January 10, 2023.

On April 28, 2023, LSPGC provided the CPUC with Minor Project Refinement Request No. 1 (MPRR1) to reconfigure the temporary work areas within the Project site boundary in order to accommodate additional space for parking, equipment and materials storage, and construction staging activities. The proposed modifications are illustrated in MPRR1 Figure 2 and are summarized as follows:

- The 160-foot by 160-foot staging area expansion. As described in the IS/MND, the staging area will be utilized as a refueling area for vehicles and construction equipment, equipment assemblage and storage, and parking for construction personnel. Security fencing will be installed around the perimeter of the staging area, including the expansion area, with one construction gate entrance to the staging area. Grading will take place as needed and gravel and base rock will be placed within the yard.
- The borrow area will be shifted approximately 160 feet north from its previous location (as approved in the IS/MND). The borrow area will be used to build up the Orchard Substation pad and will be excavated to a depth of approximately 20 feet with an average slope of 3:1. The borrow area will be accessed via overland travel.
- Addition of a new temporary storage area east of the staging area, which will be approximately 260 feet by 400 feet. The materials planned for storage within this work area are primarily substation components (stored on pallets) and topsoil. Temporary snow fencing will be installed as needed to indicate the boundaries of the storage area, and no grading or placement of gravel is anticipated. The storage area will be accessed via overland travel.

Following field constructability review, LSPGC's construction contractor identified the need for the modifications to the temporary work areas described in the adopted IS/MND for the approved Project to facilitate substation

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construction activities. The expansion of the temporary staging area was needed to safely accommodate construction staging and parking for construction personnel. This addition to the staging area encroached into the previously approved location of the borrow area, requiring it to be shifted approximately 160 feet north. In addition, the proposed temporary storage area located east of the staging area will allow for additional space to store the substation construction components which will otherwise be stored within the staging area. Approval of this request will help keep the staging area as clear as practicable to support the safe operation of vehicles of equipment within the yard. The reconfiguration of the temporary work areas will result in approximately 118,100 square feet, or 2.7 acres of additional temporary disturbance to previously disturbed, fallow agricultural lands. The MPRR1 will require additional grading and placement of gravel and base rock on the expanded staging area. The grading and placement of gravel and base rock will increase by an area of 18,900 square feet compared to the approved Project described in the IS/MND.

On April 23, 2023, LSPGC's biologist verified that the current condition of the MPRR1 work areas is consistent with the results provided in the previous biological studies that supported the IS/MND, and confirmed that no special status species, critical habitat, or rare plants have been identified within the proposed expanded temporary staging area, shifted borrow area, or the new storage area. No additional impacts to vegetation from use of the expanded staging area, the shifted borrow area, or the new storage area. The proposed work areas are located within the study area analyzed in the IS/MND. In accordance with APMs BIO-4 and BIO-5 required by the MMCRP, a pre-construction nesting bird survey was performed on April 23, 2023, and was negative for nesting birds, including raptor species, within 500 feet of the MPRR1 work areas. In addition, MPRR1 work areas will be restored consistent with the Project Stormwater Pollution Prevention Plan (SWPPP) and APM AE-1 following construction. With implementation of APMs from the Final IS/MND and best management practices contained in the Project SWPPP, use of the proposed expanded, shifted, and new work areas identified in the MPRR1 would not result in a new impact or increase the severity of a previously analyzed impact on biological resources or any of the other environmental resources evaluated in the IS/MND.

LSPGC is authorized to proceed with the minor project refinement identified in its August 18 MPRR1 to CPUC upon condition that all proposed actions and construction are carried out in accordance with the methods and conditions described in the IS/MND and the Notice to Proceed issued by CPUC.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Sanchez".

Boris Sanchez, AICP
CPUC Environmental Project Manager



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cc: Mike Manka, ESA
Matt Fagundes, ESA