



June 30, 2023

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

Re: Minor Project Refinement No. 2 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) which was approved on May 5, 2023.

On June 26, 2023, LSPGC provided the CPUC with Minor Project Refinement Request No. 2 (MPRR2) to expand the temporary storage area within the Project site boundary in order to accommodate additional space primarily for substation components (stored on pallets) and topsoil. On June 28, 2023, LSPGC provided the CPUC with a revised MPRR2 that included mapping corrections and addressed CPUC's initial questions about the request. Deliveries of substation components have been ongoing, and the temporary storage area approved in MPR-1 is nearly filled. The proposed modifications are illustrated in **Attachment B, MPRR2 Figure 1** and are summarized as follows:

- Expansion of the temporary storage area north of the temporary storage area approved in MPR-1, which will be approximately 340 feet by 400 feet. The materials planned for storage within this work area are primarily substation components (stored on pallets) and topsoil. No grading or placement of gravel is anticipated. If gravel placement is necessary to maintain a stabilized surface, the gravel would be underlain by geotextile to facilitate removal once the area is no longer in use. The storage area will be accessed via overland travel from the south access road. Security fencing is not anticipated to be installed around the MPR-2 temporary storage expansion area.

In addition to the temporary storage expansion area, MPRR2 includes the following mapping corrections for MPR-1 that shown within **Attachment B, MPRR2 Figure 1**:



David Wilson
June 30, 2023
Page 2

- The size of the previously approved temporary storage area (blue polygon) was described correctly in the MPR-1 text (260 feet by 400 feet); however, the MPRR1 figure did not show the area to scale. This has been corrected in **Attachment B**.
- The parking area (black polygon) is located within the previously approved temporary storage area (blue polygon). The size of the parking area (160 feet by 160 feet) has not changed.
- The borrow area (red polygon) has shifted south approximately 140 feet from where it is shown in the MPRR1 Figure. The size of the borrow area (400 feet by 120 feet) has not changed. The scope of work and description of the MPR-1 components remains the same as described in MPRR1.

LSPGC's construction contractor has identified the need for the expansion of the temporary storage area (approved in MPR-1) in order to facilitate substation construction activities. Deliveries of substation components have been ongoing, and the temporary storage area approved in MPR-1 is nearly filled. The expansion of the temporary storage area will allow for additional space to store the substation construction components, which would otherwise cause congestion and inefficiency if stored within the previously approved staging area. Approval of this request will help keep the staging area as clear as practicable to support the safe and efficient operation of vehicles of equipment within the Project site. The temporary storage expansion area will result in approximately 136,000 square feet, or 3.1 acres of additional temporary disturbance to previously disturbed, fallow agricultural lands.

On June 19, 2023, LSPGC's biologist verified that the current condition of the MPRR2 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 storage area. There will be no additional impacts to vegetation from use of the expanded 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 MPRR2 work areas. In addition, MPRR2 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 expanded storage area identified in the MPRR2 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 June 28 MPRR2 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.



California Public Utilities Commission



David Wilson
June 30, 2023
Page 3

Sincerely,

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

Boris Sanchez, AICP
CPUC Environmental Project Manager

cc: Mike Manka, ESA
Matt Fagundes, ESA

Protecting California since 1911

The CPUC regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies.



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