



December 22, 2022

Boris Sanchez
Project Manager
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Re: Notice to Proceed (NTP) Request to Construct the Gates 500 kilovolt (kV) Dynamic Reactive Support Orchard Substation Project.

Mr. Sanchez:

On December 15, 2022, the California Public Utilities Commission (CPUC) voted to grant LS Power Grid California (LSPGC) a Permit to Construct (PTC) for the Gates 500 kV Dynamic Reactive Support Project (Orchard Substation or Project) (Final Decision 22-12-048) as further described in the Final Initial Study/Mitigated Negative Declaration (Final IS/MND) dated July 13, 2022 (State Clearinghouse No. 2022040457), contingent upon implementation of the Mitigation Monitoring, Compliance and Reporting Program (MMCRP).

All preconstruction requirements of the MMCRP have been met, and LSPGC requests that CPUC issue a Notice to Proceed (NTP) with construction for all Project activities approved in Final Decision 22-12-048 required to construct and operate the new Orchard Substation, as shown in *Attachment A – Project Components Map*.

1.0 Location of Project Components

The work activities being requested for approval in the NTP will take place on an undeveloped, approximately 20-acre site located within an unincorporated area of southwest Fresno County, California. The Project site is located approximately one mile northwest of the intersection of South Lassen Avenue (State Route [SR] 269) and West Jayne Avenue, approximately 3.3 miles southwest of the city of Huron. Please refer to *Attachment A – Project Components Map* to view the NTP components and work areas.

2.0 Description of Activities Included within the NTP Request

The Project components described herein are consistent with the descriptions contained within the Final IS/MND and Final Decision. Please see *Attachment A – Project Components Map* for an overview of work activities that will cause temporary and permanent disturbances at the Project site. As discussed in the Final IS/MND Chapter 2.0, the Project activities will be similar to what is in the Final IS/MND, but some details may vary based on final engineering and constructability review.

The Project will construct the new Orchard Substation, located immediately north of the existing PG&E Gates Substation. Construction of the Orchard Substation will include two static synchronous compensator (STATCOM) units, access roads, belowground conductor/cable, telecommunication lines, stormwater detention basin, and ancillary components.

This NTP request also includes the utilization of an approximately one-acre temporary construction staging area. The staging area may be used as a refueling area for vehicles and construction equipment; for equipment assemblage and storage; and for workers to park their vehicles and meet daily. In addition, the Project will also use an approximately 1.10-acre on-site soil borrow area for construction of the components included in this NTP.

3.0 Project Updates

The Project components described above are consistent with the descriptions contained within the Project's Final IS/MND and Final Decision, with the addition of minor design and engineering details that were not available during preparation of the Final IS/MND. Minor design changes include the slight reduction of grading required for the substation pad and the increase in size of the Orchard Substation STATCOM enclosures from 4,000 square feet to 6,200 square feet each.

4.0 Construction Schedule and Duration

Construction associated with the NTP activities is anticipated to begin January 2023 and conclude May 2024. Construction activities at the Project site will generally be scheduled to occur during daylight hours six days per week (Monday through Saturday). Night work is not anticipated to be necessary, but in case it is required, Fresno County and CPUC approval would be obtained. Construction activities could infrequently be scheduled outside of these hours to avoid or reduce schedule delays, complete construction activities, such as continuous concrete pours, to accommodate the schedule for system outages, or to address emergencies.

5.0 Preconstruction Document Approvals Required for NTP

As outlined within the final Mitigation Measures (MMs) (refer to Final Decision), LSPGC must submit certain documentation and obtain CPUC approval prior to starting construction activities. For the purposes of compliance with Applicant Proposed Measures (APMs) and MMs, construction is defined as localized, direct ground-breaking or disturbance of existing features or the delivery of construction materials or equipment to a Project location. Construction activities include installation of security (e.g., chain-link) fencing, stormwater Best Management Practices (BMPs) and/or demolition/removal of similar features. These activities will not be conducted prior to issuance of an NTP. Survey-related work (environmental or civil), including staking and environmental sensitive area marking or flagging, does not constitute construction activities and, therefore, can (and in some cases must) occur prior to the NTP.

In accordance with the terms of the MMCRP, the following pre-construction submittal documents have been completed (and approved where required) prior to submittal of this NTP request:

- Worker Environmental Awareness Program – Final version submitted to CPUC on December 16, 2022.
- Spill Prevention, Control, and Countermeasure Plan – CPUC approval not required.
- Hazardous Materials Management Plan – CPUC approval not required.
- Construction Fire Prevention Plan – CPUC approval not required.
- Stormwater Pollution Prevention Plan – CPUC approval not required.

- Dust Control Plan (DCP) – CPUC approval not required.
- Traffic Control Plan – CPUC approval not required.
- Paleontological Resources Monitoring and Mitigation Plan; only applicable upon discovery of significant resources during construction.
- Diesel-Powered Equipment Use Hours Tracking Tool – CPUC approval not required.

Attachment B – MMCRP Requirements Tracking Table for NTP contains a listing of all required pre-construction submittals, how LSPGC has fulfilled each requirement, and all applicable submittal and approval dates.

6.0 Conformance to Pre-Construction Requirements

With respect to the pre-construction requirements, LSPGC has completed all pre-construction items as outlined in *Attachment B (MMCRP Requirements Tracking Table for NTP)*. No construction activities will commence prior to completion of the applicable pre-construction requirements.

7.0 MMCRP Compliance Implementation

During construction of the components described herein, LSPGC will implement all applicable APMs and MMs as identified in the Project’s MMCRP. The applicability and status of all APMs and MMs included within the Project’s MMCRP is provided in *Attachment A – MMCRP Requirements Tracking Table for NTP*. The table is color coded for easy reference by applicability, timing, and status (if the measure contains a preconstruction requirement).

8.0 Permits and Approvals

Construction activities included in the NTP request are anticipated to require the State and local permits listed in *Table 2* below. LSPGC will obtain all necessary permits prior to initiating the specific Project activities that trigger each permit requirement. In accordance with the Project MMCRP, all permits acquired by the Project will be submitted to the CPUC for their records prior to commencing the activity for which the permits and approvals were obtained.

Table 2. NTP Required Permits

Agency	Permit	Applicability to Project Component	Status
Fresno County	Encroachment Permit	Construction within the public right-of-way (ROW), specifically within West Jayne Avenue.	An encroachment permit will be obtained by LSPGC prior to construction with the County ROW.
	Building and Grading Permits (nondiscretionary)	Construction of the control enclosure (building permit) and grading/fill for Orchard Substation pad (grading permit).	Grading permits will be obtained prior to the start of associated work activities. Building permits are not applicable per Section 15.08.030 (D) of the Fresno County Building Code.

Agency	Permit	Applicability to Project Component	Status
	Subdivision Map Act	Authorization to subdivide private property.	Parcel map waiver process is proceeding with the County. LSPGC will close on the property purchase prior to starting construction.
	Williamson Act Review	Construction of Project on land subject to a Williamson Act contract.	Williamson Act on the property is nullified upon LSPGC's purchase of the property
San Joaquin Valley Air Pollution Control District (SJVAPD)	Rule 8021, Dust Control Plan	Construction, demolition, excavation, extraction, and other earthmoving activities, including, but not limited to, land clearing, grubbing, scraping, travel on site, and travel on access roads to and from the site.	The Project's DCP 2882 was approved by the SJVAPD on 12/08/2022.
	Rule 9510, Indirect Source Review	Projects exceeding listed square footage thresholds (or two tons nitrogen oxides or respirable particulate matter) to submit Air Impact Assessment applications when applying for a final discretionary approval from a public agency.	Not applicable. Project does not meet the thresholds required to submit an Air Impact Assessment. LSPGC documented the non-applicability in the Project's DCP submittal to SJVAPD.
State Water Quality Control Board (SWQCB)	National Pollutant Discharge Elimination System Permit (NPDES) Construction General Permit	Stormwater discharges associated with construction activities disturbing more than one acre of land.	LSPGC submitted a Notice of Intent for use of the Construction General Permit on 11/30/2022, WDID#5F10C399233

9.0 Request for Approval

LSPGC respectfully requests authorization of the NTP to begin the work approved in Final Decision 22-12-048 by January 6, 2023. Should you have any questions or need additional information, please do not hesitate to contact me at (636) 534-3221 or by email at DWilson@lspower.com.

Sincerely,

David Wilson

Attachment A: Project Components Map


















Attachment B: MMCRP Requirements Tracking Table for NTP

cc: Michael Manka, Environmental Science Associates
Mark Milburn, LSPGC
Casey Arcese, LSPGC
Kenda Pollio, KP Environmental
Dustin Joseph, KP Environmental





ATTACHMENT A
Project Components Map

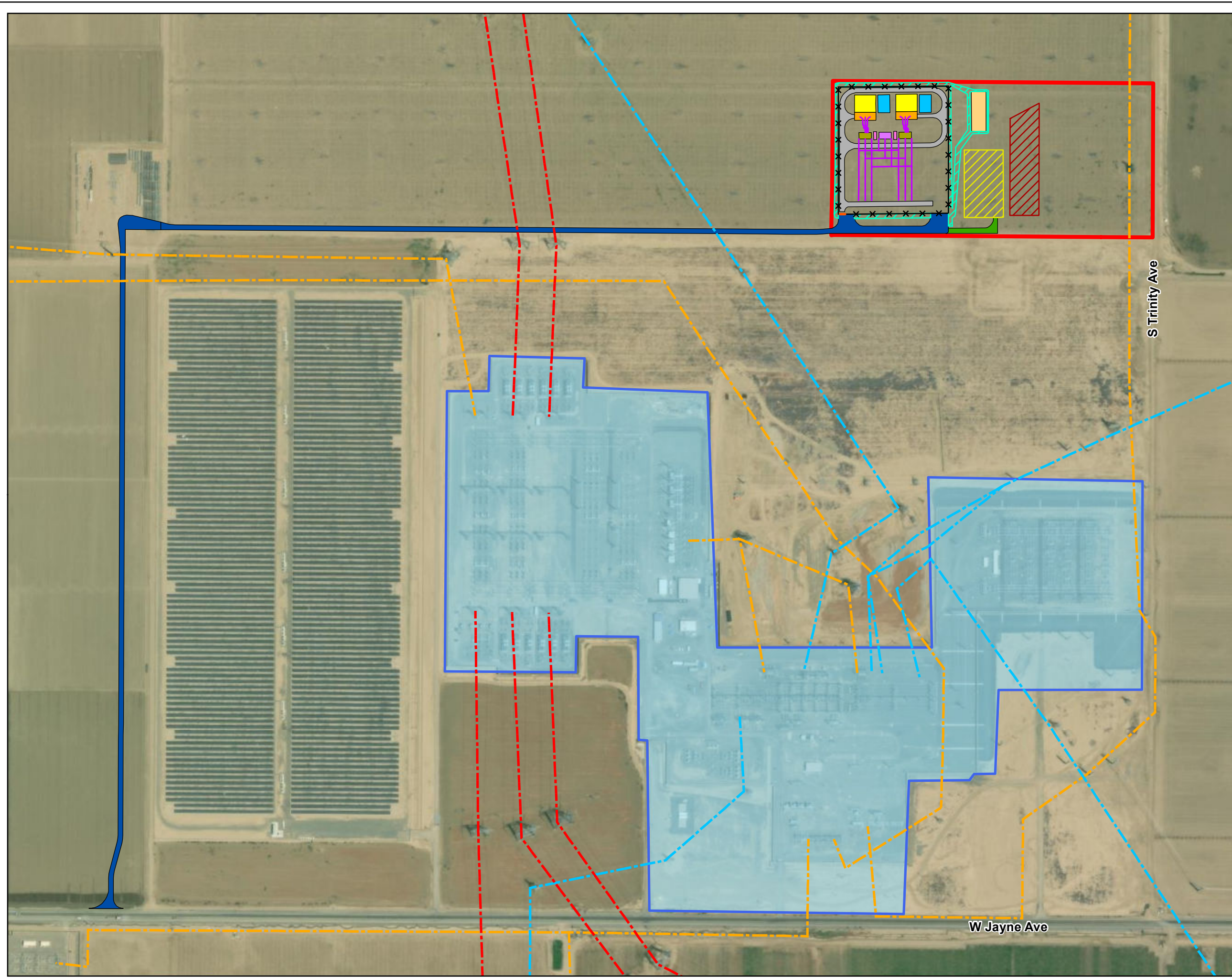
LEGEND

Project Components

-  500kV Bus and Switchgear
-  Substation Fence
-  Gate
-  Transformer
-  Spare Transformer
-  Outdoor Cooler
-  Reactor
-  Firewall
-  Converter & Control
-  Stormwater Conveyance System
-  Stormwater Detention Basin
-  Borrow Area
-  Temporary Laydown Yard
-  Access Road - Exterior
-  Access Road - Laydown
-  Access Road - Interior
-  Site Boundary - Approx. 19 Acres

Existing Utilities

-  Existing 500kV Transmission Line
-  Existing 230kV Transmission Line
-  Existing <100kV Transmission Line
-  Gates Substation



ATTACHMENT B
MMCRP Requirements Tracking Table for NTP

ATTACHMENT B: MMCRP REQUIREMENTS TRACKING TABLE FOR NTP

APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	TIMING	STATUS
<p>APM AE-1: All Orchard Substation Facilities sites would be maintained in a clean and orderly state. Construction staging areas would be sited away from public view where possible. Nighttime lighting would be directed away from residential areas and have shields to prevent light spillover effects. Upon completion of project construction, project staging and temporary work areas would be returned to pre-project conditions, including re-grading of the site and re-vegetation or re-paving of disturbed areas to match pre-existing contours and conditions.</p>	<p>During construction.</p>	<p>LS Power Grid California (LSPGC) and its contractors will implement this measure during construction activities.</p>
<p>APM AE-2: Structures and equipment at the proposed Orchard Substation would be a non-reflective finish and neutral gray color.</p>	<p>During all phases of the Project.</p>	<p>All structures and equipment at the Orchard Substation will have a non-reflective finish and natural gray color.</p>
<p>APM AGR-1: Prior to commencing construction of the Orchard Substation Facilities, LSPGC must ensure that the Williamson Act contract for the 20-acre portion of the Project site impacted by the Project is:</p> <ul style="list-style-type: none"> • Cancelled pursuant to Title 5, Division 1, Part 1, Chapter 7, Article 5 of the California Government Code; • Determined by Fresno County to be consistent with the Proposed Project; or • Nullified via eminent domain or purchase in lieu of eminent domain pursuant to Title 5, Division 1, Part 1, Chapter 7, Article 6 of the California Government Code. 	<p>Prior to construction.</p>	<p>Complete. Pursuant to Title 5, Division 1, Part 1, Chapter 7, Article 6 of the California Government Code, the Williamson Act on the property is nullified automatically upon LSPGC's purchase of the property after issuance of the PTC.</p>
<p>APM AQ-1: The Orchard Substation Facilities portion of the Project would ensure that at least 32 percent of all diesel-powered equipment use (tracked as horse-power hours) during construction year 2022 is from equipment that meet USEPA-certified Tier 4 standards, the highest USEPA-certified tiered emission standards.</p> <p>Prior to the commencement of construction, LSPGC shall develop a diesel-powered equipment use hours tracking tool and procedure. The tracking tool shall be utilized by the Project to keep track of the certified engine tier and daily equipment use hours of all off-road diesel-powered equipment. If all diesel-powered equipment is certified Tier 4, the tracking tool would not be required; however, the Orchard Substation Facilities portion of the Project would be required to verify, record, and track the engine tier of all equipment. The tracking tool shall be maintained by the Project and tracking updates shall be submitted to the CPUC on a monthly basis to track the Project's compliance. Records of the engine tier of all equipment shall be kept onsite and made available to the CPUC upon request.</p>	<p>Prior to and during construction.</p>	<p>Complete. LSPGC provided CPUC a copy of the diesel-powered equipment tracking tool. LSPGC or its contractor will track the use of all diesel-powered equipment and submit records to the CPUC on a monthly basis. Records of engine tier status to be submitted upon request.</p>
<p>APM AQ-2: The Orchard Substation Facilities portion of the Project would comply with SJVAPCD Rule 8021 and would prepare and implement a Dust Control Plan for approval by the SJVAPCD Air Pollution Control Officer (APCO). The Dust Control Plan would include specific dust control measures as prescribed within Rule 8021, or as otherwise requested by the APCO. This plan would be submitted and approved prior to construction.</p>	<p>Prior to and during construction.</p>	<p>Approved. The Project's Dust Control Plan (DCP) was approved by the San Joaquin Valley Air Pollution Control District (SJVAPCD) on 12/08/2022. The DCP was prepared in accordance with APM AQ-2 and will be implemented during construction.</p>
<p>APM AQ-3: The Orchard Substation portion of the Project would comply with AB 203 and provide Valley fever awareness training to all construction workers, inspectors, monitors, and</p>	<p>Prior to and during</p>	<p>Approved. A Worker Environmental Awareness Program (WEAP) has been</p>

Gates 500 kV Dynamic Reactive Support Project – Orchard Substation
NTP Request
December 2022

Applicable to NTP – Measure to be Implemented During
Construction/Restoration/Operation

Applicable to NTP – Pre-Construction Status Complete/Approved

ATTACHMENT B: MMRP REQUIREMENTS TRACKING TABLE FOR NTP

APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	TIMING	STATUS
<p>any other project personnel that are required to perform work in or near disturbed soils or dust emissions at the Orchard Substation Facilities site. The Valley fever awareness training materials would be prepared by a qualified professional, adapted from agency published trainings (CDPH, CDC, etc.), or otherwise produced by a qualified source. The Valley fever awareness training would be incorporated into the Project's overall Worker Environmental Awareness Program (WEAP) training.</p>	<p>construction. To be repeated for all new personnel.</p>	<p>developed to include Valley fever awareness training. The final version of the WEAP was submitted to the CPUC on 12/16/2022. WEAP sign-in sheets will be kept as part of the Project record and will be provided to the CPUC upon request. Additional trainings will be held for new workers as needed throughout construction.</p>
<p>APM BIO-1: Speed of vehicles driving along proposed access roads and on the Project site during construction and O&M would be limited to 15 mph. In addition, construction and maintenance employees would be advised that care should be exercised when commuting to and from the Proposed Project area to reduce accidents and animal road mortality.</p>	<p>During construction.</p>	<p>LSPGC and its contractors will implement this measure during construction activities.</p>
<p>APM BIO-2 Conductors and ground wires would be spaced sufficiently apart so that raptors cannot contact two conductors or one conductor and a ground wire causing electrocution (APLIC 2006), or raptor protection would be installed subject to PG&E consent for application of such measures to its components of the Project, such as distribution lines.</p>	<p>During all phases of the project.</p>	<p>Conductors and ground wires for the Project have been designed to meet this specification.</p>
<p>APM BIO-3: Appropriate methods to reduce the risks of avian collisions would be incorporated into the Project's design (APLIC 2012), subject to PG&E consent for application of such measures to its components of the Project, such as distribution lines.</p>	<p>Prior to construction.</p>	<p>Methods to reduce risk of avian collisions have been incorporated into the Project design.</p>
<p>APM BIO-4: If feasible, the Applicant would avoid construction during the migratory bird nesting or breeding season. When it is not feasible to avoid construction during the nesting or breeding season, the Applicant would perform a survey in the area where the work is to occur. This survey would be performed to determine the presence or absence of nesting birds. If an active nest (i.e., containing eggs or young) is identified, a suitable construction buffer would be implemented to ensure that the nesting or breeding activities are not substantially adversely affected. If the nesting or breeding activities are being conducted by a federal- or state-listed species, the Applicant would consult with the USFWS and CDFW as necessary. Monitoring of the nest would continue until the birds have fledged or construction is no longer occurring on the site. If an inactive nest is identified, careful nest removal under the supervision and direction of qualified biologists would occur wherever feasible.</p>	<p>Prior to and during construction.</p>	<p>Construction is scheduled to begin during the non-nesting bird season.</p>
<p>APM BIO-5: If a raptor nest is observed during pre-construction surveys, a qualified biologist would determine if it is active. If the nest is determined to be active, the biological monitor would monitor the nest to ensure that nesting or breeding activities are not substantially adversely affected. If the biological monitor determines that activities associated with the Project are disturbing or disrupting nesting or breeding activities, the monitor would make recommendations to reduce noise or disturbance in the vicinity of the nest.</p>	<p>Prior to and during construction.</p>	<p>If an active raptor nest is observed during construction, a qualified biologist will monitor the nest and make recommendations for protection as needed.</p>

ATTACHMENT B: MMRP REQUIREMENTS TRACKING TABLE FOR NTP

APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	TIMING	STATUS
<p>APM BIO-6: All excavated holes or trenches that are not be filled at the end of a workday would be covered, or a wildlife escape ramp would be installed to prevent the inadvertent entrapment of wildlife species.</p>	<p>During construction.</p>	<p>LSPGC and its contractors will implement this measure during construction activities.</p>
<p>APM BIO-7: The use of outdoor lighting during construction and O&M of the Orchard Substation would be minimized whenever practicable.</p>	<p>During all phases of the project.</p>	<p>LSPGC and its contractors will implement this measure during construction and O&M activities.</p>
<p>APM BIO-8: A WEAP would be implemented to educate all construction and O&M workers on site-specific biological and non-biological resources and proper work practices to avoid harming wildlife during construction or O&M activities.</p>	<p>Prior to and during construction. To be repeated for all new personnel.</p>	<p>Approved. A WEAP has been developed to educate all construction and O&M workers on site-specific biological and non-biological resources. The final version of the WEAP was submitted to the CPUC on 12/16/2022. WEAP sign-in sheets will be kept as part of the Project record and will be provided to the CPUC upon request. Additional trainings will be held for new workers as needed throughout construction.</p>
<p>Mitigation Measure BIO-1: Protection of Kit Fox During Construction. Preconstruction surveys shall be conducted by a qualified biologist for the presence of San Joaquin kit fox within 14 days prior to commencement of construction activities pursuant to the USFWS (1999) <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox</i>. The surveys shall be conducted in areas of suitable habitat for San Joaquin kit fox. Areas that have been disked or cultivated within 12 months prior to the start of ground-disturbing activities are not considered suitable. Surveys need not be conducted for all areas of suitable habitat at one time; they may be phased so that surveys occur within 14 days prior to disturbance within active portions of the site. If no potential San Joaquin kit fox dens are identified, no further mitigation is required. If potential kit fox dens are observed and avoidance is determined to be feasible (as defined in CEQA Guidelines §15364 consistent with the USFWS [1999] <i>Standardized Recommendations for Protection of the San Joaquin Kit Fox</i>) by a qualified biologist in consultation with the Project owner and the County, buffer distances shall be established prior to construction activities.</p> <p>If avoidance of the potential dens is not feasible, the following measures shall be implemented to avoid potential adverse effects to the San Joaquin kit fox:</p> <p>If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent foxes from using them during construction.</p> <p>If the qualified biologist determines that a potential non-natal kit fox den may be active, an onsite passive relocation program shall be implemented with prior approval from the USFWS. This program shall consist of excluding San Joaquin kit foxes from occupied burrows by installation of one-way doors at burrow entrances, monitoring of the burrow for 72 hours to confirm usage has been discontinued, and excavation and collapse of the burrow to prevent</p>	<p>Prior to and during construction.</p>	<p>Preconstruction surveys for San Joaquin kit fox are not required under this measure since the Project site was cultivated within the previous 12 months (i.e., during the 2022 growing season).</p>

ATTACHMENT B: MMCRP REQUIREMENTS TRACKING TABLE FOR NTP

APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	TIMING	STATUS
reoccupation. After the qualified biologist determines that the San Joaquin kit foxes have stopped using active dens within the Project boundary, the dens shall be hand-excavated, as stated above for inactive dens.		
<p>APM CUL-1 (Development and Implementation of a Worker Environmental Awareness Program): LSPGC would design and implement a Worker Environmental Awareness Program (WEAP) that would be provided to all Project personnel who may encounter and/or alter historical resources or unique archaeological properties, including construction supervisors and field personnel. The WEAP would be submitted and approved by the CPUC prior to construction. No construction worker would be involved in ground disturbing activities without having participated in the WEAP. The WEAP would include, at a minimum:</p> <ul style="list-style-type: none"> • Training on how to identify potential cultural resources and human remains during the construction process; • A review of applicable local, state and federal ordinances, laws and regulations pertaining to historic preservation; • A discussion of procedures to be followed in the event that unanticipated cultural resources are discovered during implementation of the Proposed Project; • A discussion of disciplinary and other actions that could be taken against persons violating historic preservation laws and LSPGC policies; and • A statement by the construction company or applicable employer agreeing to abide by the WEAP, LSPGC policies and other applicable laws and regulations. <p>The WEAP may be conducted in concert with other environmental or safety awareness and education programs for the Project, provided that the program elements pertaining to cultural resources are provided by a qualified archaeologist.</p>	Prior to and during construction. To be repeated for all new personnel.	Approved. A WEAP has been developed to include cultural resources awareness training. The final version of the WEAP was submitted to the CPUC on 12/16/2022. WEAP sign-in sheets, which will include a statement by contractors agreeing to abide by the WEAP, will be kept as part of the Project record and will be provided to the CPUC upon request. Additional trainings will be held for new workers as needed throughout construction.
<p>APM CUL-2 (Cultural Resources Inventory): If proposed facilities and ground-disturbing activities move outside the previously surveyed footprint, those areas would be subjected to a cultural resources inventory to ensure that any newly identified cultural resources are avoided by ground disturbing activities.</p>	During construction.	A cultural resources inventory will be prepared if proposed facilities and ground disturbing activities move outside the previously surveyed area.
<p>APM CUL-3 (Archaeological and Native American Monitoring): If subsurface prehistoric or ethnohistoric resources are encountered during construction, archaeological and Native American monitoring is recommended during all excavation associated with the Project. A qualified archaeologist and a member of the Dumna Wo-Wah Tribal Government shall be retained by LSPGC to monitor excavation associated with the Proposed Project to ensure that there is no impact to any significant unanticipated cultural resource. Prior to construction, LSPGC would consult with a designated representative of the Dumna Wo-Wah Tribal Government on the appropriate course of action to be taken should unanticipated cultural materials, and specifically human remains, be discovered during construction.</p>	Prior to and during construction.	Consultation with the Dumna Wo-Wah Tribal Government on the appropriate course of action to be taken should unanticipated cultural materials, and specifically human remains, be discovered during construction is complete. If subsurface prehistoric or ethnohistoric resources are encountered during construction, LSPGC will adhere to the protocols outlined in APM CUL-3.

ATTACHMENT B: MMCRP REQUIREMENTS TRACKING TABLE FOR NTP

APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	TIMING	STATUS
<p>APM CUL-4 (Unanticipated Discovery of Potentially Significant Prehistoric and Historic Resources): In the event that previously unidentified cultural resources are uncovered during implementation of the Project, all work within 100 feet (30 meters) of the discovery would be halted and redirected to another location. LSPGC’s qualified archaeologist would inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts would occur, the resource would be documented on State of California Department of Parks and Recreation cultural resource records and no further effort would be required. If the resource cannot be avoided and may be subject to further impact, LSPGC would evaluate the significance and CRHR eligibility of the resources and, in consultation with the CPUC, determine appropriate treatment measures. Preservation in place shall be the preferred means to avoid impacts to significant historical resources. Consistent with CEQA Section 15126.4(b)(3), if it is demonstrated that resources cannot feasibly be avoided, LSPGC’s qualified archaeologist, in consultation with the CPUC and, if the unearthed resource is prehistoric or Native American in nature, the Native American monitor, shall develop additional treatment measures, such as data recovery consistent with CEQA Guidelines Sections 15126.4(b)(3)(C)-(D). Archaeological materials recovered during any investigation shall be curated at an accredited curation facility.</p>	<p>During construction</p>	<p>In the event that previously unidentified cultural resources are uncovered during construction, LSPGC will adhere to the protocols outlined in APM CUL-4.</p>
<p>APM CUL-5 (Unanticipated Discovery of Human Remains): Avoidance and protection of inadvertent discoveries that contain human remains shall be the preferred protection strategy where feasible and otherwise managed pursuant to the standards of CEQA Guidelines Sections 15064.5(d) and (e). If human remains are discovered during construction or O&M activities, all work shall be diverted from the area of the discovery, and the CPUC shall be informed immediately. The Applicant shall contact the County Coroner to determine whether or not the remains are Native American. If the remains are determined to be Native American, the Coroner would contact the NAHC. The NAHC would then identify the person or persons it believes to be the most likely descendant of the deceased Native American, who in turn would make recommendations for the appropriate means of treating the human remains and any associated funerary objects. No part of the Project is located on federal land.</p>	<p>During construction.</p>	<p>APM CUL-5 will be implemented if human remains are encountered during construction and operation of the Project.</p>
<p>APM GEO-1: The following measures would be implemented during construction to minimize impacts from geological hazards and disturbance to soils:</p> <ul style="list-style-type: none"> • Keep vehicle and construction equipment within the limits of the Project and in approved construction work areas to reduce disturbance to topsoil; • Prior to grading, salvage topsoil to a depth of six inches or to actual depth if shallower (as identified in site-specific geotechnical investigation report) to avoid mixing of soil horizons; • Avoid construction in areas with saturated soils, whenever practical, to reduce impacts to soil structure and allow safe access. Similarly, avoid topsoil salvage in saturated soils to maintain soil structure; • Keep topsoil material on-site in the immediate vicinity of the temporary disturbance or at a nearby approved work area to be used in restoration of temporary disturbed 	<p>During construction.</p>	<p>LSPGC and its contractors will implement this measure during construction.</p>

ATTACHMENT B: MMCRP REQUIREMENTS TRACKING TABLE FOR NTP

APPLICANT PROPOSED MEASURE (APM) OR MITIGATION MEASURE (MM)	TIMING	STATUS
<p>areas. Temporary disturbance areas would be re-contoured following construction to match pre-construction grades. Areas would be allowed to re-vegetate naturally or would be reseeded with a native seed mix from a local source if necessary. On-site material storage would be sited and managed in accordance with all required permits and approvals; and</p> <ul style="list-style-type: none"> Keep vegetation removal and soil disturbance to a minimum and limited to only the areas needed for construction. Removed vegetation would be disposed of off-site to an appropriate licensed facility or can be chipped on-site to be used as mulch during restoration. 		
<p>APM GEO-2: The structural requirements of the California Building Code (CBC) are applicable to certain structural components of the Project, including the control enclosures. LSPGC and/or its contractors would design such structures to comply with such CBC standards and shall adhere to and implement all design recommendations and parameters established in the Project's Supplemental Geotechnical Engineering Report to be prepared and submitted to the CPUC upon completion.</p>	Prior to construction.	Complete. LSPGC provided CPUC a copy of the final geotechnical engineering report on August 30, 2022.
<p>Mitigation Measure GEO-1: Fault Study. In order to account for any effects related to strong seismic ground shaking due to the presence of the Great Valley thrust fault system, the required supplemental geotechnical report for the Orchard Substation Facilities shall account for the presence of the Great Valley thrust fault system. The report shall be prepared by a qualified geotechnical engineer licensed by the State of California. The report shall include an analysis of the presence of the Great Valley thrust fault system and how its proximity to the Project would inform the seismic design of the Project components.</p>	Prior to construction.	Complete. LSPGC provided CPUC a copy of the final geotechnical engineering report (including fault study) on August 30, 2022.
<p>Mitigation Measure GEO-2: Worker Awareness Training and Monitoring Protocols. Prior to the start of any ground-disturbing activity, the project owner shall retain a qualified paleontologist (meeting the standards set by the Society of Vertebrate Paleontology [SVP]) to prepare paleontological resources sensitivity training materials for use during a Project-wide Worker Environmental Awareness Training (WEAP), or equivalent. The WEAP shall be conducted by a qualified environmental trainer working under the supervision of the qualified paleontologist. In the event construction crews are phased, additional trainings shall be conducted for new construction personnel. The training session shall focus on the recognition of the types of paleontological resources that could be encountered within the Project site and the procedures to be followed if they are found. The project owner and/or their contractors shall retain Documentation demonstrating that all construction personnel attended the training prior to the start of work on the site and shall provide the documentation to the CPUC Project Manager upon request.</p>	Prior to and during construction. To be repeated for all new personnel.	Approved. A WEAP has been developed to include paleontological resources awareness training. The final version of the WEAP was submitted to the CPUC on 12/16/2022. WEAP sign-in sheets will be kept as part of the Project record and will be provided to the CPUC upon request. Additional trainings will be held for new workers as needed throughout construction.
<p>Mitigation Measure GEO-3: Paleontological Resource Monitoring, Salvage, and Treatment Protocols. In the event of a discovery during ground disturbance, the procedures described in APM PALEO-1 shall be followed; if significant paleontological resources are</p>	During construction.	If significant paleontological resources are encountered during construction, a PRMMP will be submitted to the CPUC for approval prior to

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<p>encountered, the qualified paleontologist (meeting the standards set by the Society of Vertebrate Paleontology [SVP]) may recommend paleontological resource monitoring. In the event that monitoring is deemed necessary, the qualified paleontologist shall prepare and the project owner and/or their contractors shall implement, a Paleontological Resources Monitoring and Mitigation Plan (PRMMP), the details of which would be decided based on the significance of the discovery. The plan shall be submitted to the CPUC Project Manager for review and approval before continuing construction activities in the area of the find. This plan shall address specifics of monitoring and mitigation and comply with the recommendations of the SVP (2010), as follows.</p> <ul style="list-style-type: none"> • The qualified paleontologist shall identify, and the project owner and/or its contractor(s) shall retain, qualified paleontological resource monitors (qualified monitors) meeting the SVP standards (2010). • The qualified paleontologist and/or the qualified monitors under the direction of the qualified paleontologist shall conduct paleontological resources monitoring at a frequency and level to be decided based on the significance of the discovery. The PRMMP shall clearly set the parameters of the monitoring. • Monitors shall have the authority to temporarily halt or divert work away from exposed fossils in order to evaluate and recover the fossil specimens, establishing a 50-foot buffer. • If construction or other Project personnel discover any potential fossils during construction, regardless of the depth of work or location and regardless of whether the site is being monitored, work at the discovery location shall cease in a 50-foot radius of the discovery until the qualified paleontologist has assessed the discovery and made recommendations as to the appropriate treatment. • Monitors shall prepare daily logs detailing the types of activities and soils observed, and any discoveries. The qualified paleontologist shall prepare a final monitoring and mitigation report to document the results of the monitoring effort and any curation of fossils. The project owner shall provide the daily logs to the CPUC Project Manager upon request, and shall provide the final report to the CPUC Project Manager upon completion. • The qualified paleontologist shall determine the significance of any fossils discovered, and shall determine the appropriate treatment for significant fossils in accordance with the SVP standards. This would be in line with APM PALEO-2, which gives specific details for fossil treatment. 		<p>the continuation of construction activities in the area of the find. In addition, the PRMMP protocols and monitoring requirements will be implemented.</p>
<p>APM PALEO-1: In the unlikely event that fossils are unearthed during earthwork activities (i.e., an inadvertent discovery), earthwork within the vicinity of the discovery shall immediately halt, and a qualified paleontologist should evaluate the discovery. Earthwork shall be diverted until the significance of the fossil discovery can be assessed by the qualified paleontologist. If the fossil discovery is deemed significant, the fossil shall be recovered using appropriate recovery techniques based on the type, size, and mode of preservation of the unearthed fossil. Earthwork may resume in the area of the fossil discovery once the fossil has been</p>	<p>During Construction.</p>	<p>If fossils are unearthed during earthwork activities a qualified paleontologist will evaluate and monitor the discovery as necessary.</p>

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<p>recovered and the qualified paleontologist deems the site has been mitigated to the extent necessary. Additional earthwork following the fossil discovery may be monitored for paleontological resources on an as-needed basis, at the discretion of the qualified paleontologist.</p>		
<p>APM PALEO-2: Recovered fossils shall be prepared, identified, catalogued, and stored in a recognized professional repository (e.g., the SDNHM, the University of California Museum of Paleontology) along with associated field notes, photographs, and compiled fossil locality data. Donation of the fossils should be accompanied by financial support for initial specimen curation and storage. A final summary report should be completed that outlines the results of the mitigation program. This report should include discussions of the methods used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils. This report shall be submitted to appropriate agencies, as well as to the designated repository.</p>	<p>During construction.</p>	<p>If necessary, LSPGC will implement APM PALEO-2.</p>
<p>APM GHG-1: The following measures shall be implemented to minimize greenhouse gas emissions from all construction sites:</p> <ul style="list-style-type: none"> • If suitable park-and-ride facilities are available in the Project vicinity, construction workers shall be encouraged to carpool to the job site. • Demolition debris shall be recycled for reuse to the extent feasible. • The contractor shall use line power instead of diesel generators at all construction sites where line power is available. • The contractor shall maintain construction equipment per manufacturing specifications. 	<p>During construction.</p>	<p>LSPGC and its contractors will implement this measure during construction.</p>
<p>APM HAZ-1: A site-specific Spill Prevention, Control, and Countermeasure Plan (SPCCP) would be prepared prior to the initiation of construction. In the event of an accidental spill, the Project would be equipped with secondary containment that meets SPCCP Guidelines. The secondary containment would be sufficiently sized to accommodate accidental spills.</p>	<p>Prior to and during construction.</p>	<p>Complete For Construction. LSPGC submitted a copy of the Spill Prevention, Control, and Countermeasure Plan (SPCCP) to the CPUC. LSPGC and its contractors will implement the SPCCP during construction.</p> <p>LSPGC will prepare a separate SPCCP for the operations and maintenance of the Orchard Substation.</p>

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<p>APM HAZ-2: A Hazardous Materials Management Plan (HMMP) would be prepared and implemented for the Project. The plan would be prepared in accordance with relevant state and federal guidelines and regulations (e.g., Cal/OSHA). The plan would include the following information related to hazardous materials and waste, as applicable:</p> <ul style="list-style-type: none"> • A list of hazardous materials present on-site during construction and O&M to be updated as needed along with product Safety Data Sheets and other information regarding storage, application, transportation, and disposal requirements; • A Hazardous Materials Communication (i.e., HAZCOM) Plan; • Assignments and responsibilities of Project health and safety roles; • Standards for any secondary containment and countermeasures required for hazardous materials; • Spill response procedures based on product and quantity. The procedures would include materials to be used, location of such materials within the Project area, and disposal protocols; and • Protocols for the management, testing, reporting, and disposal of potentially contaminated soils or groundwater observed or discovered during construction. This would include termination of work within the area of suspected contamination sampling by an OSHA trained individual and testing at a certified laboratory. <p>The Project would also be equipped with lead-acid batteries to provide backup power for monitoring, alarm, protective relaying, instrumentation and control, and emergency lighting during power outages. Secondary containment would be constructed around and under the battery racks, and the HMMP would address containment from a battery leak.</p> <p>The plan would be provided to the CPUC prior to construction for recordkeeping. Plan updates would be made and submitted as needed if construction activities change whereas the existing plan does not adequately address the Project.</p>	<p>Prior to and during construction.</p>	<p>Complete For Construction. LSPGC provided CPUC a copy of the Hazardous Materials Management Plan (HMMP). LSPGC and its contractors will implement the HMMP during construction.</p> <p>LSPGC will prepare a separate HMMP for the operations and maintenance of the Orchard Substation.</p>
<p>APM HAZ-3: In the event that soils suspected of being contaminated (on the basis of visual, olfactory, or other evidence) are removed during site grading activities or excavation activities, the excavated soil shall be tested, and if contaminated above hazardous waste levels, shall be contained and disposed of at a licensed waste facility. The presence of known or suspected contaminated soil shall require testing and investigation procedures to be supervised by a qualified person, as appropriate, to meet state and federal regulations.</p>	<p>During construction.</p>	<p>LSPGC and its contractors will implement this measure during construction.</p>

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<p>APM HAZ-4: LSPGC shall implement ongoing fire patrols during the fire season as defined each year by local, state, and federal fire agencies. These dates vary from year to year, generally occurring from late spring through dry winter periods. During Red Flag Warning events, as issued daily by the National Weather Service, all construction/maintenance activities shall cease, with an exception for transmission line testing, repairs, unfinished work, or other specific activities which may be allowed if the facility/equipment poses a greater fire risk if left in its current state. Although the Project area is not located within an area designated as a Very High or High Fire Hazard Severity Zone, LSPGC will prepare a Construction Fire Prevention Plan prior to construction.</p> <p>All construction/maintenance crews and inspectors shall be provided with radio and cellular telephone access that is operational in all work areas and access routes to allow for immediate reporting of fires. Communication pathways and equipment shall be tested and confirmed operational each day prior to initiating construction/maintenance activities at each work site. All fires shall be reported to the fire agencies with jurisdiction in the area immediately upon discovery of the ignition. All construction/maintenance personnel shall be trained in fire-safe actions, initial attack firefighting, and fire reporting. All construction/maintenance personnel shall be trained and equipped to extinguish small fires in order to prevent them from growing into more serious threats. All construction/maintenance personnel shall carry at all times a laminated card and be provided a hard hat sticker that list pertinent telephone numbers for reporting fires and defining immediate steps to take if a fire starts. Information on laminated contact cards and hard hat stickers shall be updated and redistributed to all construction/maintenance personnel and outdated cards and hard hat stickers shall be destroyed prior to the initiation of construction/maintenance activities on the day the information change goes into effect.</p> <p>Construction/maintenance personnel shall have fire suppression equipment on all construction vehicles. Construction/maintenance personnel shall be required to park vehicles away from dry vegetation. Water tanks, fire extinguishers, and/or water trucks shall be sited or available at active project sites for fire protection during construction. The Applicant shall coordinate with applicable local fire departments prior to construction/maintenance activities to determine the appropriate amounts of fire equipment to be carried on vehicles and, should a fire occur, to coordinate fire suppression activities.</p>	<p>Prior to and during construction.</p>	<p>Completed. LSPGC provided CPUC a copy of the Construction Fire Prevention Plan (CFPP). LSPGC and its contractors will implement the CFPP during construction.</p>
<p>APM WQ-1: Because the Project involves more than an acre of soil disturbance, a SWPPP would be prepared as required by the state NPDES General Permit for Discharges of Stormwater Associated with Construction Activity. This plan would be prepared in accordance with the Water Board guidelines and other applicable erosion and sediment control BMPs. Implementation of the plan would help stabilize disturbed areas and would reduce erosion and sedimentation. The SWPPP would designate BMPs that would be followed during and after construction of the Project, examples of which may include the following erosion-minimizing measures:</p>	<p>Prior to and during construction.</p>	<p>Complete. The Stormwater Pollution Prevention Plan (SWPPP) was submitted to CPUC for review and submitted to the State Water Resources Control Board on 11/30/2022. The Project was assigned WDID: 5F10C399233.</p>

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<ul style="list-style-type: none"> • Using drainage control structures (e.g., straw wattles or silt fencing) to direct surface runoff away from disturbed areas; • Strictly controlling vehicular traffic; • Implementing a dust-control program during construction; • Restricting access to sensitive areas; • Using vehicle mats in wet areas; or • Revegetating disturbed areas, where applicable, following construction. <p>In areas where soils are to be temporarily stockpiled, soils would be placed in a controlled area and would be managed with similar erosion control techniques. Where construction activities occur near a surface waterbody or drainage channel and drainage from these areas flows towards a waterbody or wetland, stockpiles would be placed at least 100 feet from the waterbody or would be properly contained (such as beaming or covering to minimize risk of sediment transport to the drainage). Mulching or other suitable stabilization measures would be used to protect exposed areas during and after construction activities. Erosion-control measures would be installed, as necessary, before any clearing during the wet season and before the onset of winter rains. Temporary measures, such as silt fences or wattles intended to minimize erosion from temporarily disturbed areas, would remain in place until disturbed areas have stabilized.</p>		
<p>APM WQ-2: Groundwater encountered during construction would be handled and discharged in accordance with all state and federal regulations including the following:</p> <ul style="list-style-type: none"> • Recovered groundwater would be contained on site and tested prior to discharge; • If testing determines water is suitable for land application, discharge may be applied to flat, vegetated, upland areas, used for dust control, or used in other suitable construction operations (e.g., concrete mixing); • Land application would be made in a manner that discharge does not result in substantial erosion and would not be made directly to receiving waters or storm drains; • Water unsuitable for land application would be disposed of at an appropriately permitted facility; and • Discharge to surface waters or storm drains may occur only if permitted by the agency(ies) with jurisdiction over the resource (e.g., USACE [U.S. Army Corps of Engineers], RWQCB, and/or CDFW [California Department of Fish and Wildlife], as applicable). 	During construction.	LSPGC and its contractors will implement this measure during construction.
<p>APM PS-1: LSPGC would coordinate construction activities with local law enforcement and fire protection agencies. Emergency service providers would be notified of the timing, location, and duration of construction activities.</p>	Prior to construction.	Complete. Prior to the start of construction. LSPGC will notify law enforcement and fire protection agencies regarding the timing, location, and duration of construction activities.

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<p>APM TRA-1: LSPGC would prepare a Traffic Control Plan to describe measures to be taken to guide traffic (such as signs and workers directing traffic), safeguard construction workers, provide safe passage, and minimize traffic impacts. LSPGC would follow its standard safety practices as needed, including installing appropriate barriers between work zones and transportation facilities, posting adequate signs, and using proper construction techniques. LSPGC would follow the recommendations in this manual regarding basic standards for the safe movement of traffic on highways and streets in accordance with Section 21400 of the California Vehicle Code. If required for obtaining a local encroachment permit, LSPGC would establish a Traffic Management Plan (TMP) to address haul routes, timing of heavy equipment and building material deliveries, potential street and/or lane closures, signing, lighting, and traffic control device placement. Construction activities would be coordinated with local law enforcement and fire protection agencies. Emergency service providers would be notified as required by the local permit of the timing, location, and duration of construction activities.</p>	<p>Prior to and during construction.</p>	<p>Complete. LSPGC provided CPUC a copy of the Traffic Control Plan (TCP) and will implement the TCP during construction.</p>
<p>APM UTIL-1: The Applicant shall notify all utility companies with utilities located within or crossing the Orchard Substation Facilities' Rights-of-Way (ROW) to locate and mark existing underground utilities along the entire length of the Orchard Substation Facilities at least 14 days prior to construction. No subsurface work shall be conducted that would conflict with (i.e., directly impact or compromise the integrity of) a buried utility. In the event of a conflict, areas of subsurface excavation or pole installation shall be realigned vertically and/or horizontally, as appropriate, to avoid other utilities and provide adequate operational and safety buffering. In instances where separation between third-party utilities and underground excavations is less than 5 feet, the Applicant shall submit the intended construction methodology to the owner of the third-party utility for review and approval at least 30 days prior to construction. Construction methods shall be adjusted as necessary to assure that the integrity of existing utility lines is not compromised.</p>	<p>Prior to and during construction.</p>	<p>Complete. Prior to the start of construction. LSPGC will notify all utilities located within or crossing the Orchard Substation Facilities to mark and locate existing underground utilities.</p>